

Mayor and Council Communication

DATE: 06/09/26

M&C FILE NUMBER: M&C 26-0500

LOG NAME: 2018 BOND RR TRE AT N BEACH ST

SUBJECT

(CD 11) Authorize Execution of a Contract with The Fain Group, LLC in the Amount of \$883,893.00 for Construction of the 2018 Railroad Trinity Railway Express at North Beach Street Project, Adopt a Resolution Authorizing Execution of Amendment No. 2 to an Advance Funding Agreement with the Texas Department of Transportation, to Increase the Project Amount to \$1,243,736.00 with City Participation in the Amount of \$224,004.00, Plus Any Cost Overruns, Adopt Appropriation Ordinances, and Amend the Fiscal Years 2026-2030 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of a contract with The Fain Group, LLC, in the amount of \$883,893.00, for the construction of the 2018 Railroad Trinity Railroad Express at North Beach Street project (City Project No. 101865);
2. Adopt the attached resolution authorizing execution of Amendment No. 2 to the Advance Funding Agreement with the Texas Department of Transportation (City Secretary Contract No. 58040; CSJ# 0902-00-315) to increase the project amount to \$1,243,736.00 with City Participation in the amount of \$224,004.00, plus cost overruns, for the 2018 Railroad Trinity Railroad Express at North Beach Street project (City Project No. 101865);
3. Adopt the attached appropriation ordinance, increasing estimated receipts and appropriations in the Grants Capital Projects Federal Fund, in the amount up to \$538,693.00, subject to receipt of the grant, for the purpose of funding the 2018 Railroad Trinity Railroad Express at North Beach Street project (City Project No. 101865);
4. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the TaxNote2017 Fund, in the amount of \$82,156.70, from Proceeds From Tax Note2017 revenue within the Unspecified-All Funds project (City Project No. UNSPEC), for the purpose of funding the 2018 Railroad Trinity Railroad Express at North Beach Street project (City Project No. 101865);
5. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund by increasing appropriations in the 2018 Railroad Trinity Railroad Express at North Beach Street project (City Project No. 101865) in the amount of \$17,843.30, and decreasing appropriations in the Authorized, Not Appropriated project (City Project No. U34018) by the same amount;
6. Amend the Fiscal Years 2026-2030 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize execution of a construction contract with The Fain Group, LLC, in the amount of \$883,893.00 for construction of the Trinity Railway Express (TRE) at North Beach Street project (City Project No.101865). Approval of this M&C will also appropriate funding for the TRE at North Beach Street project.

The TRE at North Beach Street AFA was authorized by the City Council on May 10, 2022, by M&C No. 22-0334.

The 2018 Bond Railroad - TRE at North Beach Street project's objective is railroad crossing safety improvements, which include the elimination of the roadway hump, installation of a median, installation of pedestrian crossings, refreshment of the pavement markings, installation of signage, and the reconstruction of the deteriorated roadway.

The City of Fort Worth advertised the 2018 Railroad - TRE at North Beach Street project in the *Fort Worth Star-Telegram* on November 12 and November 19, 2025.

The following bids were received on January 22, 2026.

Bidders	Amount
The Fain Group, LLC	\$883,893.00
David-Tehoungue Ltd. Co.	\$942,695.00
Capko Concrete Structures LLC	\$1,397,122.00
McClendon Construction Company, Inc.	\$1,627,254.25

The table below summarizes past appropriations, sources, additional funding, and the estimated total cost of the project at completion:

2018 Railroad – TRE at N Beach Street (City Project No. 101865)			

Fund	Existing Funding	Additional Appropriation	Project Funding
31001 - Grants Cap Projects - Federal	\$477,784.00	\$538,693.00	\$1,016,477.00
34017 - TaxNote2017 Fund (UNSPEC)	\$0.00	\$82,156.70	\$82,156.70
34018 – 2018 Bond (U34018)	\$445,000.00	\$17,843.30	\$462,843.30
Grand Total	\$922,784.00	\$638,693.00	\$1,561,477.00

On May 10, 2022, (M&C 22-0334), the City Council adopted Resolution No. 5563-05-2022 authorizing execution of an Advanced Funding Agreement (AFA with Texas Department of Transportation (TxDOT) (City Secretary Contract No. 58040) for the construction of the 2018 Railroad - TRE at North Beach Street (City Project No. 101865).

On November 29, 2022, (M&C 22-0987), the City Council adopted Resolution No. 5651-11-2022 authorizing execution of Amendment No. 1 to the AFA with TxDOT for an increase in federal participation from 80% to 100% funding, increasing the amount to \$477,784.00 for construction and decreasing indirect state costs by \$257.00.

The low bidder's bid price, plus a 15% construction contingency, was \$538,693.00 higher than the estimated construction cost recited in the AFA. The Transportation and Public Works Department (TPW) petitioned TxDOT for additional federal funds to cover the additional construction cost, which was granted.

Amendment No. 2 amends the AFA to include this additional \$538,693.00 in federal funding for a total federal funding amount of \$1,016,477.00. The City will be responsible for additional construction cost increases and cost overruns. This amendment also includes an additional \$100,000.00 in the City's internal anticipated engineering project management costs unanticipated at the beginning of project development based on average expenditures at this time. This amendment increases direct state costs by \$17,379.00 and decreases indirect state costs by \$27,146.00 due to TxDOT's Fiscal Year (FY) 2026 new rate and calculation method of indirect state costs.

The appropriations for the federal grant will be increased, as shown below.

Fund	Original Budget (M&C 22-0334)	Amendment No. 1 (M&C 22-0987)	Amendment No. 2 (this M&C)	Revised Budget
Grant Capital Projects	\$382,227.00	\$95,557.00	\$538,693.00	\$1,016,477.00
Unappropriated Indirect State Cost	\$30,658.00	(\$257.00)	(\$27,146.00)	\$3,255.00
2018 Bond Program Fund	\$445,000.00	\$0.00	\$0.00	\$445,000.00
Grand Total	\$857,885.00	\$95,300.00	\$511,547.00	\$1,464,732.00

The additional federal funding awarded for this project was not included in the FY2026-2030 Capital Improvement Program because grant funding is appropriated at the time of the grant award. The action in this M&C will amend the FY2026-2030 Capital Improvement Program as approved in connection with Ordinance 27979-09-2025.

The construction portion of this contract is 100% federally funded. The City's contribution is for preconstruction and administrative costs.

City salaries will not be charged to this grant project. Indirect Cost recovery does not apply.

The project is located in COUNCIL DISTRICT 11.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: TxDot

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the current capital budget, as appropriated, in the Grants Cap Projects Federal Fund, TaxNote2017 Fund, and in the 2018 Bond Program Fund. The Transportation and Public Works Department (and Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility to

validate the availability of funds. This is a State Advance Funding Agreement.

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