

Mayor and Council Communication

DATE: 11/28/23

M&C FILE NUMBER: M&C 23-1017

LOG NAME: 20WJ BOAZ DESIGN AMDMT 3

SUBJECT

(CD 7) Authorize Execution of Amendment No. 3 in the Amount of \$125,124.45 to a Engineering Services Agreement with Graham Associates, Inc. for a Revised Contract Amount of \$2,799,594.45 for the WJ Boaz Road Widening Improvements Project

RECOMMENDATION:

It is recommended that the City Council authorize execution of Amendment No. 3 to City Secretary Contract No. 56888, an Engineering Services Agreement with Graham Associates, Inc., to increase the contract amount by \$125,124.45 for a revised contract amount of \$2,799,594.45 for the WJ Boaz Road Widening Improvements project (City Project No. 103299).

DISCUSSION:

On December 27, 2021, the City administratively approved a contract with Graham Associates, Inc. (Consultant) in the amount of \$98,085.00 to advance the delivery of the WJ Boaz Road Widening Improvements (City Secretary No. 56888).

On June 28, 2022, Mayor and Council Communication (M&C) 22-0518 authorized Amendment No. 1 in the amount of \$2,479,025.00 for the preparation of plans, specifications and estimates for the roadway widening from a 2-lane road to a 4-lane thoroughfare from Boat Club Road to Elkins School Road. The contract was subsequently revised by Amendment No. 2, which was administratively approved for \$97,360.00, to add franchise utility relocations services.

Amendment No. 3 will provide additional compensation to the consultant for the revision of four (4) appraisals due to the revision of the plans which required additional right-of-way to accommodate a roundabout. Also, three (3) appraisals were revised to include additional driveways which were part of the right-of-way negotiations with the property owners. The amendment also includes additional compensation for an Environmental Assessment needed to obtain a Local On-System Agreement (LOSA) permit from the Texas Department of Transportation.

The following table summarizes previous contract action and amendments:

Contract Action	Amount	Justification	Date
City Secretary Contract No. 56888 - Administratively approved	\$98,085.00	Advance delivery of 2022 Bond Program Projects	12/27/2021
Amendment No. 1 - M&C 22-0518	\$2,479,025.00	Engineering design services	6/28/2022
Amendment No. 2 - Administratively approved	\$97,360.00	Utility relocation services	4/3/2023
Amendment No. 3 - This M&C	\$125,124.45	Additional right-of-way and environmental services for TxDOT permit	This M&C
Contract Total	\$2,799,594.45		

Current funding for the WJ Boaz Road Widening Improvements project is summarized in the table below:

Fund	Existing Funding	Additional Funding	Total
30108-Transportation Impact	\$3,431,732.13		\$3,431,732.13

Fee Cap Fund			
30104-Developer Contribution Fund	\$300,000.00		\$300,000.00
39008-Trans Impact Fee Cap Legacy Fund	\$568,267.87		\$568,267.87
34027-2022 Bond Program Fund	\$6,150,000.00		\$6,150,000.00
30106-Intergovernmental Contribution Fund	\$10,700,000.00		\$10,700,000.00
Project Total	\$21,150,000.00		\$21,150,000.00

Graham Associates, Inc. agrees to maintain its initial M/WBE commitment of 21% that it made on the original agreement and extend and maintain the same M/WBE commitment of 21% to all prior amendments up to and inclusive of this Amendment No. 3. Therefore, Graham Associates, Inc. remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

Funding is budgeted in the Transportation Impact Fee Cap Fund for the purpose of funding the WJ Boaz Rd West Half project, as appropriated.

The project is located in COUNCIL DISTRICT 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated in the Transportation Impact Cap Fund for the WJ Boaz Rd West Half project to support approval of the above recommendation and execution of the amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: William Johnson 5806

Originating Business Unit Head: Lauren Prieur 6035

Additional Information Contact: Monty Hall 8662