

Mayor and Council Communication

DATE: 06/08/21

M&C FILE NUMBER: M&C 21-0367

LOG NAME: 80BOTANIC GARDEN INFRASTRUCTURE CONSTRUCTION AGREEMENT

SUBJECT

(CD 7) Authorize Execution of an Infrastructure Construction Agreement with the Botanical Research Institute of Texas, Inc. in an Amount Not to Exceed \$2,547,441.00 for the Construction of Certain Capital Improvement Projects at the Fort Worth Botanic Garden

RECOMMENDATION:

It is recommended that the City Council authorize the execution of an Infrastructure Construction Agreement with the Botanical Research Institute of Texas, Inc. in an amount not to exceed \$2,547,441.00 for the construction of certain capital improvement projects at the Fort Worth Botanic Garden.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the City Manager to execute an Infrastructure Construction Agreement (ICA) with the Botanical Research Institute of Texas, Inc. (BRIT) to fulfill the City's initial obligation to construct, maintain, repair or relocate certain public infrastructure within the Fort Worth Botanic Garden (Botanic Garden) pursuant to the Management Services Agreement (MSA) with BRIT (City Secretary Contract No. 54201) (M&C 20-0347, May 19, 2020), collectively defined as "Capital Improvements".

The MSA contains a list of identified Capital Improvements - deferred facility maintenance projects or other capital expenditures - valued at \$4,300,000. On April 7, 2020 (M&C 20-0214), City Council authorized the issuance and appropriation of 2020 Tax Notes in the amount of \$4,300,000.00 for the purpose of performing those projects. Due to BRIT's management presence on-site, it was determined that the most efficient way to accomplish the City's obligation is to provide funding to BRIT through an ICA so that BRIT can obtain its own contractors and oversee the work.

With this ICA, the City will reimburse BRIT for an amount up to \$2,547,441.00 from the 2020 Tax Notes and FY 2019 PAYG, which included funding for the design and construction of public utility infrastructure required to support the construction of new facilities at the Botanic Garden. The balance of the funding will be expended on an as-needed basis.

Project No.	Project Description	2020 Tax Notes	2019 BG PAYG	Total City Funding
102820	South Vista	\$282,240.00	\$201,000.00	\$483,240.00
102826	Old Garden Road Renovation	\$1,192,856.00	\$0.00	\$1,192,856.00
102827	Southwest Quadrant Renovations	\$495,730.00	\$0.00	\$495,730.00
102828	Rose Ramp Fountains	\$195,179.00	\$0.00	\$195,179.00
102831	Moon Bridge	\$50,606.00	\$0.00	\$50,606.00
102833	Hill Arbor	\$35,750.00	\$0.00	\$35,750.00
102837	Site Amenities	\$69,080.00	\$25,000.00	\$94,080.00
	Totals	\$2,321,441.00	\$226,000.00	\$2,547,441.00

This project will have no impact on the Park & Recreation Department's annual operating budget when completed.

The Fort Worth Botanic Garden is located in COUNCIL DISTRICT 7 and is classified as a Special-Use Facility that serves on a City-wide and regional basis.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Tax Note 2020 Fund and General Capital Projects Fund for the BG South Vista Drainage, BG Old Garden Road Renovation, BG Southwest Quadrant Renovation, BG Rose Ramp Fountains, BG Full Moon Bridge, BG Hill Arbor and BG Site Amenities (Water Frntn) projects to support the approval of the above recommendation and execution of the agreement. Prior to any expenditure being incurred, the Park and Recreation Department has the

responsibility to validate the availability of funds.

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