

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/25/24 M&C FILE NUMBER: M&C 24-0567

LOG NAME: 20INTERMODAL PKWY CONSTRUCTION CONTRACT

SUBJECT

(CD 10) Approve Allocation from the American Rescue Plan Act State and Local Fiscal Recovery Funds in the Amount Up to \$1,000,000.00 to Provide Additional Funding for the Construction of Arterial Improvements to Intermodal Parkway between Old FM 156 and the BNSF Yard in North Fort Worth, Authorize Execution of a Contract with Mario Sinacola & Sons Excavation, Inc., in the Amount of \$17,303,431.95 for Construction of same, and Adopt Appropriation Ordinances to Increase Project Funding in the Amount of \$4,570,642.00

RECOMMENDATION:

It is recommended that the City Council:

1. Approve the allocation of up to \$1,000,000.00 from the American Rescue Plan Act, Subtitle M (Coronavirus State and Local Fiscal Recovery Funds) for the Intermodal Parkway between Old FM 156 and the BNSF yard in North Fort Worth project (City Project No. 103332);
2. Authorize execution of a contract with Mario Sinacola & Sons Excavating, Inc., in the amount of \$17,303,431.95 for the construction of arterial improvements to Intermodal Parkway between Old FM 156 and the BNSF yard in North Fort Worth (City Project No. 103332);
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Transportation Impact Fee Capital Fund in the amount of \$1,570,642.00, from available Transportation Impact Fees and Interest Earnings within the Service Area AA, Project AA-2 – Transportation Impact Fees (City Project No. UN9929) for the purpose of funding the Intermodal Parkway between Old FM 156 and the BNSF yard in North Fort Worth project (City Project No. 103332);
4. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Cap Projects Federal Fund, in the amount up to \$1,000,000.00, transferred from the Grants Operating Federal Fund, for the purpose of funding increased construction costs for the Intermodal Parkway project (City Project No. 103332);
5. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the General Fund for the Transportation & Public Works Department in the amount of \$2,000,000.00, from the available fund balance, for the purpose of transferring to the General Capital Projects Fund;
6. Adopt appropriation ordinance increasing estimated receipts and appropriations in the General Capital Projects Fund in the amount of \$2,000,000.00, transferred from the General Fund, for the purpose of funding the Intermodal Parkway project (City Project No. 103332); and
7. Amend the Fiscal Year 2024 Adopted Budget and Fiscal Years 2024 – 2028 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to allocate and appropriate additional funding, and to authorize the execution of a contract with Mario Sinacola & Sons Excavating, Inc., in the amount of \$17,303,431.95 for the construction of arterial improvements to Intermodal Parkway between Old FM 156 and the BNSF Yard. The improvements include expanding capacity from a two to a four-lane divided roadway with shared use paths, street lighting, storm drainage, and traffic signals. The project is currently funded by a combination of General Capital Funding, Impact Fees, Developer contributions, and Tarrant County 2021 Bond funds.

The project was advertised for proposers on December 14 and 21, 2023, in the *Fort Worth Star Telegram*. Construction of the project was procured as Best Value Proposal, in which evaluation criteria included experience and qualifications, project approach, project schedule, safety history and project cost. Proposals were received on February 1, 2024.

The following table shows the compiled scores for the proposals received:

Offeror	Cost	Qualifications	Safety	Approach	Schedule	Total
Mario Sinacola	39.04	20	5.2	9.4	15	88.64
Flatiron	36.04	16.6	10	9.6	15	87.24
Tiseo	39.37	8.6	7.2	8	11.25	74.42
Conatser	40.0	16.0	0	0	11.25	67.25

Construction						
Maximum Possible Points	40	25	11	10	15	101

Construction of Intermodal Parkway is anticipated to begin in Summer 2024.

The following table demonstrates the funding history and total budget for the project:

Capital Fund Name	Project Name	Appropriations	Budget Adjustment	Revised Fiscal Year 2024 Budget
30108 Transportation Impact Fee Cap	Intermodal Parkway (City Project No.103332)	\$5,669,690.39	\$1,570,642.00	\$7,240,332.39
30104 Developer Contribution	Intermodal Parkway (City Project No.103332)	\$250,000.00	\$0.00	\$250,000.00
30106 Intergovernmental Contribution (County Bond Funds)	Intermodal Parkway (City Project No.103332)	\$6,750,000.00	\$0.00	\$6,750,000.00
30100 General Capital Projects	Intermodal Parkway (City Project No.103332)	\$1,500,000.00	\$2,000,000.00	\$3,500,000.00
39008 Transportation Impact Fee Cap Legacy	Intermodal Parkway (City Project No.103332)	\$1,030,309.61	\$0.00	\$1,030,309.61
31001 Grants Cap Projects Federal	Intermodal Parkway (City Project No.103332)	\$0.00	\$1,000,000.00	\$1,000,000.00
Project Total		\$15,200,000.00	\$4,570,642.00	\$19,770,642.00

Use of Assigned Fund Balance

As part of the Fiscal Year 2023 year-end process, the City Council approved assigning \$54,340,467.00 from Fiscal Year 2023 fund balance for future capital projects via Mayor and Council (M&C) 24-0001. This assigned amount is in excess of reserve requirements in the General Fund and was derived from \$15,959,527.00 from the sale of library property, \$30,380,940.00 from budgetary savings and \$8,000,000.00 from one-time interest earnings.

This M&C is to utilize \$2,000,000.00 from that assigned fund balance in the General Fund. Upon approval of this M&C, approximately \$45,891,209.00 will remain for future appropriation by Mayor and Council.

Approval of this M&C will reduce the assigned_General Fund Balance as follows:

General Fund	Original Amount	24-0457	This M&C	Remaining Balance
10100-Fund Balance Set Aside for Capital	\$38,380,940.00	(\$6,449,258.00)	(\$2,000,000.00)	\$29,931,682.00

Shortfalls				
10100-Fund Balance from Sale of Central Library Proceeds	\$15,959,527.00	\$0.00	\$0.00	\$15,959,527.00
Total Fund Balance for Capital				\$45,891,209.00

Allocation of ARPA Subtitle M Funding

ARPA Section 603(c)1(C) provides that ARPA can be used to replace revenue lost as a result of the COVID public health emergency, with such funds eligible to be used for the provision of government services. Treasury guidance construing the recovery provision indicates that such funds can generally be used for any purpose for which a city could use its own funds, subject to certain narrow exceptions that are not applicable here. ARPA funding must be committed by December 31, 2024 and fully expended by December 31, 2026.

Summary of ARPA Allocations To-Date

The following chart reflects the current status for allocation of the City's ARPA funding under Subtitle M and incorporates each ARPA M&C on the June 25th Council Agenda:

STATUS	AMOUNT	M&C
Total CFW ARPA Subtitle M Funding	\$173,745,090.00	21-0445 362021 AMERICAN RESCUE PLAN
Allocations Approved To-Date	6,000,000.00	21-0794 25ARPA-VFW-TDG
Allocations Approved To-Date	1,000,000.00	21-0805 13ARPA-ADMINISTRATION
Allocations Approved To-Date	4,245,533.42	21-0810 17ARPA ALLOCATIONS EVANS & ROSEDALE REDEVELOPMENT
Allocations Approved To-Date	2,400,000.00	21-0811 17ARPA ALLOCATIONS UNTHSC TECHSTARS
Allocations Approved To-Date	10,100,000.00	21-0814 19ARPA ALLOCATIONS TO HOUSING AND HUMAN SERVICES PROJECTS
Allocations Approved To-Date	3,000,000.00	21-0809 19ARPA ALLOCATION CDFI FRIENDLY AMERICA
Allocations Approved To-Date	300,000.00	21-0820 25ARPA-WRMC MURAL PLAQUES
Allocations Approved To-Date	6,400,000.00	21-0935 21ARPA-PEG FUNDING-FUTURE CITY HALL
Allocations Approved To-Date	8,000,000.00	21-0908 23ARPA-VACCINATIONS AND TESTING
Allocations Approved To-Date	4,560,000.00	21-0913 25ARPA-PED__CAPITAL__RESTORE

Allocations Approved To-Date	52,000,000.00	21-0934 21ARPA-FWCC EXPANSION FUNDING & PROJECT MANAGEMENT
Allocations Approved To-Date	3,000,000.00	22-0268 17ARPA CENTER FOR TRANSFORMING LIVES
Allocations Approved to-Date	5,000,000.00	22-0270 19ARPA ALLOCATION FOR PERMANENT SUPPORTIVE HOUSING
Allocations Approved to-Date	7,091,047.00	22-0368 04ARPANEIGHBORHOOD WIFI CARES RATIFICATION/ARPA ALLOCATION
Allocations Approved to-Date	3,595,000.00	22-0366 04ARPA INFRASTRUCTURE PROGRAM
Allocations Approved to-Date	3,675,000.00	22-0367 04ARPA CYBERSECURITY PROGRAM
Allocations Approved to-Date	16,000,000.00	22-0789 MMA INFRASTRUCTURE – STREETLIGHTS & PEDESTRIAN SAFETY
Allocations Approved to-Date	2,500,000.00	22-0789 MMA INFRASTRUCTURE – COBB & HIGHLAND HILLS PARKS
Allocations Approved to-Date	3,200,000.00	22-0789 TARRANT AREA FOOD BANK FACILITY
Allocations Approved to-Date	2,000,000.00	22-0789 POLICE AND FIRE COVID WORKER'S COMPENSATION CLAIMS
Allocations Approved to-	1,458,372.00	22-0789 POLICE COVID HEALTH EXPENDITURES
Allocations Approved to-Date	750,000.00	22-0789 VISIT FORT WORTH SPECIAL EVENT FUNDING
Allocations Approved to-Date	4,411,080.00	22-0789 UNITED WAY ONE SECOND COLLABORATIVE
Allocations Approved to-Date	8,000,000.00	22-0789 DEEPLY AFFORDABLE HOUSING INFRASTRUCTURE & DRAINAGE
Allocations Approved to-Date	1,500,000.00	22-0789 FORT WORTH ZOO ROAD REPAIR, EROSION CONTROL, BROADBAND
Allocations Approved to-Date	200,000.00	22-0789 TX WESLEYAN ON-CAMPUS PUBLIC UTILITY RELOCATION
Allocations Approved to-Date	1,925,000.00	22-0789 WILL ROGERS MC AIR HANDLER REPLACEMENT
Allocations Approved to-Date	5,950,000.00	22-0789 WILL ROGERS MC CONCOURSE, LOBBY AND RESTROOM UPDATES
Allocations Approved to-Date	2,000,000.00	23-0284 ARPA FWTC INNOVATION PARTNERSHIP
Allocations Approved to-Date	\$50,000.00	23-0518 60WSTAMUS ILA
Allocations Approved to-Date	\$100,000.00	23-0609 ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB
Reclaimed Allocations	-4,216,902.00	23-0609 ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB

Allocations Approved to- Date	4,500,000.00	23-0925 RFP 22-0146 BROADBAND ENHANCEMENTS CH CITY
Allocations Approved to- Date	596,275.00	24-0180 WSTAMUS-MCO
Allocations Approved to- Date	515,000.00	24-0458 2020INT IMPROV N. BEACH ST/WESTERN CENTER BLVD APPROPRIATION
Reclaimed Allocations	-5,207,162.96	24-0459 13UPDATE AMERICAN RESCUE PLAN ALLOCATIONS
Allocations Approved to- Date	2,020,500.00	21MEADOWBROOK GOLF COURSE MAINTENANCE FACILITY
Pending Allocations	1,000,000.00	20INTERMODAL PKWY CONSTRUCTION CONTRACT (This M&C)
	\$4,126,347.54	Unallocated Balance

Impact Fee Funding

This project is located within the Transportation Impact Fee Service Area AA (City Project No. 103332) and was identified as impact fee eligible in the most recent transportation impact fee study. The additional impact fee funding will supplement existing funding for the project to be completed. After final payment on the construction contract and completion of the project, any residual funding will be reprogrammed to other eligible projects.

Amending CIP

Funding being appropriated for this project by this M&C was not included in the Fiscal Year (FY) 2024-2028 Capital Improvement Program (CIP) because construction cost estimates were not complete at the time of CIP development. The action in this M&C will amend the FY2024-2028 Capital Improvement Program.

Mario Sinacola & Sons Excavating, Inc. is in compliance with the City's Business Equity Ordinance by committing to 10.00% MWBE participation on this project. The City's MWBE goal on this project is 10%.

The project is located in COUNCIL DISTRICT 10.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Grants Operating Federal Fund American Rescue Plan Act project, and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available as appropriated in the Grants Cap Projects Federal, Transportation Impact Fee Capital and the General Capital Projects Fund for the Intermodal Parkway project. Prior to any expenditure being incurred, the Transportation & Public Works Department is responsible for validating the availability of funds. This is a reimbursement grant.

Submitted for City Manager's Office by: Jessica McEachern 5804

Originating Business Unit Head: Lauren Prieur 6035

Additional Information Contact: Monty Hall 8662

Expedited