

Mayor and Council Communication

DATE: 10/21/25

M&C FILE NUMBER: M&C 25-0989

LOG NAME: 20SWM FWCC VIOLA STORM DRAIN CONSTRUCTION CHANGE ORDER NO. 2

SUBJECT

(CD 9) Authorize Execution of Change Order No. 2, in the Amount of \$627,046.55 to the Construction Agreement with Fort Worth Civil Constructors, LLC for the Fort Worth Central City Viola Storm Drain Project, for a Revised Contract Amount of \$6,623,775.55

RECOMMENDATION:

It is recommended that the City Council authorize execution of Change Order No. 2, in the amount of \$627,046.55 to City Secretary Contract No. 60996 a Construction Agreement with Fort Worth Civil Constructors, LLC for the Fort Worth Central City Viola Storm Drain project (City Project No. 103264) for a total revised contract amount of \$6,623,775.55.

DISCUSSION:

On November 14, 2023 (M&C 23-0982), the City Council authorized a construction contract with Fort Worth Civil Constructors, LLC, in the amount of \$5,996,729.00 for the construction of the Fort Worth Central City Viola Storm Drain Project (CSC No. 60996). This contract was subsequently revised by Change Order No. 1, which added 200 days to the contract, administratively authorized on February 14, 2025.

The purpose of this Mayor and Council (M&C) communication is to recommend the execution of Change Order No. 2 for additional unclassified excavation quantities for the sluice gate and headwall. To reduce project costs, the City coordinated with Tarrant Regional Water District (TRWD) to allow Fort Worth Civil Constructors, LLC (Fort Worth Civil) to haul and dispose of the additional material at an alternative location. This arrangement significantly lowers the trucking and disposal expenses. As a result, Fort Worth Civil has proposed a reduced unit price of \$120.00 per cubic yard for the additional excavation, compared to the originally bid rate of \$236.00 per cubic yard. This change order also includes the addition of guardrails around the headwall. The total amount of Change Order No. 2 is \$627,046.55.

The table below is a breakdown of all previous change orders for this project:

<u>Change Order Number</u>	<u>Change Order Amount</u>	<u>Date and Authorization Type</u>	<u>Purpose of Change Order</u>	<u>Original Contract Amount</u>	<u>Revised Contract Amount</u>
1	\$0.00	February 14, 2025 Administratively	Zero-dollar change order adding days for delays caused by the multiple revisions of the USACE submittal package	\$5,996,729.00	\$5,996,729.00
2	\$627,046.55	This M&C	Change order for additional unclassified excavation quantities for the sluice gate and headwall, and guardrail on the headwall	\$5,996,729.00	\$6,623,775.55

The entirety of the \$5,996,729.00 original contract, the \$60,000.00 material testing fee (to be performed by a geotechnical testing firm), and the \$120,000.00 inspection fee (to be performed by an inspection firm) are considered Fort Worth Central City related work, which is eligible for funding reimbursement from Tax Increment Reinvestment Zone No. 9 (Trinity River Vision TIF) pursuant to the Trinity River Vision Authority (TRVA) Project Plan. Having met its \$26.6 million commitment to the TRVA Project, the TRWD will reimburse the City's yearly expenses for this contract at the end of each Fiscal Year, up to the total amount of \$6,176,729.00, in accordance with the provisions of the executed Interlocal Agreement between the City and the TRWD (City Secretary Contract No. 59910). This is confirmed with the executed reimbursement letter dated January 10,

2024. Staff will record monthly receivables for reimbursable expenses, and the FWCC Program Manager in the FWLab Department will collect the full reimbursement from TRWD at the end of each fiscal year.

Since the City has exhausted the share of the local program budget allocated to Stormwater infrastructure relocation, the additional \$627,046.55 in costs associated with Change Order No. No. 2 will not be included in the annual reimbursement process between the City and the TRWD. Rather, the cost for this change order will be eligible for reimbursement directly from future Trinity River Vision TIF revenue after prior commitments of the TIF have been satisfied. Once reimbursement associated with this project is received, those funds will be used to reimburse the Stormwater Utility. This future reimbursement of \$627,046.55 will be documented in a reimbursement letter between the City and TRWD upon approval of this M&C.

Funding is budgeted in the Stormwater Capital Projects Fund for the TPW Department for the purpose of funding the FWCC Viola project, as appropriated.

This project is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Stormwater Capital Projects Fund for the FWCC Viola project to support the above recommendations and execution of this change order. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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Expedited