

Mayor and Council Communication

DATE: 06/28/22

M&C FILE NUMBER: M&C 22-0483

LOG NAME: 60MARYS CREEK PERMIT AMEND4 - PLUMMER

SUBJECT

(ETJ W-CD 3 and CD 7) Authorize Execution of Amendment No. 4 in the Amount of \$287,415.00 to an Engineering Agreement with Plummer Associates, Inc., for Mary’s Creek Water Reclamation Facility Permit Application and Adopt Appropriation Ordinance to Effect a Portion of Water Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 4 to City Secretary No. 48728, an agreement with Plummer Associates, Inc., in the amount not to exceed \$287,415.00 for the Mary’s Creek Water Reclamation Facility Permit Application for a revised contract amount of \$978,254.00; and
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Bond 2017A Fund by decreasing estimated receipts and appropriations in the Unspecified – All Funds project (City Project No. UNSPEC) in the amount of \$287,415.00 and increasing estimated receipts and appropriations in the Mary’s Creek Water Reclamation Facility Permit Application project (City Project No. C01239) by the same amount to effect a portion of Water’s contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

On January 31, 2017 Mayor and Council Communication (M&C) C-28096, the City Council authorized the execution of an agreement with Plummer Associates, Inc. (City Secretary Contract No. 48728), in the amount of \$390,949.00 for the preparation of the Texas Pollutant Discharge Elimination System (TPDES) permit application for the proposed Mary’s Creek Water Reclamation Facility (MCWRF) to be submitted to the Texas Commission on Environmental Quality (TCEQ).

The agreement was subsequently revised by Amendment No. 1 in the amount of \$25,000.00, administratively authorized July 20, 2018, that provided for additional data review, public outreach and coordination meetings, Amendment No. 2 in the amount of \$74,890.00, administratively authorized April 29, 2020, that provided for additional water quality modeling services and data analysis to support the permitting process and Amendment No. 3 in the amount of \$200,000.00 (M&C 20-0768, October 29, 2020), that provided for additional technical support, expert testimony, and attendance at meetings/hearings with TCEQ and State Office of Administration Hearings for the discharge permit contested hearing.

In support of the design and future construction of the MCWRF project, Amendment No. 4 is needed for the preparation of the reclaimed water authorization which must be issued by the TCEQ and which is required prior providing reclaimed water to customers . Fort Worth also intends to apply for a grant with the United States Bureau of Reclamation (USBR) for funding to offset the costs of design and construction of the MCWRF and its associated reclaimed water facilities. Prior to making this application, a feasibility study must be prepared and submitted to the USBR, in accordance with federal rules and regulations. Plummer Associates, Inc. will be providing the necessary support documentation for this process as part of this Amendment.

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Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/ Decrease)	Revised FY2022 Budget
Water & Sewer Bond 2017A – Fund 56011	C01239 – Mary’s Creek Water Recycling C	\$0.00	This M&C	\$287,415.00	\$287,415.00

Funding is currently available in the Unspecified-All Funds project within the Water & Sewer Bond 2017A Fund for the purpose of funding the Mary’s Creek Water Recycling C project.

Funding for the Mary’s Creek Water Recycling C Project is depicted below:

FUND	Existing Appropriations	Additional Appropriations	Project Total*
Water &			

Sewer Bond 2015A - Fund 59607	\$690,839.00	\$0.00	\$690,839.00
Water & Sewer Bond 2017A - Fund 56011	\$0.00	\$287,415.00	\$287,415.00
Project Total	\$690,839.00	\$287,415.00	\$978,254.00

*Numbers rounded for presentation purposes.

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

Business Equity – A waiver of the goal for Business Equity subcontracting requirements was requested and approved by the DVIN, in accordance with the applicable Ordinance, because the proposed scope of services in this Amendment No. 4 is similar to the scope of services in the original agreement.

This project is located in the Extraterritorial Jurisdiction West of COUNCIL DISTRICTS 3 and 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified – All Funds project within the Water & Sewer Bond 2017A Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Water & Sewer Bond 2017A Fund for the Mary's Creek Water Recycling C project to support the approval of the above recommendations and execution of the amendment to agreement and contract. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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