

# Mayor and Council Communication

DATE: 05/10/22

M&C FILE NUMBER: M&C 22-0361

LOG NAME: 60WELLINGTON OFFSITE SEWER CFA

**SUBJECT**

(CD 7) Authorize Execution of a Community Facilities Agreement with HPC Wellington Nance Development Corporation and 170 Northstar Ranch Developer, Inc., with City Participation in an Amount Not to Exceed \$5,836,644.49 for Oversizing the Wellington Offsite Sewer Main to Serve the Wellington, Nance and Northstar Ranch Developments and Anticipated Future Growth in North Fort Worth, and Adopt Attached Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2022-2026 Capital Improvement Program

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of a community facilities agreement with HPC Wellington Nance Development Corporation and 170 Northstar Ranch Developer, Inc., with City participation in an amount not to exceed \$5,836,644.49 for oversizing the Wellington offsite sewer main to serve the Wellington, Nance and Northstar Ranch Developments and anticipated future growth in north Fort Worth; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Sewer Capital Projects Fund, in the amount of \$6,932,116.00, from available funds, for the purpose of funding the Community Facilities Agreement Bucket programmable project (City Project No. P00001) for the Community Facilities Agreement – Wellington Offsite Sewer Project (City Project No.103521) and to effect a portion of Water’s contribution to the Fiscal Years 2022-2026 Capital Improvement Program.

**DISCUSSION:**

HPC Wellington Nance Development Corporation, (HPC) and 170 Northstar Ranch Developer, Inc. (Northstar), are constructing the Wellington offsite sanitary sewer main M-584. The project will serve HPC’s Wellington and Nance developments located west of Highway 287 and north of Bonds Ranch Rd. Northstar is participating in the project to extend the sewer main from the Wellington and Nance developments to Northstar Ranch. The City is participating in the project to oversize the sewer main to provide additional capacity for future growth within the basin. The cost for the project is estimated to be allocated at 31.3% for HPC, 9.0% for Northstar, and 59.7% for the City. Wellington offsite sewer project is assigned City Project No. 103521 and Accela System Record IPRC21-0158.

The project was publicly bid. The City's cost participation in the construction and oversizing of the sewer main is estimated to be in an amount not to exceed \$5,836,644.49 as shown in the table below. The City Participation is estimated to be \$5,756,729.09 for construction costs, \$74,625.00 for construction inspection fees, and \$5,290.40 for the public bid advertisement. The remaining City participation in the estimated amount of \$1,151,345.82 is contingency funds that will cover the City’s portion of any change orders.

A. Public Improvements	Dev- HPC (31.3%) Cost	Dev-Northstar ( 9%) Cost	City Cost (59.7%)	Total Cost
Unit 1- Sewer	\$2,080,909.67	\$598,344.63	\$3,969,019.40	\$ 6,648,273.70
Unit 2- Sewer	\$937,274.93	\$269,503.97	\$1,787,709.69	\$2,994,488.60
Sub Total	\$3,018,184.60	\$867,848.61	\$5,756,729.09	\$9,642,762.30
Contingency	\$0.00	\$0.00	\$1,151,345.82	\$1,151,345.82
B. Inspections & Testing				
1. Construction Inspection Fee 64%/ 21% /15%	\$80,000.00	\$26,250.00	\$18,750.00	\$125,000.00
2. Admin Material				

Testing Fee 75% /25% /0%	\$15,618.75	\$5,206.25	\$0.00	\$20,825.00
3. Material Testing Cost 75%/ 25% 0%	\$0.00	\$0.00	\$0.00	\$115,134.58
4. Water Lab Fee	\$0.00	\$0.00	\$0.00	\$0.00
C. Public Bid Advertisement Fee	\$2,773.69	\$797.55	\$5,290.40	\$8,861.64
Total Project Cost	\$3,116,577.04	\$900,102.40	\$6,932,115.31	\$11,063,929.34

\*Numbers will be rounded up for accounting purposes.

The reimbursement of the participation, excluding inspection and material testing fees, is not a lump-sum amount and may be less than the stated amount depending upon the actual quantities and unit prices from the Notice of Final Completion package, commonly referred to as the Green Sheet package.

It is the practice of the Water Department to appropriate its CIP plan throughout the fiscal year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the Mayor & Council Communication (M&C) will appropriate funds in support of the Water's portion of the City of Fort Worth's Fiscal Years 2022-2026 Capital Improvements Program, as follows:

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2022 Budget
59608 - Sewer Capital Funds	P00001-CFA Bucket	\$ -	This M&C	\$ 6,932,116.00	\$ 6,932,116.00

Funding for the Community Facility Agreement (CFA) –Wellington Offsite Sewer as depicted in the table below:

Fund	Existing Appropriations	Additional Appropriations	Project Total *
56017 - Water & Sewer Bond 2020A	\$ 466,889.00	\$ -	\$ 466,889.00
59608 - Sewer Capital Projects Fund	\$ -	\$ 6,932,116.00	\$ 6,932,116.00
Totals	\$ 466,889.00	\$ 6,932,116.00	\$ 7,399,005.00

\*Numbers rounded for presentation purposes.

Funding is currently available in the Unspecified-All Funds project within the Sewer Capital Projects fund for the purpose of funding the community facilities agreement –Wellington Offsite Sewer project.

**Business Equity:** City Project No. 103521 is listed on the Cost Participation Water Department list of waived developer projects negotiated in Fiscal Years 2019-2020 and agreed upon between Development Services and DVIN.

This development is located in Council District 7.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Unspecified - All Funds project within the Sewer Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Sewer Capital Projects Fund for the CFA Bucket programmable project to support the approval of the above recommendations and execution of the agreement. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** Chris Harder 5020

**Additional Information Contact:** Vishal Sood 8055