

Mayor and Council Communication

DATE: 06/28/22

M&C FILE NUMBER: M&C 22-0487

LOG NAME: 60EAST POWELL TOWNHOMES WATER & SEWER MAIN REPLACEMENT

SUBJECT

(CD 8) Authorize Execution of a Community Facilities Agreement with Bowers Homes LLC, with City Participation in the Amount Not to Exceed \$190,899.47, for Replacement of Existing Water and Sanitary Sewer Mains Located in East Powell Avenue in South East Fort Worth

RECOMMENDATION:

It is recommended that the City Council authorize the execution of a Community Facilities Agreement with Bowers Homes LLC, with City participation in the amount not to exceed \$190,899.47, for the replacement of an existing 2-inch water main with an 8-inch water main and an existing 6-inch sewer main with an 8-inch sewer main located in East Powell Avenue in south east Fort Worth.

DISCUSSION:

Bowers Homes LLC (Developer) is constructing the East Powell Townhomes project (Development) located east of South Riverside Drive and west of U.S Highway 287. The City is participating in the project to replace the existing 2-inch water and 6-inch sewer mains in East Powell Ave to meet the City's current standards with an 8-inch water main and an 8-inch sewer main. The Development does not require an increase in the capacity of the existing water and sewer mains. Due to the age of both mains and insufficient capacity of the water main, the City will contribute 100% to the construction of these water and sewer mains including paving related items and reconnecting existing services. The Developer will be responsible for the extension of the 8" water line, new water services, paving and new sewer services. East Powell Townhomes project is assigned City Project No. 102692 and Accela System Record IPRC20-0034.

In accordance with Chapter 212, Subchapter C of the Texas Local Government Code, the City's participation in the contract is exempt from competitive bidding requirements because the City's participation will not exceed 30% of the total contract price, the Developer will execute a performance bond to cover the total project cost, including all of the City's cost participation, and the City's cost participation will be determined in accordance with the City's Unit Price Ordinance. The City's cost participation in the construction cost of the replacement of the water and sewer mains is estimated to be in an amount not to exceed \$190,899.47 as shown in the table below. Payments to the Developer are estimated to be \$179,911.25 for construction costs and \$3,598.22 for material testing costs. The remaining City Participation, in the estimated amount of \$43,372.25, will cover the City's portion of construction inspection service fees, administrative material testing service fees, for water testing lab fees, and contingency funds for City's portion of any change orders.

The following table shows the cost sharing breakdown for the project.

A. Public Improvements	Developer Cost	City Cost	Total Cost
1. Water	\$247,148.05	\$88,829.38	\$335,977.43
2. Sewer	\$62,216.13	\$91,081.87	\$153,298.00
Contingency 20%	\$0.00	\$35,982.25	\$35,982.25
3. Drainage	\$16,265.00	\$0.00	\$16,265.00
4. Paving	\$178,216.17	\$0.00	\$178,216.17
Construction Fees			
A. Construction Inspection Fee	\$48,875.00	\$6,250.00	\$55,125.00

B. Admin Material Testing Fee	\$1,666.00	\$980.00	\$2,646.00
C. Water Testing Lab Fee	\$80.00	\$160.00	\$240.00
D. Material Testing Cost	\$0.00	\$3,598.22	\$3,598.22
Total Project Cost	\$554,466.35	\$226,881.72	\$781,348.07

*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.

Funding for the Community Facility Agreement (CFA) – East Powell Townhomes (City Project No. 102692) is as depicted in the table below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
Water/Sewer Bond 2016 – Fund 56005	\$226,882.00	\$0.00	\$226,882.00
Project Total	\$226,882.00	\$0.00	\$226,882.00

*Numbers rounded for presentation purposes.

BUSINESS EQUITY – A goal is not required under Business Equity Ordinance 25165-10-2021 when City spending participation on Community Facilities Agreements are less than \$1,000,000.00.

This project is located in COUNCIL DISTRICT 8

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation and execution of the contract, funds are available in the current capital budget, as appropriated, in the Water/Sewer Bond 2016 Fund CFA-East Powell Townhomes project. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds

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