City of Fort Worth, Texas

Mayor and Council Communication

DATE: 11/12/24 **M&C FILE NUMBER:** M&C 24-0957

LOG NAME: 06SSIP UNIT PRICE TASK ORDER PAVING CONSTRUCTION CONTRACTS

SUBJECT

(ALL) Authorize Execution of Non-Exclusive Unit Price Task Order Construction Agreements with Henry Franklin Manning dba Manning Concrete Sawing, Set-Apart Excavating & Services, LLC, Thomas 11 Development, LLC, and Ti-Zack Concrete, LLC in a Combined Annual Amount Up to \$2,000,000.00 for the Initial Term with Four One-Year Renewal Options for the Development Services Department's Small-Scale Infrastructure Program

RECOMMENDATION:

It is recommended that the City Council authorize the execution of non-exclusive unit price task order construction agreements with Henry Franklin Manning dba Manning Concrete Sawing, Set-Apart Excavating & Services, LLC, Thomas 11 Development, LLC and Ti-Zack Concrete, LLC, in combined annual amount up to \$2,000,000.00 with four one-year renewal options for the Development Services Department's Small-Scale Infrastructure Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize execution of non-exclusive unit price construction agreements to provide construction services on an as-needed (task order) basis for the construction of projects relating to the installation of small-scale or infill developer-led projects, for the Development Services Department's Small-Scale Infrastructure Program (Program). The scope of the projects in the Program include 800 feet or fewer of water, sewer, storm services, sidewalk and four or fewer pedestrian/streetlight installations. The construction cost will be funded entirely by developers.

On March 19, 2024 (M&C 24-0187), the City Council authorized execution of engineering agreements and adopted appropriation ordinances necessary for the Program, including the construction contracts that are the subject of this M&C. The funds appropriated are subject to receipt of funds from the developers for the projects.

For the initial phase of the Program, the City issued a public bid for driveways, alleys, and sidewalk installations with associated flatwork. The project was bid as a low bid contract. Notice of bids was published in the *Fort Worth Star Telegram* on June 13, 2024, and June 20, 2024. On August 1, 2024 the City received the six (6) responses below.

Bidders	Total Bid
Henry Franklin Manning dba Manning Concrete Sawing	\$4,527,792.00
Set-Apart Excavating & Services, LLC	\$5,218,345.15
Thomas 11 Development, LLC	\$9,623,250.00
Ti-Zack Concrete, LLC	\$9,760,334.35
Alderink Enterprises, Inc. dba Cl Pavement	\$9,829,642.50
Fort Worth Civil Constructors	\$17,862,765.00

The unit price bids received includes a large array of items, each having a quantity reflective of the total for the entirety of the contact. Task orders will be issued for each project and the bidders were made aware of the contract cap amount.

An evaluation panel consisting of representatives from the Development Services Department evaluated the bids. The evaluation panel determined that the prices bid by Henry Franklin Manning dba Manning Concrete Sawing, Set-Apart Excavating & Services, LLC, Thomas 11 Development, LLC and Ti-Zack Concrete, LLC are reasonable and are low bid contracts.

As future phases of the Program are initiated, City staff will publicly bid additional infrastructure component construction contracts. All construction contracts for the Program will be non-exclusive agreements to allow the Program the maximum amount of flexibility.

Funding for the Small-Scale Infrastructure Program was appropriated to City Project No. P00151 with movement of spending authority to a child project contingent on the actual receipt or availability funds depicted in the table below:

Fund Name Existing Fiscal Year 2 Appropriations Budget
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Small-Scale Infrastructure Program		
City Project No. P00151	\$14,700,000.00	\$14,700,000.00
M&C 24-0187		

These task order contracts will serve current and future capital projects as-needed, and a funds availability verification will be performed by Development Services Contract Managers prior to task order assignment.

FUNDING: The maximum combined annual amount allowed under these construction agreements will be \$2,000,000.00; however, the actual amount used will be based on the needs of the department and the available budget.

DVIN BE: This project does not fall under the DVIN Ordinance, Section 20-368 requirements, therefore a waiver is not needed, nor does it need to be reviewed by DVIN.

AGREEMENT TERMS: Upon City Council approval, the agreements shall begin upon execution and expire one year from that date.

RENEWAL TERMS: The agreements may be renewed for four additional one-year terms. This action does not require specific City Council approval provided that the City Council has appropriated sufficient funds to satisfy the City's obligations during the renewal term.

ADMINISTRATIVE CHANGE ORDER: An administrative change order or increase may be made by the City Manager to the amount allowed by relevant law and the Fort Worth City Code and does not require specific City Council approval as long as sufficient funds have been appropriated.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the capital budget, as previously appropriated, of the Small Scale Infrastructure Program project to support the approval of the recommendation and execution of the contract. Prior to any expenditure being incurred, the Development Services Department has the responsibility to validate the availability of funds.

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