

Mayor and Council Communication

DATE: 09/12/23

M&C FILE NUMBER: M&C 23-0768

LOG NAME: 21FORT WORTH CONVENTION CENTER CMAR REVISED GMP

SUBJECT

(CD 9) Authorize Execution of Amendment #1 to the Construction Manager at Risk Contract with Hunt/Byrne/Smith, a Joint Venture, in an Amount Not to Exceed of \$43,000,000.00, Including an Owner's Construction Contingency Allowance, for a Total Contract Value of \$73,000,000.00, for Phase 1 of the Fort Worth Convention Center Renovation and Expansion Project

RECOMMENDATION:

It is recommended that the City Council authorize execution of amendment #1 to the construction manager at risk contract with Hunt/Byrne/Smith, a joint venture, in an amount not to exceed of \$43,000,000.00, for a total contract value of \$73,000,000.00, including an owner's construction contingency allowance, for phase 1 of the Fort Worth Convention Center Renovation and Expansion project (City Project No. 102582)

DISCUSSION:

On November 29, 2022, City Council authorized (Mayor and Council Communication (M&C) 22-0971) the execution of a Construction Manager at Risk (CMAR) contract with Hunt/Byrne/Smith, a Joint Venture, in an amount not to exceed of \$30,000,000.00, including an owner's construction contingency allowance, for the Fort Worth Convention Center Renovation and Expansion project (City Project No. 102582). This CMAR contract allowed the multi-phased project to start and time sensitive tasks to be started. The original Mayor and Council Communication stated that the project would advance through incremental Notices to Proceed for various tasks. This allows the contractor to order material that have long lead times, and initiate other tasks such as site work, utilities, demolition, relocation of building functions and elements, etc. as required. The M&C stated that other amendments to this contract will be required and will be recommended to City Council for approval. Based on the current progress of the design and project at this time staff recommends execution of amendment #1 in the amount of \$43,000,000.00

The overall project costs are expected to be as described in table below:

PROJECT COST	TOTALS
Professional Services (Project Management & Design Contracts)	\$10,293,527.00
CMAR Construction Contract (Including Owner's Construction Contingency Allowance)	\$30,000,000.00
CMAR Construction Contract Amendment #1	\$43,000,000.00
Administrative Costs (Staff Time, Additional ITS, AV, Security, Building Infrastructure, Major Maintenance, FF&E, and Moving Costs)	\$7,706,473.00
Project Contingency	\$4,000,000.00
PROJECT TOTAL	\$95,000,000.00

The project was initially funded through a \$52,000,000.00 ARPA Grant (M&C 21-0934). Based on current scope requirements the additional \$43,000,000.00 increase to the contract will be funded through both ARPA and 2023 Combination Tax and Revenue Certificates of Obligation bonds (M&C 23-0250).

Waiver of Building Permit Fees - In accordance with the City Code of Ordinances, Part II, Chapter 7-1 Fort Worth Building Administrative Code, Section 109.2.1, Exception 2; "Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the fee is waived."

DIVERSITY AND INCLUSION BUSINESS EQUITY OFFICE: Hunt/Byrne/Smith, a Joint Venture agrees to maintain its initial Business Equity Firm commitment of 30%, for Construction, that it made on the original contract and extend and maintain that same Business Equity Firm commitment of 30%, for Construction, to this first change order. Therefore Hunt/Byrne/Smith, a Joint Venture remains in compliance with the City's Business Equity Ordinance and attests to its commitment by its signature on the Acceptance of Previous Business Equity Firm Commitment from executed by an authorized representative of its company.

The Fort Worth Convention Center is to be located in COUNCIL DISTRICT 9 but will benefit all council districts.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Grants Cap Projects Federal Fund and the Certificate of Obligation 2023 Fund for the FWCC Expansion & Prj Mgmt project to support the approval of the above recommendation and execution of the amendment to the contract. Prior to any expenditure being incurred, the Public Events Department has the responsibility to validate the availability of funds.

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