

Mayor and Council Communication

DATE: 12/12/23

M&C FILE NUMBER: M&C 23-1053

LOG NAME: 2023 FREESE AND NICHOLS ARTERIAL PROJECTS

SUBJECT

(CD 7, CD 8, and CD 10) Authorize Execution of Amendments to Two Engineering Services Agreements, Each with Freese and Nichols, Inc for the Everman Parkway and Wagley Robertson Arterial Roadway Projects, Adopt Appropriation Ordinances and Amend the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 1 to City Secretary Contract Number 59439, an Engineering Services Agreement with Freese and Nichols, Inc. in an amount of \$896,440.00, for additional professional services associated with the Everman Parkway Project, for a total contract amount of \$996,220.00 (City Project No. 103271);
2. Authorize execution of Amendment No. 1 to City Secretary Contract Number 59368, an Engineering Services Agreement with Freese and Nichols, Inc. in an amount of \$771,850.00, for additional professional services associated with the Wagley Robertson Project, for a total contract amount of \$871,500.00 (City Project No. 104154);
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Drainage Rev Bonds Series 2023 Fund, by increasing estimated receipts and appropriations in the Wagley Robertson Arterial Project (City Project No. 104154), in the amount of \$2,000,000.00 and decreasing estimated receipts and appropriations in the SW Hazardous Rd Overtopping Programmable project (City Project No. P00120) by the same amount;
4. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund, by increasing estimated receipts and appropriations in the Wagley Robertson Arterial Project (City Project No. 104154), in the amount of \$3,000,000.00 and decreasing estimated receipts and appropriations in the SW Hazardous Rd Overtopping Programmable project (City Project No. P00120) by the same amount; and
5. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

In May 2023, kickoff engineering services contracts with Freese & Nichols, Inc. were administratively approved for a limited scope of work for Design-Build Owner's Representative services associated with the Everman Parkway and Wagley Robertson arterial roadway projects. The contracts are intended to expedite critical early project activities while the remainder of the contract scope is negotiated. The purpose of this Mayor and Council Communication (M&C) is to authorize the execution of Amendment No. 1 to each of the engineering services contracts with Freese and Nichols, Inc. for the remainder of the required services not included in the kickoff contracts as follows:

1. Contract No. 59439 for the Everman Parkway Arterial Project, between Cameron Hill Point and Rosedale Springs Drive, which was administratively approved on May 20, 2023 in the amount of \$99,780.00, is being amended in the amount of \$896,440.00 for a total contract amount of \$996,220.00 and,
2. Contract No. 59368 for the Wagley Robertson Road Project between Coneflower Trail and Quicksilver Trail, which was administratively approved on May 9, 2023 in the amount of \$99,650.00, is being amended in the amount of \$771,850.00 for a total contract amount of \$871,500.00.

Amendment No. 1 for each project revises the contract scope to include services relating to the development of Design-Build procurement documents and processes, preliminary engineering services, assistance and advisory roles in procurement, and implementation of the Design-Build contract.

The Everman Parkway project, contemplates the design and construction of a four-lane divided arterial with associated stormwater improvements, wide sidewalks, and street lighting, and includes a railroad overpass.

The Wagley-Robertson Road project will replace a two-lane rural road with a four-lane divided arterial, stormwater infrastructure, and street lighting. The project contemplates significant drainage improvements to remove the existing roadway from the floodplain and to reduce the chances of roadway overtopping currently experienced. In 2022, when the project was added to the 2022 Bond Program, Transportation Public Work's Stormwater Division agreed to participate in the project with a contribution of \$5,000,000.00. This M&C will appropriate those funds into the project. The following table summarizes previous contract actions and amendments:

The additional Stormwater funding for this project was not included in the FY2024-2028 Capital Improvement Program because the sources of the additional funding were unknown at the time of the CIP development. The action in this M&C will amend the FY2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023.

Funding is budgeted in the TPW Dept Highway & Streets Department's Stormwater Capital Projects and Drainage Rev Bonds Series 2023 Funds for the purpose of funding the Wagley Robertson project.

Everman Parkway

Initial Contract 59439, May 20, 2023, administratively approved, \$99,780.00, CPN 103271

Wagley-Robertson

Initial Contract 59368, May 9, 2023, administratively approved, \$99,650.00, CPN 104154

The following table summarizes the total project funding for Everman Parkway:

Fund	Existing Funding	Additional Funding	Project Total
34027- 2022 Bond Program Fund	\$11,100,000.00	0.00	\$11,100,000.00
30108- Transportation Impact Fee Cap Fund	\$400,000.00	0.00	\$400,000.00
30104 – Developer Contribution Fund	\$3,066,876.54	0.00	\$3,066,876.54
30106 – Intergovernmental Contribution Fund	\$15,350,000.00	0.00	\$15,350,000.00
39008 – Trans Impact Fee Cap Legacy Fund	\$400,000.00	0.00	\$400,000.00
Project Total	\$30,316,876.54	\$0.00	\$30,316,876.54

DVIN-BE Office: Freese and Nichols, Inc is in compliance with the City's Business Equity Ordinance by committing to 30% MWBE participation on this project. The City's MWBE goal on this project is 13%.

This project is located in COUNCIL DISTRICT 8.

The following table summarizes the total project funding for Wagley-Robertson:

Fund	Existing Funding	Additional Funding	Project Total
34014- 2014 Bond Program Fund	\$4,500,000.00	0.00	\$4,500,000.00
34027- 2022 Bond Program Fund	\$11,000,000.00	0.00	\$11,000,000.00
52008 – Drainage Rev Bond Series 2023 Fund		\$2,000,000.00	\$2,000,000.00
52002 – Stormwater Capital Projects Fund		\$3,000,000.00	\$3,000,000.00
Project Total	\$15,500,000.00	\$5,000,000.00	\$20,500,000.00

DVIN-BE Office: Freese and Nichols, Inc is in compliance with the City's Business Equity Ordinance by committing to 23% MWBE participation on this project. The City's MWBE goal on this project is 20%.

This project is located in COUNCIL DISTRICT 7 and 10.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the SW Hazardous Rd Overtopping project within the Stormwater Capital Projects and the Drainage Rev Bonds Series 2023 Funds and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Stormwater Capital Projects and the Drainage Rev Bonds Series 2023 for the Wagley Robertson project to support the above recommendations and execution of the amendments. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility of verifying the availability of funds.

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