

# Mayor and Council Communication

**DATE:** 01/25/22

**M&C FILE NUMBER:** M&C 22-0071

**LOG NAME:** 20HARMON ENG AMEND 4

**SUBJECT**

(CD 7) Authorize Execution of Amendment Number 4 in the Amount of \$149,960.00 to an Engineering Services Agreement with Kimley-Horn and Associates, Inc. for the Harmon Road Project for a Revised Contract Amount of \$3,068,980.00 (2018 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of Amendment Number 4, in an amount not to exceed \$149,960.00 to City Secretary Contract Number 49024 with Kimley-Horn and Associates, Inc., thereby increasing the contract amount to \$3,068,980.00 (City Project No. 100459).

**DISCUSSION:**

The 2018 Bond Program allocated funds for the roadway widening of Harmon Road between US Highway 81/287 to Golden Triangle Boulevard. An Engineering Services Agreement, City Secretary No. 49024 with Kimley-Horn and Associates, Inc. (Consultant) was authorized for the design of the project that included widening a two-lane asphalt road to a four-lane divided arterial that includes three roundabouts and shared used paths.

Amendment Number 4 provides compensation to the Consultant for the following services:

Increases in effort by the Consultant have been attributed to various field changes brought upon by conditions that have been encountered during construction. Oncor, AT&T, Spectrum and Verizon did not move their respective infrastructure in a timely manner as promised. The Consultant has assisted the City of Fort Worth (City) with coordinating the utility relocations and ensuring that the infrastructure is placed outside of the construction limits. Various new developments such as the CVS, Fire Station 45 and a commercial site, which will require new street connections on Harmon Road, required the Consultant to coordinate the developments' tie-in points to the Harmon Road project. A sanitary sewer extension was added to the project for the industrial developments on the southern end of the project.

The following table summarizes previous contract action and amendments:

M&C	Amount	Justification	Number	Date
Initial Contract	\$1,800,000.00	Initial contract to develop design and construction documents	C-28184	4-17-2017
Amendment No. 1	\$595,000.00	Additional engineering services added	C-28764	6-28-2018
Amendment No. 2	\$425,000.00	Additional engineering services added	20-0334	5-19-2020
Amendment No. 3	\$99,020.00	Additional engineering services added	Administratively	3-19-2021
Amendment No. 4	\$149,960.00	See above		
<b>Contract Total</b>	<b>\$3,068,980.00</b>			

The funding for the Harmon Road project is below:

M&C	Fund	Total

G-19306	2018 Bond Program Fund	\$18,000,000.00
C-27896	Developer Contribution Fund	\$12,390,000.00
20-0500	Transportation Impact Fee Cap Fund	\$6,300,000.00
21-0353	W&S Capital Projects Fund	\$343,927.00
C-28778	WS Capital Project 2019	\$58,450.00
<b>Total Project Funding</b>		<b>\$37,092,377.00</b>

M/WBE – Kimley-Horn and Associates, Inc. agrees to maintain its initial M/WBE commitment of 14% that it made on the original agreement and extend and maintain that same M/WBE commitment of 14% to all prior amendments up to and inclusive of this Amendment No. 4. Therefore Kimley-Horn and Associates, Inc. remains in compliance with the City’s BDE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

This project is included in the 2018 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 23209-05-2018) and subsequent actions taken by the Mayor and Council.

The project is located in COUNCIL DISTRICT 7.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the 2018 Bond Program Fund for the Harmon Rd Design ROW project to support the approval of the above recommendation and execution of the amendment to the contract. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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

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