

# Mayor and Council Communication

DATE: 06/28/22

M&amp;C FILE NUMBER: M&amp;C 22-0473

LOG NAME: 80FWNC&amp;R BOARDWALK PHASE II IMPROVEMENTS

**SUBJECT**

(CD 7) Authorize Execution of a Contract with The Fain Group Inc., in the Amount of \$2,386,402.10, for the Fort Worth Nature Center and Refuge Boardwalk Phase II Improvements Project

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of a contract with The Fain Group Inc., in the amount of \$2,386,402.10 for the FW Nature Center - Boardwalk Phase II Improvements Project (City Project No. 102320).

**DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to authorize execution of a contract with The Fain Group Inc., in the amount of \$2,386,402.10 for the construction of the Fort Worth Nature Center & Refuge Boardwalk Phase II project.

On October 29, 2019, the City Council approved M&C 19-0269, which adopted Resolution 5142-10-2019 authorizing the Park & Recreation Department (PARD) to apply for and accept, if awarded a 2019 Urban Outdoor Recreation Grant from Texas Parks Wildlife Department in the amount of \$1,500,000.00 and to transfer the required City matching funds of up to \$1,500,000.00. The grant was awarded on January 20, 2022 and provides funding for the design and construction of the Fort Worth Nature Center & Refuge Boardwalk Phase II project.

On August 3, 2021, City Council approved M&C 21-0542 for the execution of an Engineering Services Agreement with Kimley-Horn and Associates, Inc. in the amount of \$255,200.00 for engineering and design services of the Fort Worth Nature Center & Refuge Boardwalk Phase II project (City Secretary Contract # 56200).

The project was posted on the City Purchasing website on May 11, 2022, and advertised in the *Fort Worth Star-Telegram* on May 11 & 18, 2022. The following bids were received on June 2, 2022.

Contractor	Base Bid	Alternate Bid Items	Total Bid
The Fain Group Inc.	\$2,330,902.10	\$55,500.00	\$2,386,402.10
Fort Worth Civil Constructors, LLC	\$4,161,723.51	\$70,853.00	\$4,232,576.51

The total Phase II project funding is as follows:

Source	Authority	Fund	Amount
TPWD Grant	M&C 19-0269	Grants Capital Project Federal Fund	\$1,500,000.00
City Gas Revenue	M&C 19-0269	General Gas Lease Capital Projects Fund	\$1,000,000.00
FWNCR Gate Fees	M&C 19-0269	Special Donations Capital Projects Fund	\$100,000.00
PARD FY2019 PAYG	FY2019 CIP	General Capital Projects Fund	\$100,000.00
FONC Donation	M&C 21-0542	Special Donations Capital Projects Fund	\$300,000.00
		<b>Total Phase II Funding</b>	<b>\$3,000,000.00</b>

Base Bid improvements include: demolition of remnants of the old boardwalk, dewatering, construction of: the new boardwalk, pedestrian loop trail, parking lot expansion, and a retaining wall.

Alternate Bid items include: Kiosk and signage

Construction of this project is anticipated to begin in August 2022 and be completed in February 2023.

The Fort Worth Nature Center & Refuge Boardwalk Phase II project is estimated to increase the department's annual maintenance by \$5,000.00 beginning in Fiscal Year (FY) 2023. As of May 31, 2022, the cumulative total of all previously approved M&C's increased the departments

estimated annual maintenance by \$418,331.00 beginning in FY 2023.

Compliance with the City's Business Equity Ordinance has been achieved by the following method:

**The Fain Group, Inc.** is in compliance with the City's Business Equity Ordinance by committing to 4% Business Equity participation and documenting good faith effort. The Fain Group, Inc. identified several subcontracting and supplier opportunities. However, the firms contacted in the areas identified did not respond or did not submit the lowest bids. The City's Business Equity goal for this project is 18%.

The FWNC&R Boardwalk Phase II 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 General Capital Projects, General Gas Lease Capital Prj, Special Donations Cap Projects, and the Grants Cap Projects Federal Funds for the FW Nature Center - Boardwalk project to support the approval of the above recommendation and execution of the contract. The Park & Recreation Department and (Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Park & Recreation Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

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Expedited