

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 01/13/26M&C FILE NUMBER: M&C 26-0059

LOG NAME: 20SWM FWCC NEW MAIN ST OUTFALL CHANGE ORDER NO. 3

SUBJECT

(CD 2) Authorize Execution of Change Order No. 3, in the Amount of \$1,498,305.57 to the Construction Agreement with William J. Schultz, Inc. dba Circle C Construction Company, for the Fort Worth Central City New Main Street Outfall Storm Drain & 8th Street Project, for a Revised Contract Amount of \$11,003,227.57, Adopt Appropriation Ordinances, and Amend Fiscal Years 2026-2030 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Change Order No. 3 in the amount of \$1,498,305.57 to the construction agreement with William J. Schultz, Inc. dba Circle C Construction Company (City Secretary Contract No. 59910), for the Fort Worth Central City New Main Street Outfall Storm Drain & 8th Street project (City Project No. 103666), for a revised contract amount of \$11,003,227.57;
2. 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 FWCC New Main St. Outfall & 8 project (City Project No. 103666) in the amount of \$700,000.00 and decreasing estimated receipts and appropriations in the Stormdrain Pipe Rehab programmable project (City Project No. P00114) by the same amount;
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriation in the Stormwater Rev Bonds 2020 Fund, by increasing estimated receipts and appropriations in the FWCC New Main St. Outfall & 8 project (City Project No. 103666) in the amount of \$189,079.00 and decreasing estimated receipts and appropriation in the Fort Worth Central City University project (City project No. 103263) by the same amount; and
4. Amend the Fiscal Years 2026-2030 Capital Improvement Program.

DISCUSSION:

On June 13, 2023 (M&C 23-0473), the City Council authorized a construction contract with William J. Schultz, Inc. dba Circle C Construction Company in the amount of \$9,242,595.00 for the construction of the Fort Worth Central City (FWCC) New Main Street Outfall Storm Drain & 8th Street project (City Secretary Contract No. 59910). This contract was subsequently revised by Change Order No. 1 and Change Order 2 as shown in the table below.

This Mayor and Council (M&C) Communication authorizes Change Order No. 3 for additional materials and labor required to reorder thimble material for the sluice gate, which has resulted in a substantial delay to the project. This change order also covers additional pipe connections and junction box rework that Circle C Construction Company needs to perform due to additional underground utilities encountered in the field that were not identified in the original plans.

It also incorporates increased trail quantities, as requested by Tarrant Regional Water District (TRWD), to accommodate a wider pedestrian trail and designated equipment crossing paths. If additional contract days are required, staff will coordinate with the Contractor and memorialize them in a subsequent change order.

The table below is a breakdown of all change orders for this project.

<u>Change Order Number</u>	<u>Change order Amount</u>	<u>Date and Authorization Type</u>	<u>Purpose of Change Order</u>
1	\$25,275.00	October 09, 2024 Administratively	Added 128 days in between the Notice to Proceed and the United States Army Corps of Engineers Package approval, and turn all sewer pipes to ductile iron pipe (DIP).
		July 25, 2025	Added 25 days for the installation and

2	\$237,052.00	M&C 25-0554	maintenance of a Temporary Pedestrian Trail.
3	\$1,498,305.57	This M&C	Additional materials and labor for sluice gate. Additional underground utilities encountered in the field, and incorporates increased trail quantities, as requested by TRWD.

Appropriations for the FWCC New Main St. Outfall & 8 project are depicted below:

Fund	<u>Existing Appropriations</u>	<u>Appropriations Increase/Decrease</u>	<u>Project Total</u>
52002-Stormwater Capital Project	\$2,151,052.00	\$0.00	\$2,151,052.00
52007-Stormwater Rev Bonds 2020	295,118.37	189,079.00	484,197.37
52008 – Drainage Rev Bonds Series 2023	0.00	700,00.00	700,000.00
52009-Stormwater Commercial Paper	9,917,668.00	0.00	9,917,668.00
Total	\$12,363,838.37	\$889,079.00	\$13,252,917.37

A portion of funding for Change Order 3 is available within the Fort Worth Central City New Main Street Outfall Storm Drain & 8th Street project itself. However, additional funds are needed to cover the full cost, and the funds will be pulled from the Stormdrain Pipe Rehab project City Project No. P00114, which is used to fund storm drain pipe rehabilitation projects, and the Fort Worth Central City University project (City Project No. 103263) within the Stormwater Capital Projects Fund and 2020 Bond Funds, respectively, as detailed in the budget summaries below:

Fund	<u>Existing Appropriations</u>	<u>Appropriations Increase/Decrease</u>	<u>Project Total</u>
52002-Stormwater Capital Project	\$9,701,661.37	\$0.00	\$9,701,661.37
52007-Stormwater Rev Bonds 2020	50,517.34	0.00	50,517.34

52008 – Drainage Rev Bonds Series 2023	3,271,964.66	(\$700,000.00)	2,571,964.66
Total	\$13,024,143.37	(\$700,000.00)	\$12,324,143.37

Fund	Existing Appropriations	Appropriations Increase/Decrease	Project Total
30104- Developer Contribution	\$120,233.40	\$0.00	\$120,233.40
52002- Stormwater Capital Project	666.00	0.00	666.00
52007- Stormwater Rev Bonds 2020	255,135.00	(189,079.00)	66,056.00
Total	\$376,034.40	(\$189,079.00)	\$186,955.40

The entirety of the \$9,242,595.00 original contract, the \$100,000.00 material testing fee (to be performed by a geotechnical testing firm), and the \$255,453.00 inspection fee (to be performed by an inspection firm) are considered Fort Worth Central City related work, which is eligible for funding reimbursement from Tax Increment Reinvestment Zone No. 9 (Trinity River Vision TIF) pursuant to the Trinity River Vision Authority (TRVA) Project Plan.

Having met its \$26.6 million commitment to the TRVA Project, the Tarrant Regional Water District (TRWD) will reimburse the City's yearly expenses for this contract at the end of each Fiscal Year, up to the total amount of \$9,598,048.00, in accordance with the provisions of the executed Interlocal Agreement between the City and the TRWD (City Secretary Contract No. 43425). This is confirmed with the executed reimbursement letter dated June 12, 2023.

Staff will record monthly receivables for reimbursable expenses, and the FWCC Program Manager in the FW Lab Department will collect the full reimbursement from TRWD at the end of each fiscal year.

Since the City has exhausted the share of the local program budget allocated to Stormwater infrastructure relocation, the additional \$1,498,305.57 in costs associated with Change Order No. 3 will not be included in the annual reimbursement process between the City and the TRWD. Rather, costs for this change order will be eligible for reimbursement directly from future Trinity River Vision TIF revenue after prior commitments of the TIF have been satisfied. Once reimbursement for this project is received, the funds will be used to reimburse the Stormwater Utility. This future reimbursement of \$1,498,305.57 will be documented in a reimbursement letter between the City and TRWD upon approval of this M&C.

Funding for this Change Order will amend the Fiscal Years 2026-2030 Capital Improvement Program.

Funding is budgeted in the Drainage Rev Bonds Series 2023 and Stormwater Rev Bonds 2020 Funds for the TPW Department for the purpose of funding the Fort Worth Central City New Main Street Outfall Storm Drain & 8th Street project.

This project is located in COUNCIL DISTRICT 2.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Stormdrain Pipe Rehab project within the Drainage Rev Bonds Series 2023 Fund, and in FWCC University project within the Stormwater Rev Bonds 2020 Fund and in the FWCC New Main St Outfall & 8 project within the Stormwater Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Drainage Rev Bonds 2023, Stormwater Rev Bonds 2020 Funds for the FWCC New Main St Outfall & 8 project to support the execution of the amendment. 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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