

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/25/24M&C FILE NUMBER: M&C 24-0610

LOG NAME: 60WESTPOINT PARK OFFSITE SEWER REPLACEMENT

SUBJECT

(CD 3) Authorize Execution of a Community Facilities Agreement with Weatherford 55, Ltd., with City Participation in an Amount Not to Exceed \$120,236.91 for Replacing an Existing 8-Inch Sewer Main with a 10-Inch Sewer Main and Oversizing a 10-Inch Sewer Main to a 12-Inch Sewer Main for Additional Capacity in West Fort Worth, and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

- 1. Authorize the execution of a Community Facilities Agreement with Weatherford 55, Ltd., with City participation in an amount not to exceed \$120,236.91 for replacing an existing 8-inch sewer main with a 10-inch sewer main and oversizing a 10-inch sewer main to a 12-inch sewer main for additional capacity in west Fort Worth; and
- 2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Water & Sewer Bonds Series 2021 Fund by increasing estimated receipts and appropriations in the Community Facilities Agreement Bucket programmable project (City Project No. P00001) in the amount of \$132,102.00 and decreasing estimated receipts and appropriations in the Unspecified-All Funds project (City Project No. UNSPEC) by the same amount for the purpose of funding the Community Facilities Agreement – Westpoint Park Offsite SS (City Project No.104403) and to effect a portion of Water’s contribution to the Fiscal Years 2024-2028 Capital Improvements Program.

DISCUSSION:

Weatherford 55, Ltd., (Developer) is constructing the Westpoint Park development project located north of Westpoint Boulevard and west of Academy Boulevard. The Water Department desires to participate in the project to replace approximately 300 linear feet of existing 8-inch sewer main with a 10-inch sewer main and oversizing approximately 1,365 linear feet of a 10-inch sewer main needed by the Developer with a 12-inch sewer main to provide additional capacity in west Fort Worth. The City will pay 100% of the unit prices for replacing the existing 8-inch sewer main with a 10-inch sewer main. The City will pay 100% of the price difference for oversizing the 10-inch sewer main to a 12-inch sewer main. The Sanitary Sewer Westpoint Park project is assigned City Project No. 104403 and Accela System Record IPRC22-0189.

In accordance with Chapter 212, Subchapter C of the Texas Local Government Code, the City’s participation in the contract is exempt from competitive bidding requirements because the contract is for oversizing a portion of the public improvements being constructed by the Developer, the City’s participation for public improvements that are not being oversized does not exceed 30 percent of the total contract price, the Developer will execute a performance bond to cover the total project cost, including all of the City’s cost participation, and the City’s cost participation will be determined in accordance with the City’s Community Facilities Agreement (CFA) unit price ordinance.

The City’s cost participation in the project is estimated to be in an amount not to exceed \$120,236.91 as shown in the table below. Payments to the Developer are estimated to be \$79,096.97 for construction costs and \$1,581.94 for material testing costs. The City’s cost participation also includes \$39,558.00 to cover the City’s portion of construction inspection service fees, administrative material testing fees, and water lab testing fees. An additional \$11,864.55 in the contingency funds will cover the City’s portion of any change orders.

The following table shows the cost sharing breakdown for the project between all parties:

A. Public Improvements	Developer Cost	City Cost	Total Cost
1. Sewer	\$923,227.03	\$79,096.97	\$1,002,324.00
Contingency	\$0.00	\$11,864.55	\$11,864.55
B. Inspections & Testing			
1. Construction Inspection Fee	\$0.00	\$37,500.00	\$37,500.00

2. Admin Material Testing Fee	\$0.00	\$2,058.00	\$2,058.00
3. Material Testing Cost	\$0.00	\$1,581.94	\$1,581.94
4. Water Lab Fee	\$0.00	\$0.00	\$0.00
Total Project Cost	\$923,227.03	\$132,101.46	\$1,055,328.49

*Numbers will be rounded up for accounting purposes.

The reimbursement of the City participation, excluding inspection and material testing fees, is not a lump-sum amount and may be less than the stated amount depending upon the actual quantities and unit prices from the Notice of Final Completion package, commonly referred to as the Green Sheet package.

It is the practice of the Water Department to appropriate its CIP plan throughout the Fiscal Year (FY), instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the Mayor & Council Communication (M&C) will appropriate funds in support of the Water Department's portion of the City of Fort Worth's Fiscal Years 2024-2028 Capital Improvements Program, as follows:

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Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/ Decrease)	Revised FY2024 Budget
W&S Rev Bonds Series 2021 - Fund 56019	104403 - CFA- Westpoint Park Offsite SS	\$0.00	This M&C	\$132,102.00	\$132,102.00

Funding is available in the Unspecified-All Funds project within the Water & Sewer Revenue Bonds Series 2021 Fund for the purpose of funding the CFA- Westpoint Park Offsite SS project.

Funding for the CFA – Westpoint Park Offsite SS project is as depicted in the table below:

FUND	Existing Appropriations	Additional Appropriations	Project Total*
W&S Rev Bonds Series 2021-Fund 56019	\$0.00	\$132,102.00	\$132,102.00
Project Total	\$0.00	\$132,102.00	\$132,102.00

*Numbers rounded for presentation purposes.

BUSINESS EQUITY- A goal is not required under Business Equity Ordinance 25165-10-2021 when City spending participation on Community Facilities Agreements are less than \$1,000,000.00.

This project is located in COUNCIL DISTRICT 3.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified - All Funds project within the W&S Rev Bonds Series 2021 Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in W&S Rev Bonds Series 2021 Fund for the CFA- Westpoint Park Offsite SS project to support the approval of the above recommendations and execution of the agreement. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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Expedited