

Mayor and Council Communication

DATE: 11/19/24

M&C FILE NUMBER: M&C 24-1024

LOG NAME: 20SWM 6TH AVENUE CHANNEL AND BRANDON LANE CHANNEL CONSTRUCTION

SUBJECT

(CD 3 and CD 6) Reject Bid of MW Panel Tech, Authorize Execution of a Construction Contract with Klutz Construction, LLC, in the Amount Up to \$3,584,641.00 for the Construction of Channel Improvements for the 6th Avenue and Brandon Lane Channel Projects, Adopt Appropriation Ordinances and Amend the Fiscal Years 2025-2029 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Reject the bid submitted by MW Panel Tech;
2. Authorize execution of a contract with Klutz Construction, LLC in the amount up to \$3,584,641.00 for the 6th Avenue Channel (City Project No. 103066) and Brandon Lane Channel (City Project No. 103064) projects;
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Revenue Bonds 2020 Fund by increasing estimated receipts and appropriations in the 6th Avenue Channel project (City Project No. 103066) in the amount of \$3,000,000.00 and decreasing estimated receipts and appropriations in Fort Worth Central City New Main Street outfall & 8 project (City Project No. 103666) by \$2,500,000.00 and Fort Worth Central City Grand Avenue Phase 2 Part 3 project (City Project No. 103665) by \$500,000.00;
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 SW Hazardous Road Overtopping project (City Project No. P00120), in the amount of \$3,000,000.00 and decreasing estimated receipts and appropriations in the 6th Avenue Channel project (City Project No. 103066) by the same amount; and
5. Amend the Fiscal Years 2025-2029 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to, by authority of the City Charter, reject the bid of MW Panel Tech and authorize execution of a construction contract with Klutz Construction, LLC in the amount up to \$3,584,641.00 to stabilize and rehabilitate the streambank side slopes for portions of 6th Avenue Channel (City Project No. 103066) and Brandon Lane Channel (City Project No. 103064) projects.

The streambanks at these locations have experienced degradation and scouring, leaving them unstable and threatening public infrastructure. The project will protect the existing public infrastructure in the area currently being threatened by significant erosion and ensure the channel continues to convey stormwater runoff effectively to mitigate flood and erosion risk. The project is an ongoing effort of the Stormwater Channel Rehabilitation Program.

The project was advertised for bid in the *Fort Worth Star-Telegram* on April 18, 2024, and April 25, 2024.

The following bids were received on May 30, 2024:

Bidder	Total
MW Panel Tech*	\$3,568,909.50
Klutz Contractors, LLC	\$3,584,641.00
Humphrey & Morton Construction Company, Inc.	\$4,618,854.00

Apparent low bidder was rejected for failure to comply with the requirements of the business equity submittal instructions. Funding for the construction of the 6th Avenue and Brandon Lane Channel projects in the amount of \$4,484,990.33 was provided by the Stormwater Capital Projects fund. To accelerate bond spending, \$3,000,000.00 of the Stormwater Revenue Bonds 2020 fund will be added to the project, and \$3,000,000.00 of Paygo will be moved out. Funding for the construction of FWCC Grand Ave and FWCC New Main St Outfall projects were originally provided by the Stormwater Revenue Bonds 2020 fund. After the projects were funded, Stormwater began their commercial paper program and funded the projects provided by the Stormwater Commercial Paper fund, no longer needing the Stormwater Revenue Bonds 2020 fund. This action in this M&C will amend the Fiscal Years (FY) 2025-2029 Capital Improvement Program as approved in connection with

Fund	Current Appropriations	Additional Funding	Revised FY25 Budget
52007 – Stormwater Revenue Bonds 2020 (103666)	\$2,828,000.00	(\$2,500,000.00)	\$328,000.00
52007 – Stormwater Revenue Bonds 2020 (103665)	\$574,378.33	(\$500,000.00)	\$74,378.33
52007 – Stormwater Revenue Bonds 2020 (103066)	\$18,272.50	\$3,000,000.00	\$3,018,272.50
52002 – Stormwater Capital Projects (103066)	\$4,484,990.33	(\$3,000,000.00)	\$1,484,990.33
52002 – Stormwater Capital Projects (P00120)	\$34,596.78	\$3,000,000.00	\$3,034,596.78
Total	\$7,940,237.94	\$0.00	\$7,940,237.94

In addition to the contract amount, \$252,475.00 is required for project management, material testing, and inspection, \$179,000.00 is provided for project contingencies, and \$35,000.00 is provided for land acquisition. The project is funded by the Stormwater Revenue Bonds 2020 fund and the Stormwater Capital Projects fund.

This project will have no impact on the Transportation and Public Works annual operation budget when completed. Construction is expected to start in November 2024 and be completed by November 2025.

DVIN OFFICE—The Business Equity Division placed a 31% business equity goal on this solicitation/contract. Klutz Construction, LLC, will be exceeding the goal at 47.89% as a Business Equity Prime and self-performing the scope of the services, meeting the City's Business Equity Ordinance. Any changes in subcontractors will be reviewed by the Business Equity Division.

This project is located in Council District 3 and Council District 6.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the FWCC New Main St Outfall & 8 and FWCC Grand Ave Ph2 Pt3 projects within the Stormwater Rev Bonds 2020 Fund and in the 6th Avenue - Truelson Channel project within the Stormwater Capital Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Stormwater Capital Projects and Stormwater Rev Bonds 2020 Funds for the 6th Avenue - Truelson Channel project to support the above recommendations and execution of the contract. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds

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