

# Mayor and Council Communication

**DATE:** 04/09/24

**M&C FILE NUMBER:** M&C 24-0282

**LOG NAME:** 20TRINITY BLVD PHASE 2 CONSTRUCTION

**SUBJECT**

(CD 5) Authorize Execution of a Contract with Jackson Construction, LTD. in the Amount of \$12,099,342.00 for Trinity Boulevard Phase 2 from Salado Trail to Thames Trail; Adopt Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt for the Trinity Boulevard Phase 2 Project, Adopt Appropriation Ordinance to Affect a Portion of Water's Contribution to the Fiscal Years 2024-2028 Capital Improvement Program, Adopt Appropriation Ordinance and Amend the Fiscal Years 2024-2028 Capital Improvement Program (2022 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of a contract with Jackson Construction, LTD in the amount of \$12,099,342.00 for the construction of Trinity Boulevard Phase 2 from Salado Trail to Thames Trail project (City Project No. 103280);
2. Adopt the attached resolution expressing official intent to reimburse expenditures with proceeds of future debt for the Trinity Boulevard Phase 2 project;
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2022 Bond Program Fund by increasing appropriations in Trinity Boulevard Phase 2 project (City Project No. 103280) in the amount of \$500,000.00 and decreasing appropriations in the Heritage Trace Pkwy 1 project (City Project No. 103300) by the same amount;
4. Adopt the attached appropriation ordinance adjusting appropriations in the Water & Sewer Commercial Paper Fund by increasing appropriations in Trinity Boulevard Phase 2 project (City Project No. 103280) in the amount of \$5,400,542.00 and decreasing appropriations in the W&S Commercial Paper project (City Project No. UCMLPR) by the same amount, to affect a portion of Water's contribution to the Fiscal Years 2024-2028 Capital Improvement Program; and
5. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

**DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to authorize execution of a contract with Jackson Construction, LTD in the amount of \$12,099,342.00 for Trinity Boulevard Phase 2 from Salado Trail to Thames Trail. Trinity Boulevard Phase 2 from Salado Trail to Thames Trail will include a 4-lane concrete road, divided median, replacement of the existing 36" water transmission line, landscape, drainage and illumination improvements. A ten-foot-wide sidewalk and a traffic signal at the intersection of Trinity Boulevard with Shoreside Parkway / Sequin Trail are also included.

The following table demonstrates the funding history and total budget for the project:

Capital Fund Name	Project Name	Appropriations	Budget Adjustment	Revised Fiscal Year 2024 Budget
34027-2022 Bond Program Fund	103280-Trinity Boulevard Phase 2	\$6,150,000.00	\$500,000.00	\$6,650,000.00
30108-Transportation Impact Fee Cap Fund	103280-Trinity Boulevard Phase 2	\$1,771,868.35	\$0.00	\$1,771,868.35
30104-Developer Contribution Fund	103280-Trinity Boulevard Phase 2	\$250,000.00	\$0.00	\$250,000.00
39008 - Transportation Impact Fee Legacy Fund	103280-Trinity Boulevard Phase 2	\$28,131.65	\$0.00	\$28,131.65
56022-W&S Commercial Paper Fund	103280-Trinity Boulevard Phase 2	\$0.00	\$5,400,542.00	\$5,400,542.00
<b>Project Total</b>		<b>\$8,200,000.00</b>	<b>\$5,900,542.00</b>	<b>\$14,100,542.00</b>

The project was advertised for bid on December 28, 2023 and January 4, 2024 in the Fort Worth Star-Telegram. On February 1, 2024 the following bids were received:

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Bidders	Amount
Jackson Construction, LTD	\$12,099,342.00
McClendon Construction	\$13,221,561.50

The Transportation & Public Works Department's share on this contract is \$7,117,637.00. The paving funds for this project are included in the 2022 Bond Program. The Water Department's share on this contract is \$4,981,705.00 (Water) and will be available in the W&S Commercial Paper Fund for the project (City Project No. 103280).

In addition to the contract amount, \$1,138,220.00 (Water: \$269,386.00, TPW: \$868,834.00) is required for project management, material testing, and inspection and \$362,980.00 (Water: \$149,451.00, TPW: \$213,529.00) is provided for project contingencies.

This project is anticipated to be included in a future revenue bond issue for the Water & Sewer Fund. Available cash within the Water and Sewer portfolio and the City's portfolio along with the appropriation authority authorized under the callable Commercial Paper Program (CP) will be used to provide interim financing for this project until debt is issued. Once debt associated with this project is sold, bond proceeds will be used to reimburse the Water and Sewer portfolio and the City's portfolio in accordance with the attached Reimbursement Resolution. Under federal law, debt must be issued within approximately three years in order for the expenses to be reimbursable. Adoption of the attached resolution does not obligate the City to sell bonds, but preserves the ability to reimburse itself from tax-exempt bond proceeds.

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 M&C will appropriate funds in support of the Water's portion of the City of Fort Worth's Fiscal Years 2024-2028 Capital Improvement Program.

Funding is budgeted in the W&S Commercial Paper project within the W&S Commercial Paper Fund and the 2022 Bond Program Fund for the purpose of funding the Trinity Boulevard, Phase 2 project.

Construction of Trinity Boulevard Phase 2 from Salado Trail to Thames Trail is anticipated to begin in early Fall 2024.

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25675-08-2022) provides liquidity to support the appropriation. Available resources will be used to make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

Funding appropriated for this project by this M&C was not included in the FY2024-2028 Capital Improvement Program (CIP) because construction cost estimates were not complete at the time of CIP development. The action in this M&C will amend the FY2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023.

DVIN-BE: Jackson Construction, LTD is in compliance with the City's Business Equity Ordinance by committing 5% MWBE participation and documenting a good faith effort. Jackson Construction 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 MWBE goal on this project is 16%.

The Project is located in COUNCIL DISTRICT 5.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies the funds are currently available in the Commercial Paper project within the W&S Commercial Paper Fund and in the Heritage Trace Pkwy 1 project within the 2022 Bond Program Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the current capital budget, as appropriated, in the W & S Commercial Paper Fund and 2022 Bond Program Fund for the Trinity Boulevard Phase 2 project. Prior to expenditures being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:**    Jessica McEachern    5806

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Expedited