

Mayor and Council Communication

DATE: 11/29/22

M&C FILE NUMBER: M&C 22-0973

LOG NAME: 21NORTHWEST COMMUNITY CENTER CMAR

SUBJECT

(CD 7) Authorize Execution a Construction Manager at Risk Contract with Byrne Construction Services, in an Amount Not to Exceed \$12,905,086.00, Including an Owner's Construction Contingency Allowance, for a Total Project Budget of \$15,114,990.00, for the New Northwest Community Center, Adopt Appropriation Ordinances, and Amend the Fiscal Year 2023 Budget and Fiscal Years 2023-2027 Capital Improvement Program (2018 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution a Construction Manager at Risk contract with Byrne Construction Services, in an amount not to exceed \$12,905,086.00, including an owner's construction contingency allowance, for the new Northwest Community Center project (City Project No. 101650);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the PARD Gas Lease Capital Project Fund in the amount of \$350,000.00, from available funds, for the purpose of funding the Northwest Community Center project (City Project No. 101650);
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the General Gas Lease Capital Project Fund in the amount of \$2,000,000.00, from available funds, for the purpose of funding the Northwest Community Center project (City Project No. 101650);
4. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund by increasing appropriations in the Northwest Community Center project (City Project No. 101650) in the amount of \$725,000.00 and decreasing appropriations in the PARD Maint. Facility Reloc. project (City Project No. 101010) by the same amount;
5. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund by increasing appropriations in the Northwest Community Center project (City Project No. 101650) in the amount of \$300,000.00 and decreasing appropriations in the Rockwood Clubhouse & Mnt Fcly project (City Project No. 101656) by the same amount; and
6. Amend the Fiscal Year 2023 Adopted Budget and Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the execution a Construction Manager at Risk (CMAR) contract with Byrne Construction Services, in an amount not to exceed \$12,905,086.00, including an Owner's Construction Contingency Allowance, for a total project budget of \$15,114,990.00, for the new Northwest Community Center.

The 2018 Bond Program included construction of a new Northwest Community Center. It was determined that the CMAR would be the best delivery method. Following a Request for Qualifications (RFQ) process and interviews, staff administratively executed a professional services agreement with Brinkley Sargent Wiginton Architects, Inc. Once a scope of work and initial budget was defined, a Request for Qualifications was advertised in the *Fort Worth Star-Telegram* on September 23, 2021 and September 30, 2021. The City of Fort Worth received twelve proposals from CMAR contractors (Azteca Enterprises, Inc., Balfour Beatty Construction, LLC, Batson-Cook Construction, Byrne Construction Services, Imperial Construction, Inc., McGough Construction, HM & MF Ltd. d/b/a Muckleroy & Falls, Pete Durant & Associates, Inc., PRIM Construction, Reeder General Contractors, Inc., Steele & Freeman, Inc., and Tegrity Contractors, Inc.). A selection team composed of members of Park & Recreation Department, Property Management Department, and the Office of Business Diversity carefully reviewed these submittals and after scoring and much discussion were able to establish a shortlist of four highly qualified teams. After ranking the proposals and conducting interviews, the selection team determined that the Byrne Construction Services proposal offered the best value to the City.

SCORING MATRIX TABLE:

TEAM NAME	Byrne Construction Services	HM & MF Ltd. d/b/a Muckleroy & Falls	Imperial Construction, Inc.	Reeder General Contractors, Inc.
Proposed Fees	55	52	53	54
Experience				

& References CMAR PROJECTS	15	15	12	12
Experience & References SIMILAR TYPE PROJECTS	10	10	8	8
Knowledge of City Procedures	10	10	10	8
TOTALS	90	87	83	82

The overall project costs are expected to be as described in table below:

Project Budget	TOTALS
Architectural Design Fees	\$1,165,277.00
Anticipated CMAR Construction Cost (Including Owner's Construction Allowance)	\$12,905,086.00
Project Administration Cost (Site Utilities, IT, Security, Project Management, Contingency, FFE, Kitchens Equipment, Etc.)	\$1,040,637.00
PROJECT TOTAL	\$15,114,990.00

The 2018 Bond Program included funding for the Northwest Community Center, "Design and construction of a new community center, including, but not limited to, gymnasium, fitness area, fitness equipment, and meeting rooms with a goal of leveraging City funds through partnerships with other organizations, agencies, municipalities or school districts and creating expanded recreational opportunities, address expanded partnership initiatives or improve accessibility." The additional 2018 Bond Funds are comprised of residual funds remaining from two previously completed projects. In adopting Recommendation 4 and 5, the City Council would be finding that the revised budget for the project - of the changes described below - is within the voted purpose of the bonds.

This project is funded from the 2018 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund, in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 23209-05-2018) and subsequent actions of the Mayor and City Council.

Funding for this project was not included in the FY2023-2027 Capital Improvement Program due to inflated materials costs, and unanticipated utilities costs, which include the requirement that the domestic water and fire line be a looped system connecting the southern subdivision and Blue Mound Road . The action in this M&C will amend the FY2023-2027 Capital Improvement Program as approved in connection with Ordinance 25773-09-2022.

Building Operating and Maintenance - There are several operating and maintenance costs associated with the new facility. Property Management Department anticipates the annual operating impact for maintenance associated with this project, beginning in the second quarter of Fiscal Year 2023, to be \$187,000.00 annually. The Park & Recreation Department anticipates the annual operating impact for grounds maintenance associated with this project, beginning in the second quarter of Fiscal Year 2023, to be \$20,951.00 annually. Summary of all costs is as follows:

Operating and Maintenance Costs	
Facilities Maintenance	\$43,500.00
Facilities Services	\$43,500.00

Utilities	\$100,000.00
Landscape	\$20,951.00
Total	\$207,951.00

Waiver of Building Permits - In accordance with the City Code of Ordinances, Part II, Chapter 7-1 Fort Worth Building Administrative Code, Section 109.2.1, Exception 2; "Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the fee is waived."

Business Equity – Byrne Construction Services is in compliance with the City's Business Equity Ordinance by Thos S. Byrne, Inc. is in compliance with the City's Business Equity Ordinance by committing to 20% Business Equity participation on this project. The City's Business Equity goal on this project is 20%.

The new Northwest Community Center is located in COUNCIL DISTRICT 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in Unspecified - Gas Lease Rev project within the PARD Gas Lease Capital Projects and General Gas Lease Capital Prj Funds and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the 2018 Bond Program, PARD Gas Lease Capital Projects and General Gas Lease Capital Prj Funds for the Northwest Community Center project to support the approval of the above recommendations and execution of the contract. Prior to any expenditure being incurred, the Park and Recreation Department has the responsibility to validate the availability of funds.

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