

City of Fort Worth, Texas

# Mayor and Council Communication

DATE: 09/26/23 M&C FILE NUMBER: M&C 23-0828

LOG NAME: 60MARY’S CREEK WRFPECD A1-PLUMMER

SUBJECT

(ETJW-CD 3 and CD 7) Authorize Execution of Amendment No. 1, in the Amount of \$5,057,498.00, to an Engineering Agreement with Plummer Associates, Inc. for the Mary’s Creek Water Reclamation Facility Project, Adopt a Resolution Expressing Official Intent to Reimburse Expenditures with Proceeds of Future Debt, and Adopt Appropriation Ordinance to Effect a Portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment No. 1, in the amount of \$5,057,498.00, to an Engineering Agreement with Plummer Associates, Inc. (City Secretary Contract No. 58487) for design of the Mary’s Creek Water Reclamation Facility project for a revised contract amount of \$6,831,196.00 (City Project No. C01239);
2. Adopt the attached resolution expressing official intent to reimburse expenditures with proceeds of future debt for Mary’s Creek Water Reclamation Facility project; and
3. Adopt the attached appropriation ordinance adjusting appropriations in the W&S Commercial Paper Fund by increasing appropriations in the Mary’s Creek Water Reclamation Facility project (City Project No. C01239) in the amount of \$5,507,608.00 and decreasing appropriations in the W&S Commercial Paper project (City Project No. UCMLPR) by the same amount to effect a portion of Water’s Contribution to the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

On November 8, 2022, Mayor and Council Communication (M&C) 22-0892, the City Council authorized the execution of an agreement with Plummer Associates, Inc. in the amount of \$1,773,698.00 (City Secretary Contract No. 58487) to conduct process evaluation and concept design for the Mary’s Creek Water Reclamation Facility (MCWRF). Amendment No. 1 will allow Plummer Associates, Inc. to conduct preliminary design for the Mary’s Creek Water Reclamation Facility for a fee not to exceed \$5,057,498.00.

In addition to the contract amount, \$450,110.00 is required for project management. This project will have no impact on the Water Department’s operating budget when complete.

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 these expenses to be reimbursable. Adoption of the attached resolution does not obligate the City to sell bonds, but preserves the ability of the City to reimburse itself from tax-exempt bond proceeds.

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Capital Fund Name	Project Name	FY 2023 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY 2023 Budget
56022 – W&S Commercial Paper	C01239 – Mary’s Creek Water Reclamation Facility	\$2,271,998.00	This M&C	\$5,507,608.00	\$7,779,606.00

Funding for the Mary’s Creek Water Reclamation Facility project is depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
Sewer Capital Legacy - Fund 59607	\$6,691,576.09	\$0.00	\$6,691,576.09
Water & Sewer			

Bond 2017A – Fund 56011	\$287,415.00	\$0.00	\$287,415.00
W&S Rev Bonds Series 2023 – Fund 56021	\$2,143,498.00	\$0.00	\$2,143,498.00
W&S Commercial Paper – Fund 56022	\$0.00	\$5,507,608.00	\$5,507,608.00
Project Total	\$9,122,489.09	\$5,507,608.00	\$14,630,097.09

\*Numbers rounded for presentation.

Funding is currently available in the W&S Commercial Paper project within the W&S Commercial Paper Fund for the purpose of funding the Mary’s Creek Water Reclamation Facility project.

**BUSINESS EQUITY:** Plummer Associates, Inc. agrees to maintain its initial M/WBE commitment of 16 percent that it made on the original agreement and extend and maintain that same M/WWBE commitment of 16 percent to this first amendment. Therefore, Plummer Associates, Inc. remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature of the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

This project is located in the Extraterritorial Jurisdiction (ETJ) west of Council Districts 3 and 7.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the W&S Commercial Paper project within the W&S Commercial Paper Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Commercial Paper Fund for the Mary's Creek Reclam. Facility project to support the approval of the above recommendations and execution of the amendment to the contract. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds

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