

# Mayor and Council Communication

**DATE:** 08/23/22

**M&C FILE NUMBER:** M&C 22-0630

**LOG NAME:** 202021 COMO AREA RESURFACING CO1

**SUBJECT**

(CD 3) Authorize Execution of Change Order No. 1 in the Amount of \$225,137.82 with Texas Materials Group, Inc., dba Texas Bit, for 2021 Como Area Resurfacing Project for a Revised Contract Amount of \$1,148,709.47 and the Addition of 30 Calendar Days to the Project Schedule, Adopt Appropriation Ordinance, and Amend the Fiscal Years 2022-2026 Capital Improvement Program

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of Change Order No. 1 in the amount of \$225,137.82 to City Secretary Contract No. 56874 with Texas Materials Group, Inc., dba Texas Bit, for 2021 Como Area Resurfacing project for a revised contract amount of \$1,148,709.47;
2. Adopt the attached appropriation ordinance adjusting estimated receipts appropriations in the General Capital Projects Fund in the amount of \$200,000.00 by decreasing estimated receipts and appropriations in the Contract Street Maintenance Programmable project (City Project No. P00020) and increasing estimated receipts and appropriations in the Como Area Resurfacing project (City Project No. 103348) by the same amount;
3. Adopt the attached appropriation ordinance adjusting appropriations in the General Capital Projects Fund in the amount of \$1,086,750.00 by decreasing estimated receipts and appropriations in the Neighborhood Improv. Strat. programmable project (City Project No. P00080) and increasing estimated receipts and appropriations in the Como Area Resurfacing project (City Project No. 103348) by the same amount; and
4. Amend the Fiscal Years 2022-2026 Capital Improvement Program.

**DISCUSSION:**

On November 9, 2021, by Mayor & Council Communication (M&C) 21-0846, the City Council authorized execution of a contract with Texas Materials Group, Inc., dba Texas Bit, in the amount of \$923,571.65, for the 2021 Como Area Resurfacing project (City project No. 103348).

This Change Order No.1 will provide for additional curb & gutter; driveways; sidewalk; valley gutter; barrier free ramps; concrete paving; and some other minor items to the contract. During construction, it was determined that along Carver Drive, Chariot Drive and Littlepage Street curb & gutter has more damage than the estimated quantities and existing driveways are either damaged or undeveloped. As a result, 1,900 linear feet curb & gutter and 4,525 square feet driveways are proposed additions to the contract. During construction, it was also determined that along Prevost Street, Chariot Dr, Carver Drive and Littlepage Street existing sidewalk are damaged more than estimated quantities and non-ADA compliant curb ramps need to be replaced. As a result, 1,125 square feet sidewalk and 1,521 square feet type P-1 barrier free ramp are proposed to add to this contract. Furthermore, to maintain proper drainage along Prevost Street valley gutters are required to be installed at a few intersections and more concrete panels need to be replaced at Vickery Boulevard intersection. As a result, 281 square yard valley gutter and 180 square yard concrete paving are proposed additions to the contract. It is also recommended to delete 140 cubic yard asphalt base repair, 6,526 square yard 2-inch asphalt paving, and 1,530 square yard 3-inch asphalt paving and some other minor items from the contract as these items are not required to complete the project.

The action in this M&C will amend the Fiscal Year 2022 Adopted Budget as approved in connection with Ordinance 25073-09-2021, Section 6. Capital Improvements, as listed on page(s) 23.

Capital Fund Name	Project Name	FY2022 CIP Appropriations	Authority	Budget Adjustment	Revised FY2022 Budget
30100-General Capital Projects	P00020 Contract Street Maintenance	\$20,441,000.00	This M&C	(\$200,000.00)	\$20,241,000.00
30100-General Capital Projects	P00080 Neighborhood Improv. Strat.	\$3,502,000.00	This M&C	(\$1,086,750.00)	\$2,415,250.00

Funding for the 2021 Como Area Resurfacing project is summarized in the table below:

Fund	Existing Funding	Additional Funding	Project Total
30100 - General Capital Projects	\$1,086,750.00	\$200,000.00	\$1,286,750.00

<b>Project Total</b>	\$1,086,750.00	\$200,000.00	\$1,286,750.00
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The staff has reviewed and verified the quantities for the additional work under this Change Order No. 1. Additionally, to complete this work, staff recommends that the contract time be extended by 30 calendar days. This change order will have no impact on the Transportation and Public Works annual operating budget.

Funding for this project was not included in the Fiscal Years 2022-2026 Capital Improvement Program (CIP) due to charges being incurred after the CIP was adopted. This action in this M&C will amend the Fiscal Years 2022-2026 Capital Improvement Program as approved in connection with Ordinance 25073-09-2021.

Funding is budgeted in the Contract Street Maintenance programmable project of the General Capital Projects Fund for the purpose of funding the 2021 Como Area Resurfacing project.

Approval of recommendation 3 will convert the 2021 Como Area Resurfacing project from a child to a static project. This is needed due in part to a change in project scope, and the need to add additional funding sources to the project.

M/WBE OFFICE: Texas Bit agrees to maintain its initial M/WBE commitment of 20% that it made on the original contract and extend and maintain that same M/WBE commitment of 20% to this first change order. Therefore Texas Bit remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company.

The project is located in COUNCIL DISTRICT 3.

A Form 1295 is not required because: This contract will be with a publicly-traded business entity or a wholly-owned subsidiary of a publicly-traded business entity: CRH

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Contract Street Maintenance programmable project in the General Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the General Capital Projects Fund for the 2021 Como Area Resurfacing project. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** William Johnson 7801

**Additional Information Contact:** Monty Hall 8662