

Mayor and Council Communication

DATE: 09/27/22

M&C FILE NUMBER: M&C 22-0740

LOG NAME: 60SPEEDWAY 3 INDUSTRIAL WATER LINE OVERSIZING

SUBJECT

(CD 7) Authorize Execution of a Community Facilities Agreement with Scannell Properties #606, LLC, with City Participation in the Amount Not to Exceed \$231,095.00 for Oversizing a 12-Inch Water Main to a 16-Inch Water Main for Anticipated Future Growth in North Fort Worth

RECOMMENDATION:

It is recommended that the City Council authorize the execution of a Community Facilities Agreement with Scannell Properties #606, LLC, with City participation in an amount not to exceed \$231,095.00 for oversizing a 12-inch water main to a 16-inch water main for anticipated future growth in north Fort Worth.

DISCUSSION:

Scannell Properties #606,LLC, (Developer) is constructing Speedway 3 Industrial Park (Development) west of the Texas Motor Speedway and north of Interstate Highway 114. The Water Department is seeking to participate in the project to oversize the water line from a 12-inch water main to a 16-inch water main. The Speedway 3 Industrial Park project is assigned City Project No. 104080 and Accela System Record IPRC22-0072.

In accordance with Chapter 212, Subchapter C of the Texas Local Government Code, the City's participation in the contract is exempt from competitive bidding requirements because the contract is for oversizing public improvements being constructed by the Developer, the Developer will execute a performance bond to cover the total project cost, including all of the City's cost participation, and the City's cost participation will be determined in accordance with the City's community facilities agreement (CFA) unit price ordinance.

The City's cost participation in the construction and oversizing of the water main is estimated to be in an amount not to exceed \$231,095.00 as shown in the table below. Payments to the Developer are estimated to be \$211,984.86 for construction costs and \$4,239.70 for material testing costs. The City's cost participation also includes \$14,870.00 to cover the City's portion of construction inspection service fees, administrative material testing service fees, and water lab testing fees. An additional \$42,396.97 in contingency funds will cover the City's portion of any change orders.

| A. Public Improvements | Developer Cost | City Cost | Total Cost |
|--|---------------------|---------------------|---------------------|
| 1. Water | \$389,587.93 | \$211,984.86 | \$601,572.79 |
| 2. Sewer | \$179,567.63 | \$0.00 | \$179,567.63 |
| CONTINGENCY | \$0.00 | \$42,396.97 | \$42,396.97 |
| B. Inspections & Testing (200 days) | | | |
| 1. Construction Inspection Fee | \$50,000.00 | \$12,500.00 | \$62,500.00 |
| 2. Admin Material Testing Fee | \$2,940.00 | \$1,470.00 | \$4,410.00 |
| 3. Material Testing Cost | \$0.00 | \$4,239.70 | \$4,239.70 |
| 4. Water Lab Fee | \$690.00 | \$900.00 | \$1,590.00 |
| Total Project Cost | \$622,785.56 | \$273,491.53 | \$896,277.09 |

*Numbers will be rounded up for accounting purposes.

The reimbursement of the participation, excluding inspection and material testing fees, is not a lump-sum amount and may be less than the stated amount depending upon the actual quantities and unit prices from the Notice of Final Completion package, commonly referred to as the Green Sheet package.

BUSINESS EQUITY – A goal is not required under Business Equity Ordinance 25165-10-2021 when City spending participation on Community Facilities Agreements is less than \$1,000,000 dollars.

Funding is budgeted in the Water Dept Public Utility Department's Water & Sewer Capital Project 2018 Fund for the purpose of funding the CFA-Speedway 3 Ind Park B 1,2 project, as appropriated.

This development is located in Council District 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the W&S Capital Proje 2018 Fund for the CFA- Speedway 3 Ind Park B 1,2 project to support the approval of the above recommendation and execution of the agreement. Prior to an expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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Expedited