

# Mayor and Council Communication

**DATE:** 06/13/23

**M&C FILE NUMBER:** M&C 23-0473

**LOG NAME:** 20SWM NEW MAIN ST OUTFALL

**SUBJECT**

(CD 2) Authorize Execution of a Contract with William J. Schultz, Inc. dba Circle C Construction Company, in the Amount of \$9,242,595.00 for Construction of the Fort Worth Central City New Main St Outfall Storm Drain Project, Adopt Appropriation Ordinances, and Amend the Fiscal Years 2023-2027 Capital Improvement Program

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize execution of a contract with William J. Schultz, Inc. dba Circle C Construction Company, in the amount of \$9,242,595.00 for construction of the Fort Worth Central City New Main St Outfall Storm Drain project (City Project No. 103666);
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Revenue Bonds 2020 Fund by increasing estimated receipts and appropriations in New Main St Outfall Storm Drain project (City Project Number 103666) in the amount of \$603,000.00 and decreasing estimated receipts and appropriations in FWCC Cemetery Outfall & Houston project (City Project Number 103667) by the same amount;
3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund by increasing estimated receipts and appropriations in New Main St Outfall Storm Drain project (City Project Number 103666) in the amount of \$5,714,000.00 of which \$611,000.00 is from available funds and \$5,103,000.00 is by decreasing estimated receipts and appropriations in other identified projects (City Project Nos. 103260,103261, 103667) totaling the same amount; and
4. Amend the Fiscal Years 2023-2027 Capital Improvement Program.

**DISCUSSION:**

The construction contract recommended by this Mayor and Council Communication (M&C) will provide for construction services related to the Fort Worth Central City (FWCC) New Main St Outfall Storm Drain project. The Transportation and Public Works (TPW) Department Stormwater Program is advancing the funding for Main St Outfall FWCC project and will be reimbursed by the Tarrant Regional Water District (TRWD). This project will involve the relocation of storm drain and sanitary sewer lines, as indicated on the streets below, in preparation for the north and south bypass channel planned by the United States Army Corps of Engineers (USACE). The stormwater portion of the project will begin at the intersection of NE 8th St and Commerce St and outfall into the Trinity River, approximately ¼ mile east of N Main St.

Street	From	To	Scope of work
Commerce St	NE 8th St/ Commerce St Intersection	21 ft SE	Storm Drain
NE 8th St and Commerce St	NE 8th St/ Commerce St Intersection	295 ft E	Storm Drain
NE 8th St and Commerce St	NE 8th St/ Commerce St Intersection	336 ft E	Sanitary Sewer
(TRWD Property)	NE 8th St/ Calhoun St Intersection	616 ft NE	Storm Drain and Outfall structure
NE 8th St	NE 8th St/ Commerce St Intersection	160 ft E	Abandon/ Cut and Plug Sanitary Sewer
NE 8th St	NE 8th St/ Calhoun St Intersection	40 ft E	Abandon/ Cut and Plug Sanitary Sewer
Calhoun St	NE 8th St/Calhoun St Intersection	345 ft NW	Abandon Storm Drain Pipe

The project was advertised for bids on 3/30/2023 and 4/6/2023 in the *Ft. Worth Star Telegram*. On 5/4/2023, the following bids were received:

Bidder	Base Bid	Alternate A	Alternate B	Alternate A+B
William J. Schultz, Inc. dba Circle C Construction Company	\$10,710,495.00	\$9,242,595.00	\$10,735,770.00	\$9,267,870.00
S J Louis Construction of Texas LTD	\$15,045,772.00	\$14,248,121.50	\$15,415,924.50	\$14,273,059.50
Fort Worth Civil Constructors LLC	\$15,443,155.10	\$13,330,078.10	\$15,474,476.10	\$13,361,419.10
Ragle Inc	\$14,310,260.45	\$11,374,460.45	\$14,343,960.45	\$11,408,160.45

Based on the received bids, the City is moving forward with the Alternative A bid from Circle C Construction. In addition to the contract amount, \$611,603.00 is necessary for project management, inspection, and material testing and \$462,129.75 is provided for project contingencies. As a part of this M&C, Stormwater 2020 Revenue Bond funding will be transferred into this project from currently funded projects to fund the construction project. The 2020 Revenue Bond funds will be transferred from the FWCC Cemetery Outfall & Houston project. Stormwater Paygo funding will be transferred from FWCC 5th St. Greenleaf Sump, FWCC Bazaar Outfall, FWCC Cemetery outfall & Houston projects, and Stormwater UNSPEC which is primarily comprised of residual funding from completed projects.

The reallocation of funding from the projects listed above will serve as an interim use of existing resources and appropriations to support the delivery schedules of FWCC drainage projects until a short term financing mechanism takes its place. After careful review and collaboration with Financial Management Services and the City's financial advisors, the Stormwater Program has identified commercial paper as the most suitable short term financing option to support the timing and delivery of FWCC drainage projects. To that end and on June 27th, the Stormwater Program will be requesting Mayor and Council's approval of a Commercial Paper program to facilitate the short term financing, capital, and cashflow needs pertaining to the FWCC drainage projects. Once the Stormwater commercial paper program is in place, the funding sources currently assigned and appropriated to FWCC drainage projects will be restored and reprogrammed back to Stormwater critical capital projects.

Appropriations for the FWCC New Main St Outfall project are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Adjustments	Project Total
52007 - Stormwater Rev Bonds 2020 Fund (103666)	\$1,775,000.00	\$603,000.00	\$0.00	\$2,378,000.00
52007 - Stormwater Rev Bonds 2020 Fund (103667)	\$675,000.00	\$0.00	(\$603,000.00)	\$72,000.00
52002 - Stormwater Capital Projects Fund (103666)	\$2,225,000.00	\$5,714,000.00	\$0.00	\$7,939,000.00
52002 - Stormwater Capital Projects Fund (103260)	\$2,325,261.00	\$0.00	(\$2,324,000.00)	\$1,261.00
52002 - Stormwater Capital Projects Fund (103260)	\$1,830,397.00	\$0.00	(\$1,830,000.00)	\$397.00
52002 - Stormwater Capital Projects Fund (103667)	\$949,929.00	\$0.00	(\$949,000.00)	\$929.00
52002 - Stormwater Capital Projects Fund (UNSPEC)	\$7,327,493.04	\$0.00	(\$611,000.00)	\$6,716,493.04
Project Total	\$17,108,080.04	\$6,317,000.00	(\$6,317,000.00)	\$17,108,080.04

Capital Fund Name	Project Name	FY2023 CIP Appropriations	Budget Change (Increase/Decrease)	Revised FY2023 Budget

52007 - Stormwater Rev Bonds 2020 Fund	103666 – FWCC New Main St Outfall & 8	\$1,775,000.00	\$603,000.00	\$2,378,000.00
52007 - Stormwater Rev Bonds 2020 Fund	103667 – FWCC Cemetery outfall & Houston	\$675,000.00	(\$603,000.00)	\$72,000.00
52002 - Stormwater Capital Projects Fund	103666 – FWCC New Main St Outfall & 8	\$2,225,000.00	\$5,714,000.00	\$7,939,000.00
52002 - Stormwater Capital Projects Fund	103260 – FWCC th St Greenleaf Sump	\$2,325,261.00	(\$2,324,000.00)	\$1,261.00
52002 - Stormwater Capital Projects Fund	103261 – FWCC Bazaar Outfall	\$1,830,397.00	(\$1,830,000.00)	\$397.00
52002 - Stormwater Capital Projects Fund	103667 – FWCC Cemetery Outfall & Houston	\$949,929.00	(\$949,000.00)	\$929.00
52002 - Stormwater Capital Projects Fund	UNSPEC	\$7,327,493.04	(\$611,000.00)	\$6,716,493.04
Project Total		\$17,108,080.04	\$0.00	\$17,108,080.04

Due to TRWD water quality regulations associated with the outfall location of these storm drain improvements, this project will install a specialized water quality treatment inlet device in 1 inlet, which will require a higher level of maintenance than the existing system's inlets. This additional maintenance is expected to cost Stormwater field operations an additional \$300.00/year to maintain. Construction is expected to start in July 2023 and be completed by August 2024.

The \$9,242,595.00 amount of this contract, the \$100,000.00 material testing fee (to be performed by a geotechnical testing firm), and the \$255,453.00 inspection fee (to be performed by an inspection firm) are considered FWCC-related work, which are eligible for funding from Tax Increment Reinvestment Zone No.9 (Trinity River Vision TIF) pursuant to the TRVA Project Plan. Having met its \$26.6 million commitment to the TRV Project, the City will be reimbursed the amount of \$9,598,048 by the TRWD upon project completion, in accordance with the provisions of the executed Interlocal Agreement between the City and the TRWD (City Secretary Contract No. 43425). Staff will record a receivable every month for reimbursable expenses, and the FWCC Program Manager in the FW Lab Department will be responsible for collecting the full reimbursement from TRWD upon project completion.

Business Equity – William J. Schultz, Inc. dba Circle C Construction Company is in compliance with the City's Business Equity Ordinance by committing to 9% Business Equity participation on this project. The City's Business Equity goal on this project is 8%.

This project is located in COUNCIL DISTRICT 2

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the various capital projects within the Stormwater Rev Bonds 2020 Fund and various capital projects with the Stormwater Capital Projects Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Stormwater Rev Bonds 2020 Fund and Stormwater Capital Projects Fund for FWCC New Main St Outfall & 8 project to support the approval of the above recommendations and execution of the contract. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** William Johnson 5806

**Originating Business Unit Head:** Lauren Prieur 6035

**Additional Information Contact:** Linda Young 2485

Expedited

