

# Mayor and Council Communication

**DATE:** 08/13/19

**M&C FILE NUMBER:** M&C 19-0033

**LOG NAME:** 04GRANICUS TEST 10

## **SUBJECT**

Authorize Change in Use and Expenditure of \$1,100,000.00 of Community Development Block Grant (CDBG) Funds for the Installation of an Americans with Disabilities (ADA) Compliant Ramp, Rehabilitation of 1st and 2nd Floor Restrooms to meet ADA Compliance, and Construction of Two Additional ADA-Compliant 2nd Floor Restrooms at the A.D. Marshall Public Safety & Courts Building Located at 1000 Throckmorton Street, Authorize Substantial Amendment to the City's 2016-2017 and 2017-2018 Action Plans, and Authorize the Substitution of Funding Years, and Authorize Execution of a Construction Contract with Mark IV Construction Group, LLC, in the Amount of \$1,049,927.00, Including 7.5 Percent for the Owner's Construction Contingency Allowance for the Construction of this Project and Provide for Administrative Costs, Including Bid Advertisement, Design, Site Utilities, IT, Security, Project Management, Contingency, Etc., in the Amount of \$165,073.00, for a Total Project Cost of \$1,215,000.00 (CDBG Funding) (2014 BOND PROGRAM) (COUNCIL DISTRICT 9)

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize Substantial Amendment to the City's 2016-2017 and 2017-2018 Action Plans, and authorize the substitution of funding years in order to meet United States Department of Housing and Urban Development (HUD) commitment, disbursement and expenditure deadlines; and
2. Authorize a change in use and expenditure in the amount of \$1,100,000.00 of Community Development Block Grant (CDBG) funds for the installation of an Americans with Disabilities (ADA) compliant ramp, rehabilitation of 1st and 2nd floor restrooms to meet ADA compliance, and construction of two additional ADA-compliant 2nd floor restrooms at the A.D. Marshall Public Safety & Courts Building Located at 1000 Throckmorton Street; and;
- 3) Authorize Execution of a Construction Contract with Mark IV Construction Group, LLC., in the Amount of \$1,049,927.00, Including 7.5 Percent for the Owner's Construction Contingency Allowance for the A.D. Marshall Public Safety & Courts Building ADA Ramp Project Located at 1000 Throckmorton Street.

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## **DISCUSSION:**

On August 7, 2018 the Fort Worth City Council approved the City's 2018-2022 Consolidated Plan and the 2018-2019 Action Plan for submission to HUD (M&C G-19328), which included Community Development Block Grant (CDBG) funds for accessibility improvements at City Community Centers and other public facilities.

Staff identified a need for ADA improvements at the A.D. Marshall Public Safety & Courts Building located at 1000 Throckmorton Street. Work will include construction of an ADA-compliant entrance ramp, rehabilitation of 1st and 2nd floor restrooms to meet ADA compliance, and construction of two ADA-accessible restrooms on the 2nd floor. Staff has identified Unprogrammed and funds currently set aside for the Z Boaz South Park Improvement Project and recommends the change in use and expenditure of \$1,100,000.00 of CDBG funds for ADA improvements at the A.D. Marshall Public Safety and Courts Building. Funds for the Z Boaz South Park Improvement Project will be reallocated upon receipt of future program income.

The Action Plan funding years selected may vary and be substituted based on the principle of first in, first out in order to expend oldest grant funds first. A public comment period on the change in use of these CDBG funds and the substantial amendment was held from November 16, 2018 to December 17, 2018. Any comments are maintained by the Neighborhood Services Department.

Following a competitive selection process staff administratively executed an architectural services contract, and subsequent amendments, with Arthur Weinman Architect to design the improvements associated with both Courtroom Improvements and the Ramp and ADA Improvement funded by the 2014 Bond Program and the Community Development Block Grant in the total amount of \$71,260.00.

This M&C will also authorize execution of a construction contract with Mark IV Construction Group, LLC, in the Amount of \$1,049,927.00, Including 7.5 Percent for the Owner's Construction Contingency Allowance for the A.D. Marshall Public Safety & Municipal Courts Building ADA Ramp Project Located at 1000 Throckmorton Street. This work will consist of installing an accessible ramp that leads from the stairs at the front doors of the A.D. Marshall Public Safety & Courts Building into the main floor's lobby area. This new entrance will require the relocation of the existing parking court offices. In addition to providing an accessible route, this project will make the first and second floor toilets fully accessible.

The City issued this project for bids in October of 2016 and received two bids. Both proposals significantly exceeded the project budget. Council approved the rejection of these two bids on January 24, 2017 (M&C C-28074). Since that time the scope of the project was modified and the construction market has changed.

A Request for Proposals was advertised in the Fort Worth Star-Telegram on September 27 and October 4, 2018. Proposals were received on November 2, 2018. At that time, the City received one proposal from Mark IV Construction Group, LLC. and this proposal was within the project

budget. The required "Post Proposal–Pre Award Submittals" were submitted a week later. Members of the Municipal Court, Neighborhood Services Department, M/WBE Office and the Property Management Department met with the contractor to verify the scope and price of the proposal and determined that the price is reasonable. Staff recommends awarding the construction contract to Mark IV Construction Group, LLC.

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

Municipal Court Ramp & ADA Improvements	TOTALS
Architectural and Engineering Design	\$38,398.00
Construction Contract, including 7.5% Owner's Construction Contingency Allowance	\$1,049,927.00
Project Administration Cost: Advertisement, Design, Site Utilities, IT, Security, Project Management, Contingency, Etc.	\$126,675.00
PROJECT TOTAL	\$1,215,000.00

In accordance with Chapter 7, Article III, Section 7-47, Section 109.2.1 of the City Code, Building Permit Fees and Impact and Street Closure Fees are waived for this project.

Construction is planned to begin during the first quarter of Calendar Year 2019, with an anticipated completion date during the Fourth quarter of Calendar Year 2019.

M/WBE OFFICE - A waiver of the goal for MBE/SBE subcontracting requirements was requested by the department and approved by the MWBE Office, in accordance with the M/WBE or BDE Ordinance, because the construction contract is funded by a Community Development Block Grant with time limits on the funding.

The A.D. Marshall Public Safety & Courts Building is located in COUNCIL DISTRICT 9.

A Form 1295 is not required for this contract because: This contract legally does not require City Council approval.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current grants operating budget, as appropriated, of the Grants Operating Federal Fund. This is a reimbursement grant.