

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** August 12, 2015

**COUNCIL DISTRICT(S):** 8, Outside City Limits

**DEPARTMENT:** Public Works Department  
Office of Economic Development

**CMO:** Jill A. Jordan, P.E., 670-5299  
Ryan S. Evans, 671-9837

**MAPSCO:** 76 N

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**SUBJECT**

Authorize an Interlocal Agreement with the City of Lancaster to allow the City of Dallas to construct approximately 500 feet of the paving and drainage improvements on Telephone Road from the city limits west to Dallas Avenue (SH 342) within the city limits of Lancaster - Financing: No cost consideration to the City

**BACKGROUND**

The City of Dallas deemed it necessary and desired to spur private development and make certain public improvements along Telephone Road between Dallas Avenue (SH 342) and Bonnie View Road in southern Dallas to support the International Inland Port of Dallas. Approximately 500 feet of Telephone Road east of Dallas Avenue is within the City of Lancaster, and the City of Lancaster has agreed to the City of Dallas' proposed paving and drainage improvements within their city limits. This action will authorize an Interlocal Agreement (ILA) with the City of Lancaster to allow the City of Dallas to construct approximately 500 feet of Telephone Road from the city limits west to Dallas Avenue that is within the City of Lancaster.

The scope of the improvements within the City of Lancaster will include removal and replacement of the pavement; installation of crosswalks, sidewalks, handicap ramps, street markings, conduit, traffic signs, new paving, storm drainage system, and associated materials testing. The cost for these improvements is estimated at \$324,086.20 and will be paid for with funds previously provided to the City of Dallas by a developer known as Ridge South Dallas I, LLC. This developer entered into an agreement with the City of Dallas on September 26, 2012, to provide certain public and private improvements within the Ridge Logistic Center in southern Dallas, along with funding necessary for the completion of Telephone Road from the Dallas/Lancaster city limits west to Dallas Avenue (SH 342). The City of Dallas will construct the segment within the City of Lancaster as part of the ongoing Telephone Road Phase II Project which stretches from Dallas Avenue (SH 342) to Bonnie View Road.

**BACKGROUND** (Continued)

The Telephone Road Phase II Project was authorized by the Dallas City Council on June 25, 2014, in order to construct a four-lane divided roadway, a new bridge over Newton Creek, a new storm drain system, sidewalks, and water utility upgrades. The construction for the segment within the City of Lancaster is estimated to begin in January 2016 with completion in April 2016. The City of Lancaster will maintain the improvements within their city limits once the construction is completed.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	January 2016
Complete Construction	April 2016

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized a Development Agreement with Ridge South Dallas I, LLC on June 25, 2008, by Resolution No. 08-1871.

Authorized a professional services contract with APM & Associates, Inc. on October 13, 2010, by Resolution No. 10-2595.

Authorized a property Tax Abatement Agreement with Ridge South Dallas I, LLC on September 26, 2012, by Resolution No. 12-2395.

Authorized a Chapter 380 Economic Development Grant Agreement with L'Oreal USA S/D, Inc. on September 26, 2012, by Resolution No. 12-2396.

Authorized an Infrastructure Cost Participation Agreement with Ridge South Dallas I, LLC on September 26, 2012, by Resolution No. 12-2397.

Authorized a construction contract with Tiseo Paving Company on December 12, 2012, by Resolution No. 12-3056.

Authorized a construction contract with S. J. Louis Construction of Texas, Ltd. on June 25, 2014, by Resolution No. 14-1081.

Authorized agreements with the City of Lancaster, the City of DeSoto, and the City of Cedar Hill to allow the City of Dallas to construct, own, and operate a 96-inch water transmission main within the corporate limits of Lancaster, DeSoto, and Cedar Hill on October 22, 2014, by Resolution No. 14-1821.

Information about this item will be provided to the Transportation and Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached

August 12, 2015

**WHEREAS**, The City of Dallas deemed it necessary and desired to spur private development and make certain public improvements along Telephone Road between Dallas Avenue (SH 342) and Bonnie View Road in southern Dallas to support the International Inland Port of Dallas; and,

**WHEREAS**, on June 25, 2008, Resolution No. 08-1871 authorized a development agreement with Ridge South Dallas I, LLC for the construction of certain public and private improvements supporting the development of Ridge Logistics Center and Telephone Road in the City of Dallas; and,

**WHEREAS**, on October 13, 2010, Resolution No. 10-2595 authorized a professional services contract with APM & Associates, Inc. for the engineering design of thoroughfare improvements on Telephone Road from Bonnie View Road to Dallas Avenue; and,

**WHEREAS**, on September 26, 2012, Resolution No. 12-2395 authorized a real property tax abatement agreement with Ridge South Dallas I, LLC for the added value on real property improvements located within a Texas Enterprise Zone; and,

**WHEREAS**, on September 26, 2012, Resolution No. 12-2396 authorized a Chapter 380 economic development grant agreement with L'Oreal USA S/D, Inc. related to the construction of its new distribution facility and job creation near Telephone Road and Dallas Avenue; and,

**WHEREAS**, on September 26, 2012, Resolution No. 12-2397 authorized an infrastructure cost participation agreement with Ridge South Dallas I, LLC in order to promptly complete the contemplated public improvements and to facilitate the new private development in the area; and,

**WHEREAS**, on December 12, 2012, Resolution No. 12-3056 authorized a construction contract with Tiseo Paving Company for the construction of thoroughfare and water main improvements for Telephone Road, Phase 1 in the amount of \$2,833,173.47; and,

**WHEREAS**, on June 25, 2014, Resolution No. 14-1081 authorized a construction contract with S. J. Louis Construction of Texas, Ltd. for the construction of street paving, bridge, storm drainage and water main improvements for Telephone Road from SH 342 to Bonnie View Road, Phase II in the amount of \$10,335,396.65; and,

**WHEREAS**, on October 22, 2014, Resolution No. 14-1821 authorized agreements with the City of Lancaster, the City of DeSoto, and the City of Cedar Hill to allow the City of Dallas to construct, own, and operate a 96-inch water transmission main within the corporate limits of Lancaster, DeSoto, and Cedar Hill; and,

August 12, 2015

**WHEREAS**, both the cities of Lancaster and Dallas desired and agreed to allow Dallas to construct approximately 500 feet of paving and drainage improvements on Telephone Road east of Dallas Avenue (SH 342) that is within the limits of the City of Lancaster; and,

**WHEREAS**, the cost for the 500 feet of paving and drainage improvements on Telephone Road within the City of Lancaster is estimated at \$324,086.20 and it has been paid by Ridge South Dallas I, LLC to the City of Dallas; and,

**WHEREAS**, the City of Lancaster will maintain the improvements within their city limits once the construction is completed; and,

**WHEREAS**, it is now necessary to authorize an Interlocal Agreement with the City of Lancaster to allow the City of Dallas to construct approximately 500 feet of the paving and drainage improvements on Telephone Road from the Dallas/Lancaster city limits west to Dallas Avenue (SH 342) within the City of Lancaster.

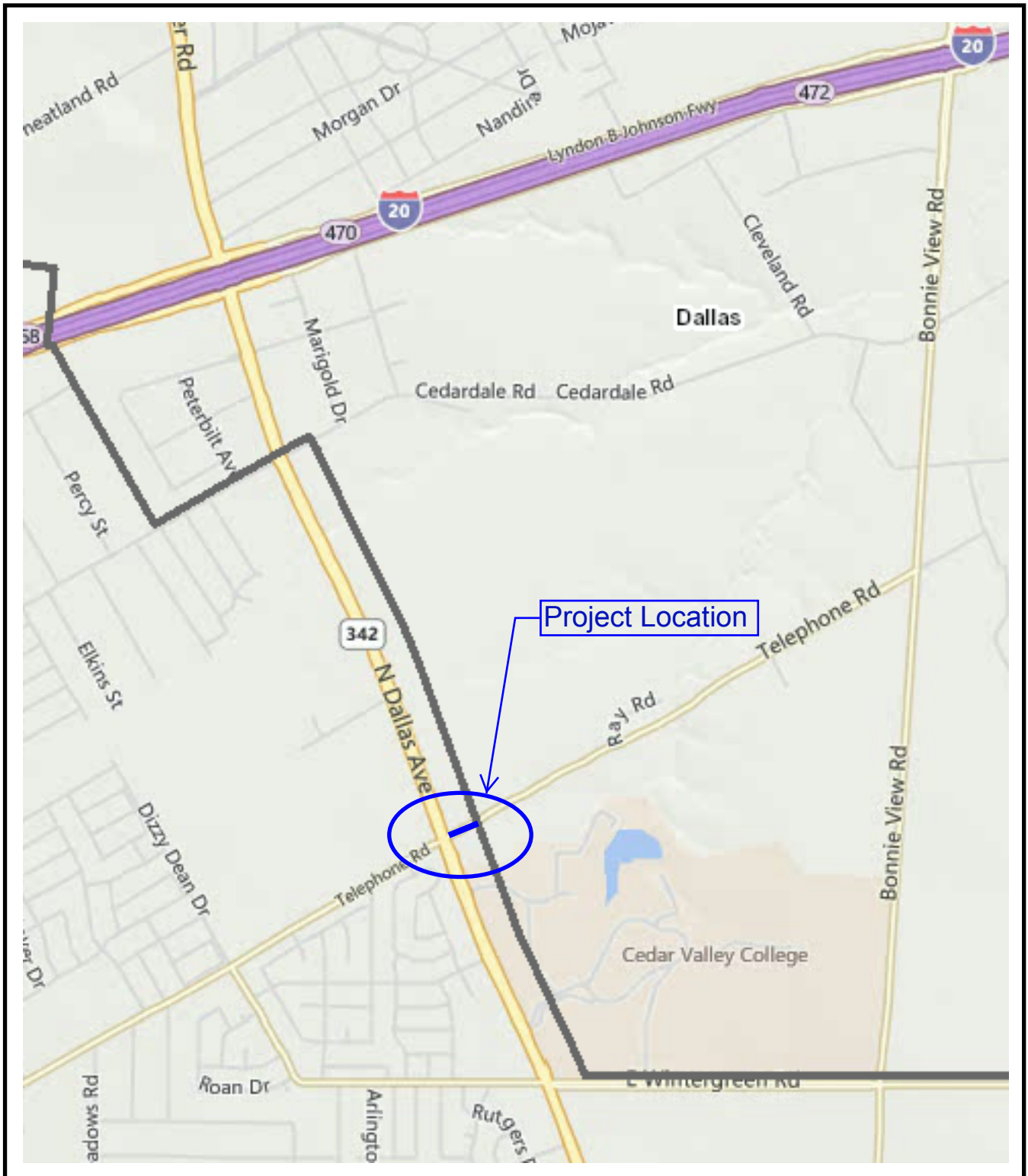
**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to execute an Interlocal Agreement with the City of Lancaster to allow the City of Dallas to construct approximately 500 feet of the paving and drainage improvements on Telephone Road from the Dallas/Lancaster city limits west to Dallas Avenue (SH 342) within the City of Lancaster, after it has been approved as to form by the City Attorney.

**Section 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

# Telephone Road from the City Limits west to Dallas Avenue



Mapsco 76 N

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** August 12, 2015

**COUNCIL DISTRICT(S):** 3

**DEPARTMENT:** Public Works Department  
Water Utilities

**CMO:** Jill A. Jordan, P.E., 670-5299  
Mark McDaniel, 670-3256

**MAPSCO:** 52 D H M

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**SUBJECT**

Authorize **(1)** a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, water main and wastewater main improvements for the Cockrell Hill Road project from Moler Street to Davis Street; and **(2)** payment to Dallas County for the City’s share of design and construction costs – Not to exceed \$1,420,861 – Financing: 2006 Bond Funds (\$750,861), Water Utilities Capital Improvement Funds (\$645,000) and Water Utilities Capital Construction Funds (\$25,000)

**BACKGROUND**

Cockrell Hill Road from Moler Street to Davis Street is a partnership project among the City of Dallas, Dallas County, the City of Cockrell Hill, and the Texas Department of Transportation (TxDOT). Dallas County is the lead agency to administer design and construction of this project. This action will authorize the project specific agreement with, and payment to Dallas County for the design and construction of paving, drainage, water main and wastewater main improvements.

Cockrell Hill Road from Moler Street to Davis Street is located in both the City of Dallas and the City of Cockrell Hill. The scope of this project is to reconstruct the existing 2-lane asphalt roadway to a 4-lane undivided reinforced concrete roadway in the City of Dallas, and 2-lane roadway with a continuous center turn lane within the City of Cockrell Hill. It also includes a roundabout (traffic circle) at the intersection of Cockrell Hill Road and Jefferson Boulevard within the City of Cockrell Hill. The project includes paving, curbs and gutters, sidewalks, drainage, water main, and wastewater main improvements. The total project cost is estimated at \$11,308,000. The funding breakdown per agency is as follows: City of Dallas (2006 Bond Funds) - \$750,861; Dallas Water Utilities - \$670,000; Dallas County - \$5,002,000; City of Cockrell Hill - \$355,139; and TxDOT - \$4,530,000. The City of Dallas’ share of the project cost will be used for the segment within the City of Dallas limits.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	October 2012
Complete Design	August 2015
Began Right-of-Way Acquisition	October 2014
Complete Right-of-Way Acquisition	August 2015
Begin Construction	April 2016
Complete Construction	December 2017

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized the Master Agreement governing transportation major capital improvement projects with Dallas County on January 10, 2001, by Resolution No, 01-0104.

Authorized a new Master Agreement governing transportation major capital improvement projects with Dallas County on April 13, 2011, by Resolution No. 11-0927.

Information about this item will be provided to the Transportation and Trinity River Projects Committee on August 10, 2015.

## **FISCAL INFORMATION**

2006 Bond Funds	\$ 750,861.00
Water Utilities Capital Construction Funds	\$ 25,000.00
Water Utilities Capital Improvement Funds	\$ 645,000.00

## **Estimated Project Cost**

Design and ROW	\$ 1,239,800.00
Construction	\$ 7,491,472.00
DWU (Construction)	\$ 670,000.00
City of Cockrell Hill Water & Wastewater	\$ 233,200.00
County Administrative Cost	\$ 965,000.00
<u>Contingencies</u>	<u>\$ 708,528.00</u>
Estimated Total Project Cost	\$11,308,000.00
TxDOT's share	\$ 4,530,000.00
Dallas County's share	\$ 5,002,000.00
City of Cockrell Hill's share	\$ 355,139.00
City of Dallas' (PBW) share (this action)	\$ 750,861.00
<u>City of Dallas' (DWU) share (this action)</u>	<u>\$ 670,000.00</u>
Subtotal	\$11,308,000.00

## **MAP**

Attached.



August 12, 2015

**WHEREAS**, on January 10, 2001, Resolution No. 01-0104 authorized the Master Agreement with Dallas County governing transportation major capital improvement projects to be jointly funded and developed by the County and the City; and,

**WHEREAS**, the Master Agreement with Dallas County contains a ten-year expiration clause and expired on April 24, 2011; and,

**WHEREAS**, on April 13, 2011, Resolution No. 11-0927 authorized the new Master Agreement governing transportation major capital improvement projects with Dallas County; and,

**WHEREAS**, Cockrell Hill Road from Davis Street to city limits was submitted by the City of Dallas and selected by the Dallas County's Major Capital Improvement Program Fourth Call for Projects in October, 2007; and,

**WHEREAS**, Dallas County later obtained Regional Toll Revenue Funds for the project and combined it with a City of Cockrell Hill project, revising the southern project limits to Moler Street; and,

**WHEREAS**, Dallas County is the lead agency for the project and is responsible for administering the design, construction, right-of-way acquisition, and utility relocation of the Cockrell Hill Road project from Moler Street to Davis Street; and,

**WHEREAS**, it is now necessary to authorize the Project Specific Agreement with Dallas County for participation in the design and construction of the paving, drainage, water main and wastewater main improvements for the Cockrell Hill Road project from Moler Street to Davis Street and payment to Dallas County in an amount not to exceed \$1,420,861.00 for the City's share of project cost.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to execute a Project Specific Agreement with Dallas County for participation in the design and construction of paving, drainage, water main and wastewater main improvements for the Cockrell Hill Road project from Moler Street to Davis Street in an amount not to exceed \$1,420,861.00, after it has been approved as to form by the City Attorney.

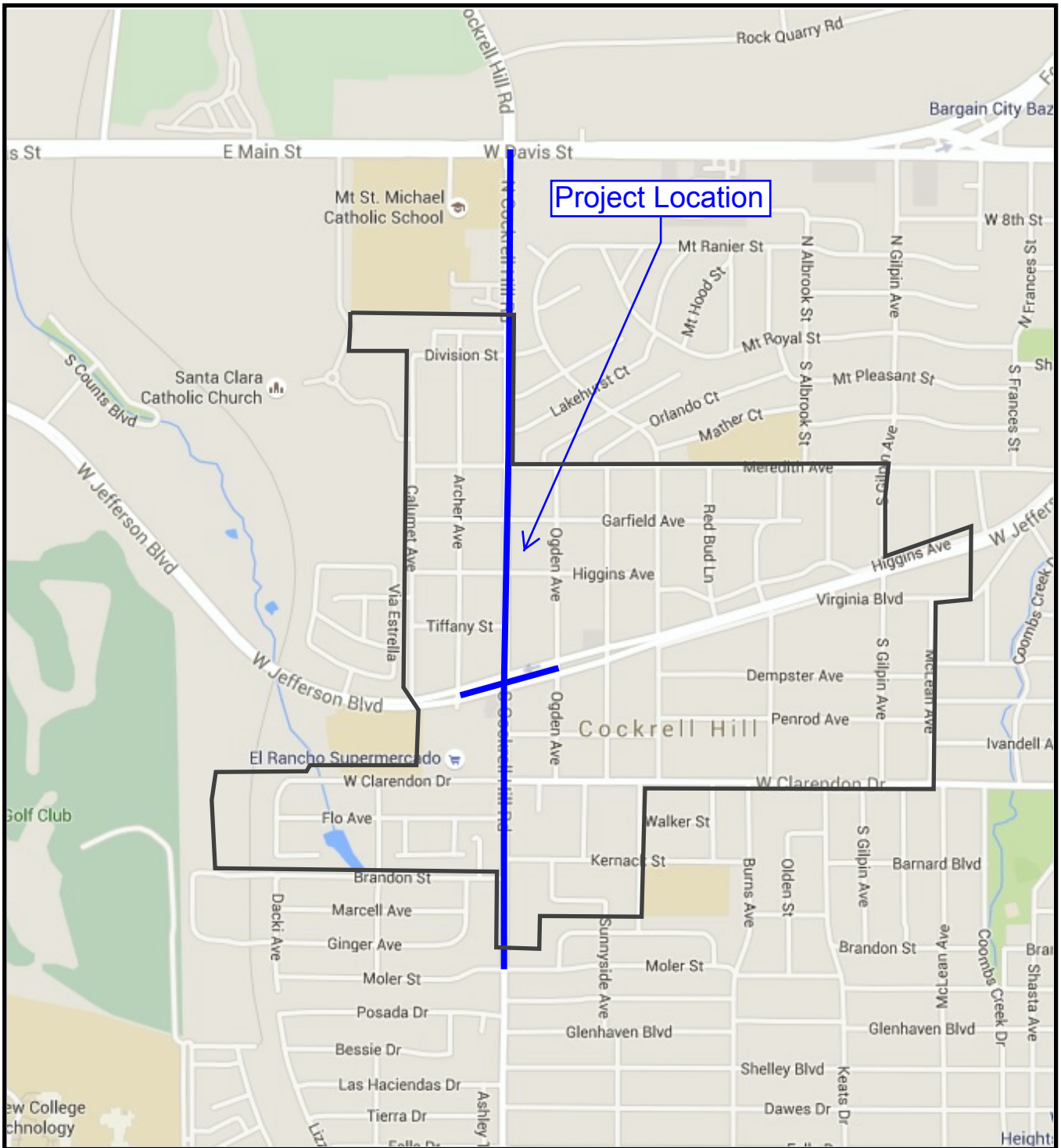
**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

August 12, 2015

Street and Transportation Improvements Fund Fund 2T22, Department PBW, Unit U206, Act. INGV Obj. 4510, Program #PB06U206, CT PBW06U206K1 Vendor #014003, in an amount not to exceed	\$ 750,861.00
Water Capital Improvement Fund Fund 3115, Dept DWU, Unit PW42, Obj. 4550, Program #716005, CT PBW716005CP Vendor #014003, in an amount not to exceed	\$ 291,500.00
Wastewater Capital Improvement Fund Fund 3116, Dept DWU, Unit PS42, Obj. 4560, Program #716006, CT PBW716006CP Vendor #014003, in an amount not to exceed	\$ 353,500.00
Water Construction Fund Fund 0102, Dept DWU, Unit CW42, Obj. 3221, Program #716005X, CT PBW716005EN Vendor #014003, in an amount not to exceed	\$ 10,000.00
Wastewater Construction Fund Fund 0103, Dept DWU, Unit CS42, Obj. 3222, Program #716006X, CT PBW716006EN Vendor #014003, in an amount not to exceed	<u>\$ 15,000.00</u>
Total in an amount not to exceed	\$1,420,861.00

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

# Cockrell Hill Road Moler Street to Davis Street



Mapsco 52 D H M

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Public Works Department  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 45 F K L

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**SUBJECT**

**McKinney Avenue Trolley Extension**

- \* Authorize Supplemental Agreement No. 10 to the professional services contract with Huitt-Zollars, Inc. to provide additional construction inspection services for the Traction Power Substation and Overhead Catenary System for the McKinney Avenue Trolley Olive Street Extension project - Not to exceed \$62,660, from \$3,286,882 to \$3,349,542 - Financing: 2006 Bond Funds
- \* Authorize an increase in the contract with Gibson & Associates, Inc. for necessary modifications to the turnout transition plates for the McKinney Avenue Trolley Olive Street Extension project - Not to exceed \$81,121, from \$9,221,390 to \$9,302,511 – Financing: 1998 Bond Funds

**BACKGROUND**

The construction of the McKinney Avenue Trolley Olive Street Extension project began in August 2010. During the construction close-out, additional inspection services were needed to provide support for the commissioning testing of the Traction Power Substation (TPSS) and inspection of the Overhead Catenary System (OCS). This action will authorize Supplemental Agreement No. 10 to the contract with Huitt-Zollars for additional construction support necessary to complete the construction. As a result of the trolley clearance test, the turnout transition plates at the intersection of McKinney Avenue and Olive Street need to be modified for acceptance by the Federal Transportation Administration (FTA), Dallas Area Rapid Transit (DART), and McKinney Avenue Transit Authority (MATA). This action will also authorize Change Order No. 8 to the contract with Gibson & Associates, Inc. for these modifications to the track at the turnouts.

**BACKGROUND** (Continued)

The McKinney Avenue Trolley Olive Street Extension project includes construction of streetcar track on the west side of Olive Street to connect the existing streetcar track at McKinney Street to the Urban Circulator project at Federal Street, near the DART Transit Mall. This project was designed to accommodate the current vintage trolley fleet as well as the modern streetcar system in the future. The connection to the Urban Circulator will create an entire loop for the trolley, making operations safer and more efficient, while connecting downtown destinations such as the Dallas Museum of Art, the Nasher Sculpture Center, and Klyde Warren Park. The Urban Circulator project was recently completed by DART, to provide approximately 0.65 mile of track along St. Paul Street and Federal Street. MATA currently operates the existing heritage trolley line along McKinney Avenue and will operate the new loop line. The entire trolley line is owned by the City of Dallas.

The McKinney Avenue Trolley Olive Street Extension project was selected to be funded by the Statewide Transportation Enhancement Program (STEP). Total project costs including design, construction and Dallas Water Utilities (DWU) utility improvements are estimated to be \$12,652,051.51. The City of Dallas is responsible for \$10,986,254.08, of which \$1,710,958.81 is for DWU’s water and wastewater improvements. The Texas Department of Transportation is responsible for funding the remaining project costs of \$1,665,797.43. No future council action is anticipated for this project.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	February 2007
Completed Design	April 2010
Began Construction	December 2010
Complete Construction	August 2015

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized endorsement of the Statewide Transportation Enhancement Program First Call for Projects on September 22, 1993, by Resolution No. 93-3503.

Authorized endorsement of the Statewide Transportation Enhancement Program Second Call for Projects on August 10, 1994, by Resolution No. 94-2872.

Authorized an Interlocal Agreement with the Texas Department of Transportation on December 13, 1995, by Resolution No. 95-4088.

Authorized a professional services contract with Huitt-Zollars, Inc. on September 25, 1996, by Resolution No. 96-3034.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

Authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. on June 10, 1998, by Resolution No. 98-1711.

Authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. on June 28, 2000, by Resolution No. 00-2025.

Authorized a Reimbursement Agreement for the north extension of the McKinney Avenue Trolley with TXU on August 23, 2000, by Resolution No. 00-2568.

Authorized a Reimbursement Agreement for the north extension of the McKinney Avenue Trolley with Southwestern Bell Telephone on September 27, 2000, by Resolution No. 00-3006.

Authorized a development agreement for the north extension of the McKinney Avenue Trolley with Oak Creek Partners, Ltd. on October 11, 2000, by Resolution No. 00-3084.

Authorized a construction contract for the north extension of the McKinney Avenue Trolley with Texas-Sterling Construction, Inc. on December 13, 2000, by Resolution No. 00-3802.

Authorized an increase in the construction contract for the north extension of the McKinney Avenue Trolley with Texas-Sterling Construction, Inc. on September 10, 2003, by Resolution No. 03-2434.

Authorized support and continued development of the McKinney Avenue Trolley Extension on January 11, 2006, by Resolution No. 06-0114.

Authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. on February 14, 2007, by Resolution No. 07-0477.

Authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. on June 25, 2008, by Resolution No. 08-1901.

Authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. on April 22, 2009, by Resolution No. 09-1078.

Authorized construction contract with Gibson & Associates, Inc. on August 25, 2010, by Resolution No. 10-2140.

Authorized a Multiple Use Agreement with Texas Department of Transportation on August 25, 2010, by Resolution No. 10-2141.

Authorized a Supplemental Agreement No. 8 to the contract with Huitt-Zollars, Inc. on December 14, 2011, by Resolution 11-3261.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

Authorized Change Order No. 2 to the construction contract with Gibson & Associates, Inc. on December 14, 2011, by Resolution No. 11-3262.

Authorized Change Order No. 4 to the contract with Gibson and Associates, Inc, on June 12, 2013, by Resolution No. 13-0968.

Authorized a Participation Agreement with the Downtown Improvement District on June 12, 2013 by Resolution No. 13-0969.

Authorized a Supplemental Agreement No. 9 to the contract with Huitt-Zollars, Inc. on September 10, 2014, by Resolution 14-1469.

Authorized Change Order No. 7 to the construction contract with Gibson & Associates, Inc. on September 10, 2014, by Resolution No. 14-1470.

Information about this item will be provided to the Transportation and Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

1998 Bond Funds - \$81,120.37

2006 Bond Funds - \$62,660.00

Design Cost	\$ 857,400.00
Supplemental Agreement No. 1	\$ 117,400.00
Supplemental Agreement No. 2	\$ 14,900.00
Supplemental Agreement No. 3	\$ 59,800.00
Supplemental Agreement No. 4	\$ 551,483.00
Supplemental Agreement No. 5	\$ 1,147,211.00
Supplemental Agreement No. 6	\$ 20,567.44
Supplemental Agreement No. 7	\$ 21,080.00
Supplemental Agreement No. 8	\$ 386,750.00
Supplemental Agreement No. 9	\$ 110,290.00
Supplemental Agreement No. 10 (this action)	<u>\$ 62,660.00</u>
Total	\$ 3,349,541.44

**FISCAL INFORMATION** (Continued)

Construction Cost	
Paving & Drainage – PBW	\$ 6,692,386.52
Water and Wastewater – DWU	\$ 1,710,958.81
Change Order No. 1	\$ 0.00
Change Order No. 2	\$ 263,431.81
Change Order No. 3	\$ 0.00
Change Order No. 4	\$ 158,635.00
Change Order No. 5	\$ 47,013.11
Change Order No. 6	\$ 12,762.00
Change Order No. 7	\$ 336,202.45
Change Order No. 8 (this action)	<u>\$ 81,120.37</u>
Total	\$ 9,302,510.07

This action	
1998 Bond Program – Construction	\$ 81,120.37
2006 Bond Program – Design	<u>\$ 62,660.00</u>
Total This Action	\$ 143,780.37

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Huitt-Zollars, Inc.

Hispanic Female	8	Hispanic Male	10
African-American Female	3	African-American Male	2
Other Female	3	Other Male	5
White Female	26	White Male	51

**ETHNIC COMPOSITION**

Gibson & Associates, Inc.

Hispanic Female	0	Hispanic Male	68
African-American Female	1	African-American Male	3
Other Female	0	Other Male	2
White Female	3	White Male	35



**OWNER(S)**

**Huitt-Zollars, Inc.**

Bob Zollars, President  
Larry Huitt, Executive Vice President

**Gibson & Associates, Inc.**

William J. Gibson, President  
William E. Gibson, Chief Executive Officer / Vice President  
Patricia M. Gibson, Secretary / Treasurer

**MAP**

Attached.

August 12, 2015

**WHEREAS**, the City of Dallas nominated the McKinney Avenue Trolley Extension project for participation in the Statewide Transportation Enhancement Program on September 22, 1993, by Resolution No. 93-3503, and August 10, 1994, by Resolution No. 94-2872 and agreed to provide the required local matching funds; and,

**WHEREAS**, on December 13, 1995, Resolution No. 95-4088 authorized an Interlocal Agreement with the Texas Department of Transportation for the design of the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area; and,

**WHEREAS**, on September 25, 1996, Resolution No. 96-3034 authorized a professional services contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the extension of the McKinney Avenue Trolley to the West End Historic District and to the CityPlace area in the amount of \$857,400.00; and,

**WHEREAS**, on June 10, 1998, Resolution No. 98-1711 authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension project in the amount of \$117,400.00, increasing the contract from \$857,400.00 to \$974,800.00; and,

**WHEREAS**, on October 20, 1999, Administrative Action No. 99-3220 authorized Supplemental Agreement No. 2 to the contract with Huitt-Zollars, Inc. for the design of antique poles to be used on the McKinney Avenue Trolley Extension project in the amount of \$14,900.00, increasing the contract from \$974,800.00 to \$989,700.00; and,

**WHEREAS**, on June 28, 2000, Resolution No. 00-2025 authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension project in the amount of \$59,800.00, increasing the contract from \$989,700.00 to \$1,049,500.00; and,

**WHEREAS**, design was completed and a construction contract was awarded and completed for the trolley's north extension to CityPlace; and,

**WHEREAS**, design was substantially completed for the trolley's downtown extension prior to being placed on hold because of funding and utility issues; and,

**WHEREAS**, an alternate route for the downtown extension was identified, and the City of Dallas, McKinney Avenue Transit Authority, DART, and the Texas Department of Transportation proceeded with this alternative; and,

August 12, 2015

**WHEREAS**, on February 14, 2007, Resolution No. 07-0477 authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley Extension project in the amount of \$551,483.00, increasing the contract from \$1,049,500.00 to \$1,600,983.00; and,

**WHEREAS**, on June 25, 2008, Resolution No. 08-1901 authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for the final design of paving, drainage, and water and wastewater main improvements for the McKinney Avenue Trolley Extension project in the amount of \$1,147,210.67, increasing the contract from \$1,600,983.00 to \$2,748,193.67; and,

**WHEREAS**, on December 10, 2008, Administrative Action No. 09-0657 authorized Supplemental Agreement No. 6 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for water and sanitary sewer replacements for the McKinney Avenue Trolley Extension project in the amount of \$20,567.44, increasing the contract from \$2,748,194 to \$2,768,761.44; and,

**WHEREAS**, on April 22, 2009, Resolution No. 09-1078 authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for the final design of storm drainage facilities for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$21,080.00.00, increasing the contract from \$2,768,761.44 to \$2,789,841.44; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2140 authorized a contract with Gibson and Associates, Inc. for the construction of the McKinney Avenue Trolley Olive Street Extension project in an amount not to exceed \$8,403,345.33; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2141 authorized a Multiple Use Agreement with Texas Department of Transportation to allow for construction of streetcar tracks within their right-of-way for the McKinney Avenue Trolley Olive Street Extension project; and,

**WHEREAS**, on September 14, 2011, Administrative Action No. 11-2349 authorized Change Order No. 1 to the contract with Gibson and Associates, Inc. for revised scope associated with shortened project limits and revised track section for the McKinney Avenue Trolley Olive Street Extension project; and,

**WHEREAS**, the Texas Department of Transportation's federal-funding criteria includes "Buy America" provisions that require the purchase of domestically-manufactured steel for construction of the McKinney Avenue Trolley Olive Street Extension project; and,

August 12, 2015

**WHEREAS**, on December 14, 2011, Resolution No. 11-3261 authorized Supplemental Agreement No. 8 to the contract with Huitt-Zollars, Inc. to provide additional engineering services related to federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$386,750.00, increasing the contract from \$2,789,841.44 to \$3,176,591.44; and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3262 authorized Change Order No. 2 to the contract with Gibson and Associates, Inc. for the construction of federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$263,431.81, increasing the contract from \$8,403,345.33 to \$8,666,777.14; and,

**WHEREAS**, on April 17, 2013, Administrative Action No. 13-5484 authorized Change Order No. 3 to the construction contract with Gibson and Associates, Inc. for additional traffic control measures, landscaping along Olive Street and a new joint use overhead catenary system pole for the McKinney Avenue Streetcar Olive Extension project; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0968 authorized Change Order No. 4 to the contract with Gibson and Associates, Inc. for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$158,635.00, increasing the contract from \$8,666,777.14 to \$8,825,412.14; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0969 authorized a participation agreement with the Downtown Improvement District for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$158,635.00; and,

**WHEREAS**, on August 29, 2013, Administrative Action No. 13-6197 authorized Change Order No. 5 to the contract with Gibson and Associates, Inc. for an additional item for expediting the work schedule to complete the special track installation at the intersection of McKinney Avenue and Olive Street in the amount not to exceed \$47,013.11, increasing the contract from \$8,825,412.14 to \$8,872,425.25; and,

**WHEREAS**, on May 22, 2014, Administrative Action No. 14-0714 authorized Change Order No. 6 to the contract with Gibson and Associates, Inc. for additional features added to the special trackwork to minimize the noise produced by the trolley car wheels at the intersection of McKinney and Olive Street in the amount not to exceed \$12,762.00, increasing the contract from \$8,872,425.25 to \$8,885,187.25; and,

August 12, 2015

**WHEREAS**, on September 10, 2014, Resolution No. 14-1469 authorized Supplemental Agreement No. 9 to the contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$110,290.00, increasing the contract from \$3,176,591.44 to \$3,286,881.44; and,

**WHEREAS**, on September 10, 2014, Resolution No. 14-1470 authorized Change Order No. 7 to the contract with Gibson and Associates, Inc. for construction of the McKinney Avenue Trolley Olive Street Extension project in the amount of \$336,202.45, increasing the contract from \$8,885,187.25 to \$9,221,389.70; and,

**WHEREAS**, it is now necessary to authorize Supplemental Agreement No. 10 to the professional services contract with Huitt-Zollars, Inc. to provide additional construction inspection services for the Traction Power Substation (TPSS) and Overhead Catenary System (OCS) for the McKinney Avenue Trolley Olive Street Extension project in an amount not to exceed \$62,660.00, increasing the contract from \$3,286,881.44 to \$3,349,541.44; and,

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 10 to the professional services contract with Huitt-Zollars, Inc. to provide additional construction inspection services for the Traction Power Substation (TPSS) and Overhead Catenary System (OCS) system for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$62,660.00, increasing the contract from \$3,286,881.44 to \$3,349,541.44, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund  
Fund 2T22, Dept. PBW, Unit. U220, Act. INGV  
Obj. 4111, Program #PB06U220, CT PBW95L114K1  
Vendor #090025, in an amount not to exceed \$62,660.00

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

August 12, 2015

**WHEREAS**, the City of Dallas nominated the McKinney Avenue Trolley Extension project for participation in the Statewide Transportation Enhancement Program on September 22, 1993, by Resolution No. 93-3503, and August 10, 1994, by Resolution No. 94-2872 and agreed to provide the required local matching funds; and,

**WHEREAS**, on December 13, 1995, Resolution No. 95-4088 authorized an Interlocal Agreement with the Texas Department of Transportation for the design of the extension of the McKinney Avenue Trolley to the West End Historic District and to the City Place area; and,

**WHEREAS**, on September 25, 1996, Resolution No. 96-3034 authorized a professional services contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the extension of the McKinney Avenue Trolley to the West End Historic District and to the CityPlace area in the amount of \$857,400.00; and,

**WHEREAS**, on June 10, 1998, Resolution No. 98-1711 authorized Supplemental Agreement No. 1 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension project in the amount of \$117,400.00, increasing the contract from \$857,400.00 to \$974,800.00; and,

**WHEREAS**, on October 20, 1999, Administrative Action No. 99-3220 authorized Supplemental Agreement No. 2 to the contract with Huitt-Zollars, Inc. for the design of antique poles to be used on the McKinney Avenue Trolley Extension project in the amount of \$14,900.00, increasing the contract from \$974,800.00 to \$989,700.00; and,

**WHEREAS**, on June 28, 2000, Resolution No. 00-2025 authorized Supplemental Agreement No. 3 to the contract with Huitt-Zollars, Inc. for the design of paving, drainage, water and wastewater improvements for the McKinney Avenue Trolley Extension project in the amount of \$59,800, increasing the contract from \$989,700.00 to \$1,049,500.00; and,

**WHEREAS**, design was completed and a construction contract was awarded and completed for the trolley's north extension to CityPlace; and,

**WHEREAS**, design was substantially completed for the trolley's downtown extension prior to being placed on hold because of funding and utility issues; and,

**WHEREAS**, an alternate route for the downtown extension was identified, and the City of Dallas, McKinney Avenue Transit Authority, DART, and the Texas Department of Transportation proceeded with this alternative; and,

August 12, 2015

**WHEREAS**, on February 14, 2007, Resolution No. 07-0477 authorized Supplemental Agreement No. 4 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for paving and drainage improvements for the McKinney Avenue Trolley Extension project in the amount of \$551,483.00, increasing the contract from \$1,049,500.00 to \$1,600,983.00; and,

**WHEREAS**, on June 25, 2008, Resolution No. 08-1901 authorized Supplemental Agreement No. 5 to the contract with Huitt-Zollars, Inc. to provide additional engineering and environmental services for the final design of paving, drainage, and water and wastewater main improvements for the McKinney Avenue Trolley Extension project in the amount of \$1,147,210.67, increasing the contract from \$1,600,983.00 to \$2,748,194.67; and,

**WHEREAS**, on December 10, 2008, Administrative Action No. 09-0657 authorized Supplemental Agreement No. 6 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for water and sanitary sewer replacements for the McKinney Avenue Trolley Extension project in the amount of \$20,567.44, increasing the contract from \$2,748,194.67 to \$2,768,761.44; and,

**WHEREAS**, on April 22, 2009, Resolution No. 09-1078 authorized Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for the final design of storm drainage facilities for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$21,080.00, increasing the contract from \$2,768,761.44 to \$2,789,841.44; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2140 authorized a contract with Gibson and Associates, Inc. for the construction of the McKinney Avenue Trolley Olive Street Extension project in an amount not to exceed \$8,403,345.33; and,

**WHEREAS**, on August 25, 2010, Resolution No. 10-2141 authorized a Multiple Use Agreement with Texas Department of Transportation to allow for construction of streetcar tracks within their right-of-way for the McKinney Avenue Trolley Olive Street Extension project; and,

**WHEREAS**, on September 14, 2011, Administrative Action No. 11-2349 authorized Change Order No. 1 to the contract with Gibson and Associates, Inc. for revised scope associated with shortened project limits and revised track section for the McKinney Avenue Trolley Olive Street Extension project; and,

**WHEREAS**, the Texas Department of Transportation's federal-funding criteria includes "Buy America" provisions that require the purchase of domestically-manufactured steel for construction of the McKinney Avenue Trolley Olive Street Extension project; and,

August 12, 2015

**WHEREAS**, on December 14, 2011, Resolution No. 11-3261 authorized Supplemental Agreement No. 8 to the contract with Huitt-Zollars, Inc. to provide additional engineering services related to federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$386,750.00, increasing the contract from \$2,789,841.44 to \$3,176,591.44; and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3262 authorized Change Order No. 2 to the contract with Gibson and Associates, Inc. for the construction of federal mandated track modifications for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$263,431.81, increasing the contract from \$8,403,345.33 to \$8,666,777.14; and,

**WHEREAS**, on April 17, 2013, Administrative Action No. 13-5484 authorized Change Order No. 3 to the construction contract with Gibson and Associates, Inc. for additional traffic control measures, landscaping along Olive Street and a new joint use overhead catenary system pole for the McKinney Avenue Streetcar Olive Extension project; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0968 authorized Change Order No. 4 to the contract with Gibson and Associates, Inc. for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$158,635.00, increasing the contract from \$8,666,777.14 to \$8,825,412.14; and,

**WHEREAS**, on June 12, 2013, Resolution No. 13-0969 authorized a participation agreement with the Downtown Improvement District for the construction of granite pavers at trolley stops and additional items for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$158,635.00; and,

**WHEREAS**, on August 29, 2013, Administrative Action No. 13-6197 authorized Change Order No. 5 to the contract with Gibson and Associates, Inc. for an additional item for expediting the work schedule to complete the special track installation at the intersection of McKinney Avenue and Olive Street in the amount not to exceed \$47,013.11, increasing the contract from \$8,825,412.14 to \$8,872,425.25; and,

**WHEREAS**, on May 22, 2014, Administrative Action No. 14-0714 authorized Change Order No. 6 to the contract with Gibson and Associates, Inc. for additional features added to the special trackwork to minimize the noise produced by the trolley car wheels at the intersection of McKinney and Olive Street in the amount not to exceed \$12,762.00, increasing the contract from \$8,872,425.25 to 8,885,187.25; and,



August 12, 2015

**WHEREAS**, on September 10, 2014, Resolution No. 14-1469 authorized Supplemental Agreement No. 9 to the contract with Huitt-Zollars, Inc. to provide additional engineering services support during construction for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$110,290.00, increasing the contract from \$3,176,591.44 to \$3,286,881.44; and,

**WHEREAS**, on September 10, 2014, Administrative Action No. 14-1470 authorized Change Order No. 7 to the contract with Gibson and Associates, Inc. for construction of the McKinney Avenue Trolley Olive Street Extension project in the amount of \$336,202.45, increasing the contract from \$8,885,187.25 to \$9,221,389.70; and,

**WHEREAS**, it is now necessary to authorize Change Order No. 8 to the contract with Gibson and Associates, Inc. for the modifications to the turnout transition plates for the McKinney Avenue Trolley Olive Street Extension project, in an amount not to exceed \$81,120.37, increasing the contract from \$9,221,389.70 to \$9,302,510.07.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to increase the contract with Gibson and Associates, Inc. for modifications to the turnout transition plates for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$81,120.37, increasing the contract from \$9,221,389.70 to \$9,302,510.07, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Thoroughfare Improvements Fund	
Fund 9P22, Dept. PBW, Unit. U220, Act. INGV	
Obj. 4510, Program #PB06U220, CT PBW06U220K1	
Vendor #230445, in an amount not to exceed	\$81,120.37

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize Supplemental Agreement No. 10 to the professional services contract with Huitt-Zollars, Inc. to provide additional construction inspection services for the Traction Power Substation and Overhead Catenary System for the McKinney Avenue Trolley Olive Street Extension project - Not to exceed \$62,660, from \$3,286,882 to \$3,349,542 - Financing: 2006 Bond Funds

Huitt-Zollars, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Architecture & Engineering

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$62,660.00	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>\$62,660.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

None

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE PARTICIPATION**

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$89,399.00	2.67%
Hispanic American	\$0.00	0.00%	\$787,925.45	23.52%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$39,695.00	1.19%
<b>Total</b>	<b>\$0.00</b>	<b>0.00%</b>	<b>\$917,019.45</b>	<b>27.38%</b>

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize an increase in the contract with Gibson & Associates, Inc. for necessary modifications to the turnout transition plates for the McKinney Avenue Trolley Olive Street Extension project - Not to exceed \$81,121, from \$9,221,390 to \$9,302,511 – Financing: 1998 Bond Funds

Gibson & Associates , Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Construction

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$31,968.79	39.41%
Non-local contracts	\$49,151.58	60.59%
<b>TOTAL THIS ACTION</b>	<b>\$81,120.37</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

None

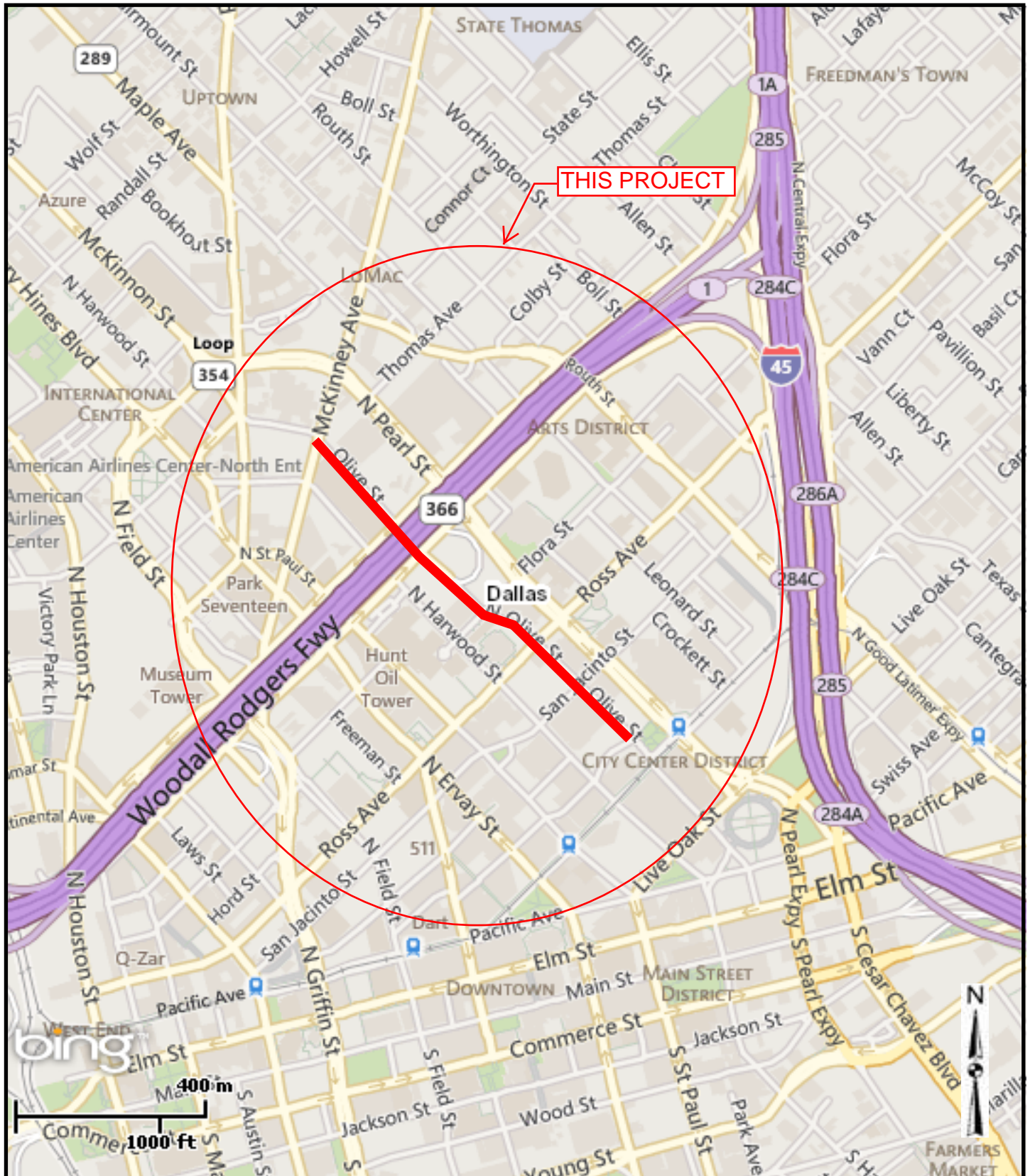
#### **Non-Local Contractors / Sub-Contractors**

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Road Master Striping	HMDB64683Y0316	(\$5,508.13)	-11.21%
<b>Total Minority - Non-local</b>		<b>(\$5,508.13)</b>	<b>(11.21%)</b>

### **TOTAL M/WBE PARTICIPATION**

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$2,087,260.63	22.44%
Hispanic American	(\$5,508.13)	(6.79%)	\$1,258,503.39	13.53%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
<b>Total</b>	<b>(\$5,508.13)</b>	<b>(6.79%)</b>	<b>\$3,345,764.02</b>	<b>35.97%</b>

# McKINNEY AVENUE TROLLEY OLIVE STREET EXTENSION



MAPSCO 45F, K, L

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Trinity Watershed Management  
City Attorney's Office  
**CMO:** Mark McDaniel, 670-3256  
Warren M.S. Ernst, 670-3491  
**MAPSCO:** 47T

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**SUBJECT**

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Jeffery D. Smith, et al., Cause No. CC-15-01417-D, pending in Dallas County Court at Law No. 4, to acquire approximately 65,314 square feet of land, located on Barber Avenue at its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$103,200 (\$98,000 being the amount of the award, plus closing costs and title expenses not to exceed \$5,200); an increase of \$56,524 from the amount Council originally authorized for this acquisition - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

On August 27, 2014, the City Council authorized the acquisition of this property, by Resolution No. 14-1400. The property owner was offered \$44,000, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing before the Special Commissioners on July 10, 2015, the property owner was awarded \$98,000. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$54,000 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed \$5,200 (increased from \$2,676).

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized acquisition on August 27, 2014, by Resolution No. 14-1400.

Council will be briefed by memorandum on August 5, 2015.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds) - \$103,200 (\$98,000 being the amount of the award, plus closing costs and title expenses not to exceed \$5,200)

**OWNER**

Jeffery D. Smith

**MAPS**

Attached



August 12, 2015

**A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.**

**IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:**

CONDEMNATION PROCEEDING: Cause No. CC-15-01417-D, in Dallas County Court at Law No. 4, and styled City of Dallas v. Jeffery D. Smith, et al., filed pursuant to City Council Resolution No. 14-1400.

PROPERTY: Approximately 65,314 square feet of land located in Dallas County, as described in the CONDEMNATION PROCEEDING.

PROJECT: Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project

OFFICIAL OFFER: \$44,000.00

AWARD: \$98,000.00

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$5,200.00

AUTHORIZED AMOUNT: Not to exceed: \$103,200.00

DESIGNATED FUNDS: AWARD payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525F42, CLOSING COSTS AND TITLE EXPENSES payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G2.

**WHEREAS**, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

**WHEREAS**, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

**WHEREAS**, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

August 12, 2015

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 2.** That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

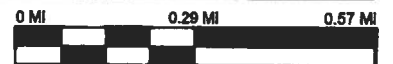
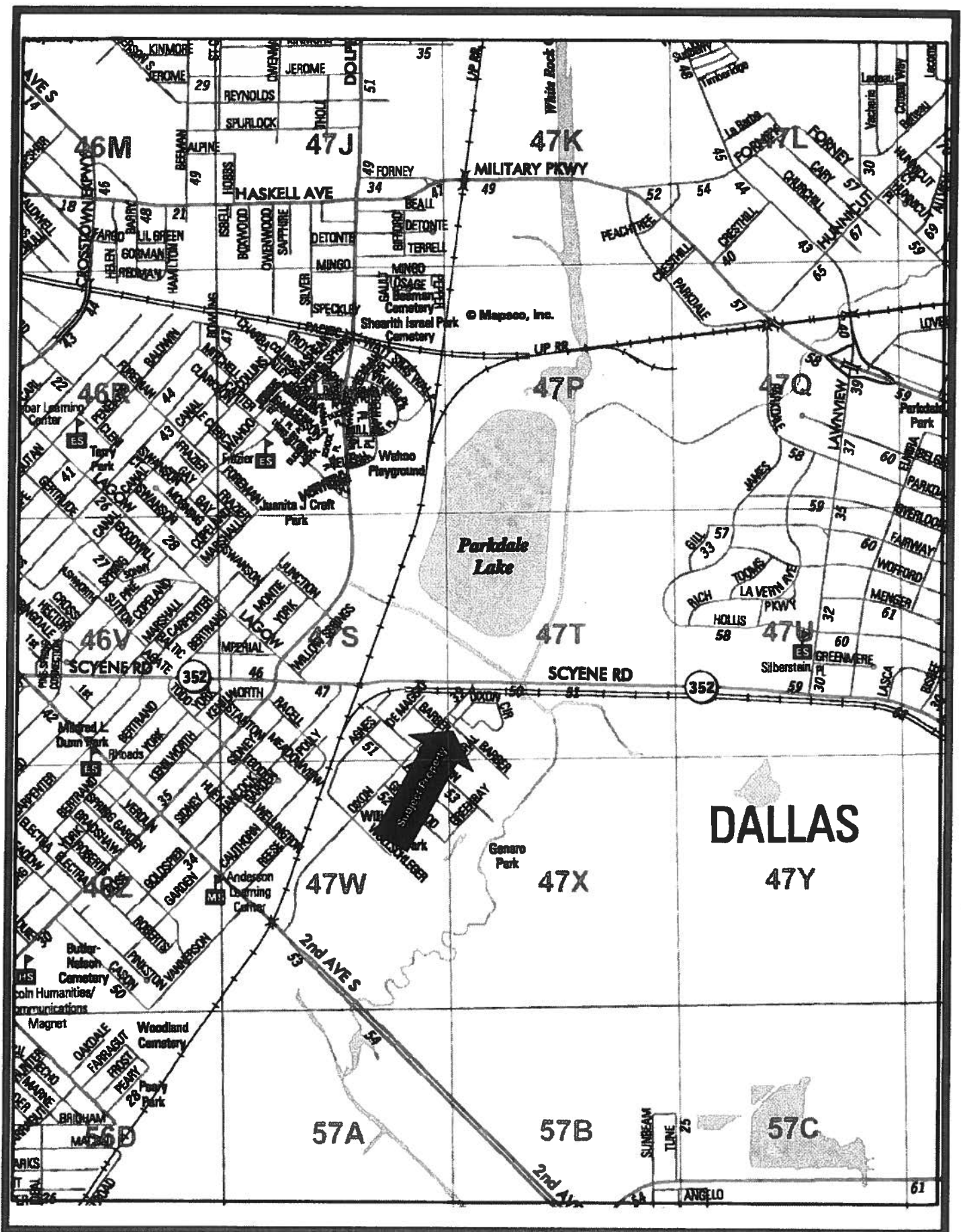
**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

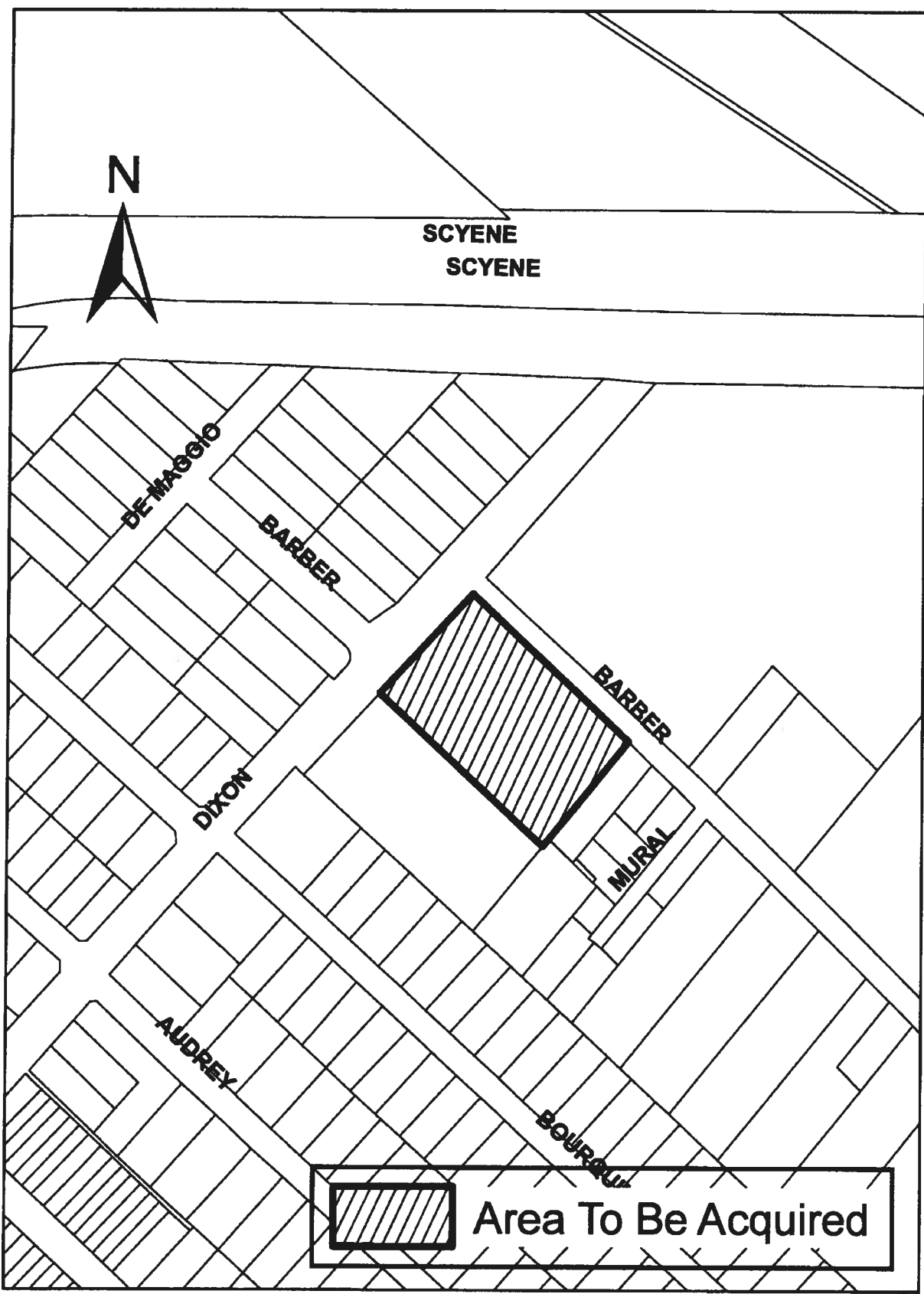
**APPROVED AS TO FORM**

**Warren M. S. Ernst**  
**City Attorney**

**By:** \_\_\_\_\_  
**Assistant City Attorney**







N

SCYENE  
SCYENE

DE MAGGIO

BARBER

DIXON

BARBER

MURAL

AUDREY

BOURBAU



Area To Be Acquired

**PROPERTY ACQUISITION**

City of Dallas Drawing No. 423R-54(Parcel 103)  
65,314 Sq. Ft. or 1.4994 Acres  
Being Part of City of Dallas Block 6123  
Thomas Lagow Survey, Abstract No.759  
City of Dallas, Dallas County, Texas  
From Jeffery D. Smith

**EXHIBIT A**

Being a 65,314 square feet or 1.4994 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, and being part of City Block 6123 (a Unplatted tract of Land), and being ALL of that tract of land conveyed to Jeffery D. Smith, recorded in Instrument No. 201000184285 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a found ½" iron rod with broken cap (Controlling Monument) being in the southwest line of Barber Avenue (30'Right-of-Way) Dedicated by the South Dallas Gardens Addition, an Addition to the City of Dallas, Recoded by Plat in Volume 1, Page 448, of the Map Records of Dallas County, Texas, and being the most easterly corner of said Smith tract, being the northwest corner of Lot 17, Block 7 (Official City of Dallas Block Number 7/6122) of said South Dallas Gardens Addition, and being the northwest corner of a tract of land conveyed to Gaythell Smith, by Deed recorded in Instrument No. 201000148256 of the Official Public Records of Dallas County, Texas;

THENCE South 42°22'50" West, with the northwest line of said Lot 17, Block 7/6122, a distance of 187.51 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most southerly corner of said Jeffery D. Smith Tract, being the northwest corner of a tract of land conveyed to Lawrence E. Baker and Sharon Titus, by Deed recorded in Volume 99187, Page 3535 of the Deed Records of Dallas County, Texas, being the most easterly corner of a tract of land conveyed to Hymon Pearson, ET UX, by Deed recorded in Volume 5387, Page 412 of the Deed Records of Dallas County, Texas;

THENCE North 45°49'30" West, over and across said City Block 6123, with the common line of said Jeffery Smith Tract and said Pearson Tract, a passing distance of 334.95 feet, being in the southeast line of an Agreed Judgment, easement for street purposes, to the City of Dallas, recorded in Volume 79198, Page 3669, of the Deed Records of Dallas County, Texas, and being in the southeast right-of-way of Dixon Avenue (Variable Width Right-of-Way), continuing with said common line and over and across said Agreed Judgment tract and over and across said Dixon Avenue, in all a total distance of 348.50 feet, to a set "x" cut in concrete, being the most northerly corner of said Pearson Tract, being the most westerly corner of said Jeffery Smith tract, and on the northwest line of said Agreed Judgment tract, said corner also being in Dixon Avenue, and being in the southeast line of Dixon Avenue, Dedicated by the Joe Demaggio Addition, an Addition to the City of Dallas, Recoded by Plat in Volume 5, Page 177, of the Map Records of Dallas County, Texas;

THENCE North 42°22'50" East, along the northwest line of said Jeffery Smith Tract, and the northwest line of said Agreed Judgment tract, and over and across said Dixon Avenue, a distance of 187.51 feet to a set "x" cut in concrete, being the most northerly corner of said Jeffery Smith tract, being the most northerly corner of said Agreed Judgment tract, and also being in Dixon Avenue;

THENCE South 45°49'30" East, over and across said Agreed Judgment tract and over and across said Dixon Avenue, along the common line of said Jeffery Smith tract and Barber Avenue, and the northeast line of said Block 6123, a passing distance of 12.70 feet, being the



FULL NOTES APPROVED:  
PER 4-14-14

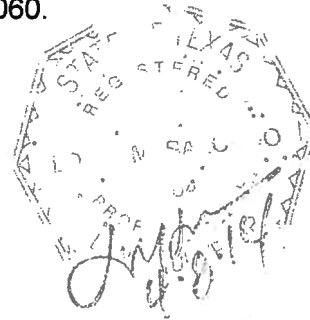
**PROPERTY ACQUISITION**

City of Dallas Drawing No. 423R-54(Parcel 103)  
65,314 Sq. Ft. or 1.4994 Acres  
Being Part of City of Dallas Block 6123  
Thomas Lagow Survey, Abstract No.759  
City of Dallas, Dallas County, Texas  
From Jeffery D. Smith

**EXHIBIT A**

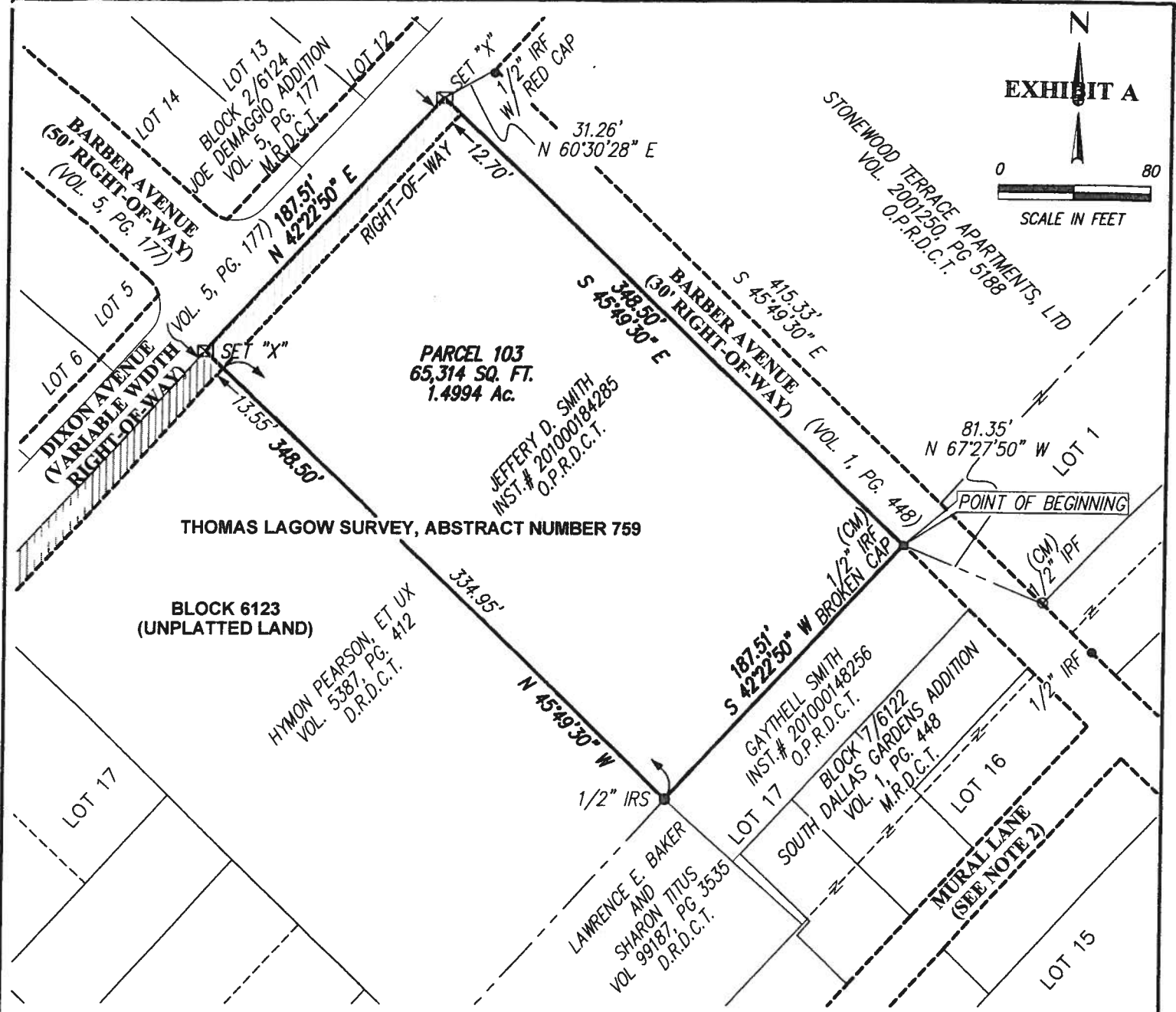
easterly corner of said Agreement tract, and being the intersection of the southwest Right-of-Way line of said Barber Avenue, and the southeast Right-of-Way line of said Dixon Avenue (Variable width Right-of-Way), in all a total distance of 348.50 feet, to the **POINT OF BEGINNING** and containing 1.4994 acres (65,314 square feet) of land, more or less.

**BASIS OF BEARING** State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



NEELI NOTES APPROVED:  
JER 4-14-14

**EXHIBIT A**



**PARCEL 103**  
**65,314 SQ. FT.**  
**1.4994 Ac.**  
 JEFFERY D. SMITH  
 INST. # 201000184285  
 O.P.R.D.C.T.

**THOMAS LAGOW SURVEY, ABSTRACT NUMBER 759**

**BLOCK 6123**  
 (UNPLATTED LAND)

HYMON PEARSON, ET UX  
 VOL. 5387, PG. 412  
 D.R.D.C.T.

LAWRENCE E. BAKER  
 AND  
 SHARON TITUS  
 VOL. 99187, PG. 3535  
 D.R.D.C.T.

GAYTHELL SMITH  
 INST. # 201000148256  
 O.P.R.D.C.T.

BLOCK 17/6122  
 SOUTH DALLAS GARDENS ADDITION  
 VOL. 1, PG. 448  
 M.R.D.C.T.

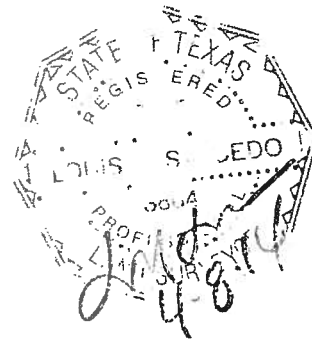
STONEWOOD TERRACE APARTMENTS, LTD  
 VOL. 2001250, PG. 5188  
 O.P.R.D.C.T.

**LEGEND**

- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY TEXAS
- IRF IRON ROD FOUND
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
- CM CONTROLLING MONUMENT
- ▲ PK NAIL
- (IPF) IRON PIPE FOUND (SIZES VARY)
- (IRF) IRON ROD FOUND (SIZES VARY)
- ☒ SET X-CUT IN CONCRETE (SET "X")
- Lot Line
- Property Line
- - - ROW Line
- - - SUBDIVISION LINE
- Property Acquisition Line

AGREED JUDGEMENT  
 EASEMENT FOR STREET  
 PURPOSES  
 CITY OF DALLAS  
 CC No.-74-13121-A  
 VOLUME 79198, PAGE 3669  
 D.R.D.C.T.

- GENERAL NOTES**
1. BASIS OF BEARING  
 STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR : 1.0001365060.
  2. MURAL LANE IS A "VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, PAGE 175; VOLUME 4993, PAGE 177.



Sheet 3 of 3

**PROPERTY ACQUISITION**  
 CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 103)  
 65,314 Sq. Ft. or 1.4994 Acres  
 BEING PART OF CITY OF DALLAS BLOCK 6123  
 Thomas Lagow Survey, Abstract No. 759  
 City of Dallas, Dallas County, Texas  
 From JEFFERY D. SMITH

**SGI** Civil Engineers - Surveyors  
 TBPLS FIRM No. 10070800  
 TBPE FIRM No. 5482  
 PHONE: (214) 941-8610

● 1/2" IRS 1/2" IRON ROD SET WITH YELLOW CAP  
 STAMPED "SGI RPLS 3664"  
 (UNLESS OTHERWISE NOTED)

August 12, 2015

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 2.** That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

**SECTION 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**APPROVED AS TO FORM**

**Warren M. S. Ernst**

**City Attorney**

By: 

\_\_\_\_\_  
**Assistant City Attorney**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** N/A

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**SUBJECT**

Authorize an application for a grant, requiring matching funds, through the Federal Emergency Management Agency (FEMA) for FY 2015-2016 for the Cooperating Technical Partners (CTP) program, to provide a cost share for updating certain flood studies in the City of Dallas - Financing: This action has no cost consideration to the City

**BACKGROUND**

The Cooperating Technical Partners (CTP) program is FEMA's approach to creating partnerships between FEMA and participating National Flood Insurance Program (NFIP) communities to improve the flood hazard mapping program. In this program, FEMA provides a grant for up to 75% of the cost of the project while the participating city is responsible for the remainder. In March 2010, the City of Dallas submitted an application for the CTP program, which includes a five-year plan to update several outdated flood studies for several streams. The application was subsequently approved by FEMA. The City is presently completing its fifth year of the CTP program.

Participation in the CTP program allows Dallas to update its flood hazard mapping at substantial savings, since FEMA funds the larger share of the cost of the projects. The City's portion of the project amount is \$262,750. The deadline for the grant application is August 15, 2015.

This action will authorize the application for and acceptance of the grant from FEMA. A separate City Council approval will be needed to authorize receipt of federal money (\$788,250), authorize appropriation of the City's portion (\$262,750), and to authorize a contract with a consulting engineering firm, once the application for the grant is approved by FEMA.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Study	November 2015
Complete Study	September 2016

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized CTP FY 2010-2011, receipt of grant funds, increase in appropriations, and a contract with Halff Associates, Inc. on November 10, 2010, by Resolution No. 10-2822.

Authorized CTP FY 2011-2012, agreement with FEMA and authorized Supplemental Agreement No. 1 with Halff Associates, Inc. on September 14, 2011, by Resolution No. 11-2457.

Authorized CTP FY 2012-2013, agreement with FEMA and authorized Supplemental Agreement No. 2 with Halff Associates, Inc. on November 14, 2012, by Resolution No. 12-2767.

Authorized CTP FY 2013-2014, agreement with FEMA and authorized Supplemental Agreement No. 3 with Halff Associates, Inc. on November 12, 2013, by Resolution No. 13-1958.

Authorized CTP FY 2014-2015, agreement with FEMA and authorized a contract with Halff Associates, Inc. on November 12, 2014, by Resolution No. 14-1934.

Information about this item will be presented to the Transportation and Trinity River Project Committee on August 10, 2015.

## **FISCAL INFORMATION**

This action has no cost consideration to the City



August 12, 2015

**WHEREAS**, the City of Dallas is participating in the Cooperating Technical Partners (CTP) program with the Federal Emergency Management Agency (FEMA) which provides partial federal funding for updating flood studies; and

**WHEREAS**, the City of Dallas must apply for the FEMA grant each year and commit to providing a local cost share; and

**WHEREAS**, Administrative Directive 2-19 requires the City Council to authorize application for and acceptance of grants requiring matching funds.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to apply for and accept a FEMA grant for the Cooperating Technical Partners (CTP) program for updating certain flood studies for FY 2015-16.

**Section 2.** That further City Council action is required to authorize the receipt and deposit of FEMA funds, to authorize an increase in appropriations, and to authorize a professional services contract with an engineering consulting firm for updating certain flood studies within the City of Dallas for FY 2015-2016.

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 4, 8  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 56 J 79 C D

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**SUBJECT**

Authorize a contract for the construction of rehabilitation improvements to the White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant and the replacement of 15kV switchgear A/B at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of two - Not to exceed \$20,113,600 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

This action consists of construction improvements to rehabilitate the existing White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant. The original structure was built in 1948 and has a current pumping capacity of 180 million gallons per day. Due to its age and the harsh environment in which it operates, many components of the facility are in need of rehabilitation. This project will repair the concrete substructure and replace many of the mechanical systems including; pumps, motors, and valves to extend the overall service life of the facility. Other improvements to the facility include a new heating and ventilation system to improve worker comfort and safety and new instrumentation to reduce operational and maintenance costs.

This action also includes the replacement of the 15kV A/B switchgear at the Southside Wastewater Treatment Plant (SWWTP). This switchgear was installed in 1987 and provides two power feeds to the treatment plant. Due to its age, the reliability of the switchgear has decreased significantly in recent years causing power outages to parts of the treatment plant. In addition, acquiring spare parts for the facility is becoming increasingly difficult. Replacement of the switchgear is necessary to ensure operational reliability of the SWWTP.

**BACKGROUND** (Continued)

Archer Western Construction, LLC completed contractual activities in the past three years:

	<u>PBW</u>	<u>DWU</u>	<u>PKR</u>
Projects Authorized	1	6	0
Change Orders	1	10	0
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	July 2012
Completed Design	April 2014
Begin Construction	October 2015
Complete Construction	December 2017

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized a professional services contract with CDM Smith Inc. to provide engineering services associated with the rehabilitation of the Raw Sewage Pump Station at the Central Wastewater Treatment Plant on June 13, 2012, by Resolution No. 12-1554.

Information about this item will be provided to the Transportation & Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

\$20,113,600.00 - Water Utilities Capital Improvement Funds

Design	\$ 1,224,983.00
Construction (this action)	<u>\$20,113,600.00</u>
Total Project Cost	\$21,338,583.00

<u>Council District</u>	<u>Amount</u>
4	\$16,906,600.00
8	<u>\$ 3,207,000.00</u>
Total	\$20,113,600.00

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Archer Western Construction, LLC**

Hispanic Female	17	Hispanic Male	758
Black Female	7	Black Male	92
Other Female	4	Other Male	33
White Female	32	White Male	374

**BID INFORMATION**

The following bids with quotes were opened on June 4, 2015:

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Bid Amount</u></b>
*Archer Western Construction, LLC 1411 Greenway Drive Irving, Texas 75038	\$20,113,600.00
Webber, LLC	\$22,330,970.00

**OWNER**

**Archer Western Construction, LLC**

Daniel P. Walsh, President

**MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract for the construction of rehabilitation improvements to the White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant and the replacement of 15kV switchgear A/B at the Southside Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of two - Not to exceed \$20,113,600 - Financing: Water Utilities Capital Improvement Funds

Archer Western Construction, LLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$8,860,205.00	44.05%
Total non-local contracts	\$11,253,395.00	55.95%
<b>TOTAL CONTRACT</b>	<b>\$20,113,600.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
A-Star Masonry & Stucco, LLC	HMDB64956Y0416	\$159,470.00	1.80%
Juves Steel	HMMB23959N0517	\$30,400.00	0.34%
James C. Paris Company	NMDB31291Y0516	\$707,000.00	7.98%
<b>Total Minority - Local</b>		<b>\$896,870.00</b>	<b>10.12%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
JML Distribution, LLC	WFDB64413Y0316	\$3,245,572.00	28.84%
JD Bodine	WFWB62141N0616	\$900,000.00	8.00%
<b>Total Minority - Non-local</b>		<b>\$4,145,572.00</b>	<b>36.84%</b>

# BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

Page 2

## TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$189,870.00	2.14%	\$189,870.00	0.94%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$707,000.00	7.98%	\$707,000.00	3.52%
WBE	\$0.00	0.00%	\$4,145,572.00	20.61%
Total	<u>\$896,870.00</u>	<u>10.12%</u>	<u>\$5,042,442.00</u>	<u>25.07%</u>

August 12, 2015

**WHEREAS**, bids were received on June 4, 2015 for the construction of rehabilitation improvements to the White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant and the replacement of 15kV switchgear A/B at the Southside Wastewater Treatment Plant, Contract No. 15-052, listed as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Archer Western Construction, LLC	\$20,113,600.00
Webber, LLC	\$22,330,970.00

**WHEREAS**, the bid submitted by Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, in the amount of \$20,113,600.00, is the lowest and best of all bids received.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the bid submitted by Archer Western Construction, LLC, in the amount of \$20,113,600.00, for doing the work covered by the plans, specifications, and contract documents, Contract No. 15-052, be accepted.

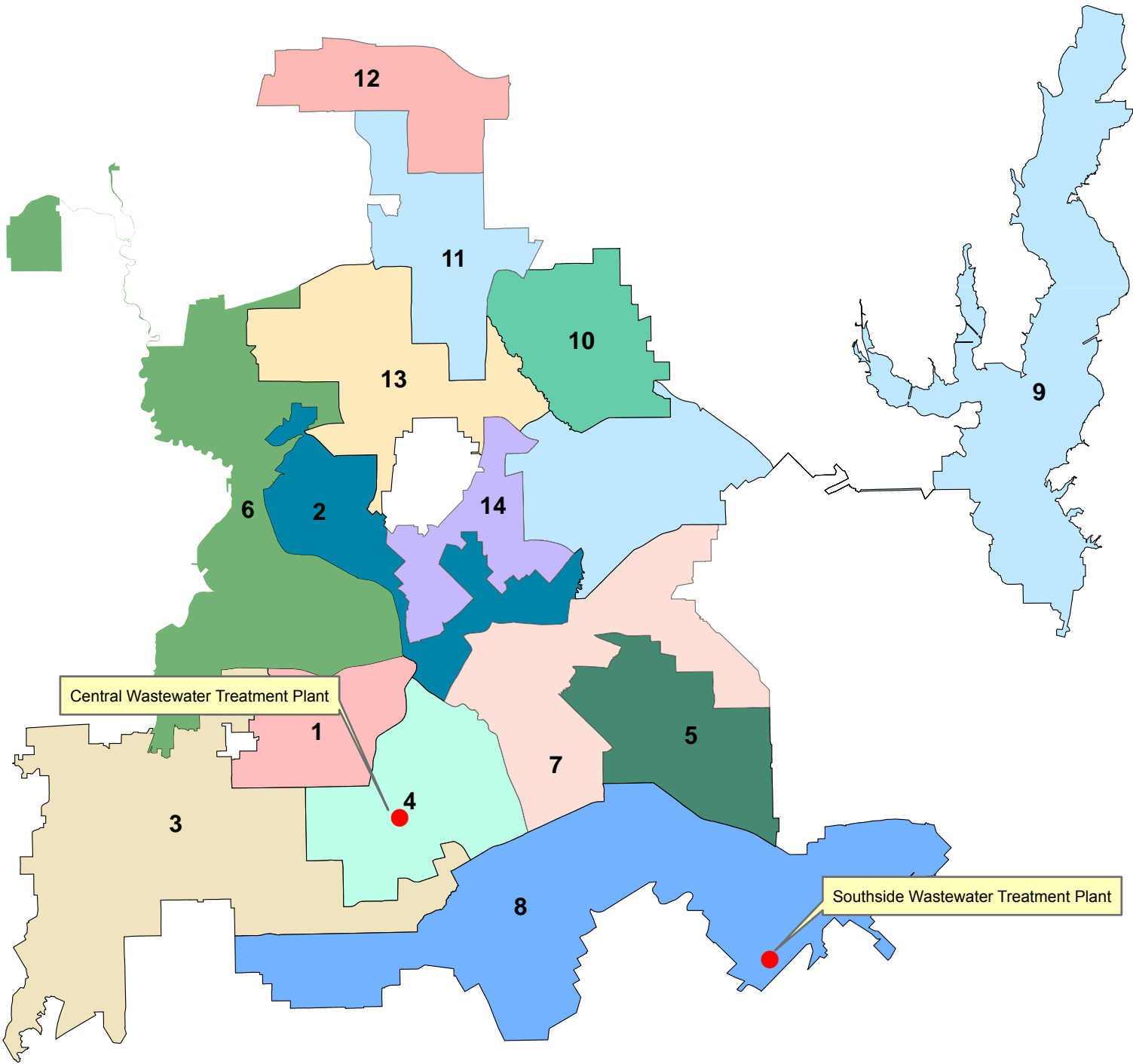
**Section 2.** That the City Manager is hereby authorized to execute a contract with Archer Western Construction, LLC, for the construction of rehabilitation improvements to the White Rock Raw Sewage Pump Station at the Central Wastewater Treatment Plant and the replacement of 15kV switchgear A/B at the Southside Wastewater Treatment Plant, after approval as to form by the City Attorney.

**Section 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$20,113,600.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3116	DWU	PS30	4560	715052	CT-DWU715052CP	VS0000064407

Archer Western Construction, LLC - (Contract No. 15-052) - \$20,113,600.00

**Section 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



**Dallas Water Utilities  
Contract No. 15-052  
Rehabilitation Improvements at Central Wastewater Treatment Plant and  
Replacement of 15kV Switchgear A/B at Southside Wastewater Treatment Plant**



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** Outside City Limits  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 2 T

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**SUBJECT**

Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant - Not to exceed \$258,866, from \$17,422,749 to \$17,681,615 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

The Elm Fork Water Treatment Plant, located in Carrollton, Texas, the second largest of three water treatment plants serving customers of Dallas Water Utilities, was constructed in the 1950s and underwent an expansion and renovation to its current capacity of 300 million gallons per day in the early 1990s and is now in need of rehabilitation to continue providing reliable drinking water service to its customers.

On September 12, 2012, the City Council awarded a construction contract to Archer Western Construction, LLC, which authorized rehabilitation of the chlorine gas scrubber system. The improvements included installation of new evaporators and chlorinators, all associated piping and components, a new scrubber sized for scrubbing one 90-ton rail car release, and extension of the building to secure a third 90-ton rail car. Other improvements included a new containment area with bulk tanks for the storage of caustic chemical, replacement of the ozone destruct units and installation of access control to the facility.

This action will authorize additional work identified during the construction of the chlorine scrubber improvements. The work includes the replacement of flexible hosing connections at the chlorine rail cars to improve worker safety, a modified sectional door operator at the rail car bay to accommodate the low clearance of the opening, and a new lightning protection system to replace an existing system that was found during construction to be unsalvageable. This additional work is needed for the systems to function as intended and allow Elm Fork Water Treatment Plant to continue providing clean drinking water to its customers.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Design	January 2012
Completed Design	May 2012
Began Construction	October 2012
Complete Construction	October 2015

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized a professional services contract with Malcolm Pirnie, Inc. to provide engineering services for Elm Fork Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1641.

Authorized a contract with Archer Western Construction, LLC for the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant on September 12, 2012, by Resolution No. 12-2277.

Authorized an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant on June 26, 2013, by Resolution No. 13-1094.

Authorized an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant on February 12, 2014, by Resolution No. 14-0312.

Information about this item will be provided to the Transportation & Trinity River Project Committee on August 10, 2015.

## **FISCAL INFORMATION**

\$258,866.00 - Water Utilities Capital Improvement Funds

Design	\$ 7,562,770.00
Construction Contract	\$16,994,500.00
Change Order No. 1	\$ 149,685.00
Change Order No. 2	\$ 278,564.00
Change Order No. 3 (this action)	<u>\$ 258,866.00</u>
Total Project Cost	\$25,244,385.00

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Archer Western Construction, LLC**

Hispanic Female	9	Hispanic Male	183
Black Female	5	Black Male	28
Other Female	0	Other Male	18
White Female	16	White Male	194

**OWNER**

**Archer Western Construction, LLC**

Daniel P. Walsh, President

**MAP**

Attached

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant - Not to exceed \$258,866, from \$17,422,749 to \$17,681,615 - Financing: Water Utilities Capital Improvement Funds

Archer Western Construction, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### **LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY**

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$66,918.90	25.85%
Non-local contracts	\$191,947.10	74.15%
<b>TOTAL THIS ACTION</b>	<u>\$258,866.00</u>	<u>100.00%</u>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
A-Star Masonry & Stucco, LLC	HMDB64956Y0416	\$8,440.00	12.61%
Corr Tech, Inc.	WFWB63975N0117	\$10,354.96	15.47%
<b>Total Minority - Local</b>		<u>\$18,794.96</u>	<u>28.09%</u>

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE PARTICIPATION**

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$33,308.00	0.19%
Hispanic American	\$8,440.00	3.26%	\$226,638.00	1.28%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$1,914,250.00	10.83%
WBE	\$10,354.96	4.00%	\$2,568,437.68	14.53%
<b>Total</b>	<u>\$18,794.96</u>	<u>7.26%</u>	<u>\$4,742,633.68</u>	<u>26.82%</u>

August 12, 2015

**WHEREAS**, on September 12, 2012, the City Council awarded Contract No. 12-135 in the amount of \$16,994,500.00, by Resolution No. 12-2277, to Archer Western Construction, LLC, for the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

**WHEREAS**, on June 26, 2013, the City Council awarded Change Order No. 1 in the amount of \$149,685.00, by Resolution No. 13-1094, for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

**WHEREAS**, on February 12, 2014, the City Council awarded Change Order No. 2 in the amount of \$278,564.00, by Resolution No. 14-0312, for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

**WHEREAS**, it is now necessary to authorize Change Order No. 3 for additional work associated with the construction of chlorine scrubber system improvements at the Elm Fork Water Treatment Plant; and,

**WHEREAS**, Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, has submitted an acceptable proposal for this additional work; and,

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 12-135 be increased by \$258,866.00, from \$17,422,749.00 to \$17,681,615.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

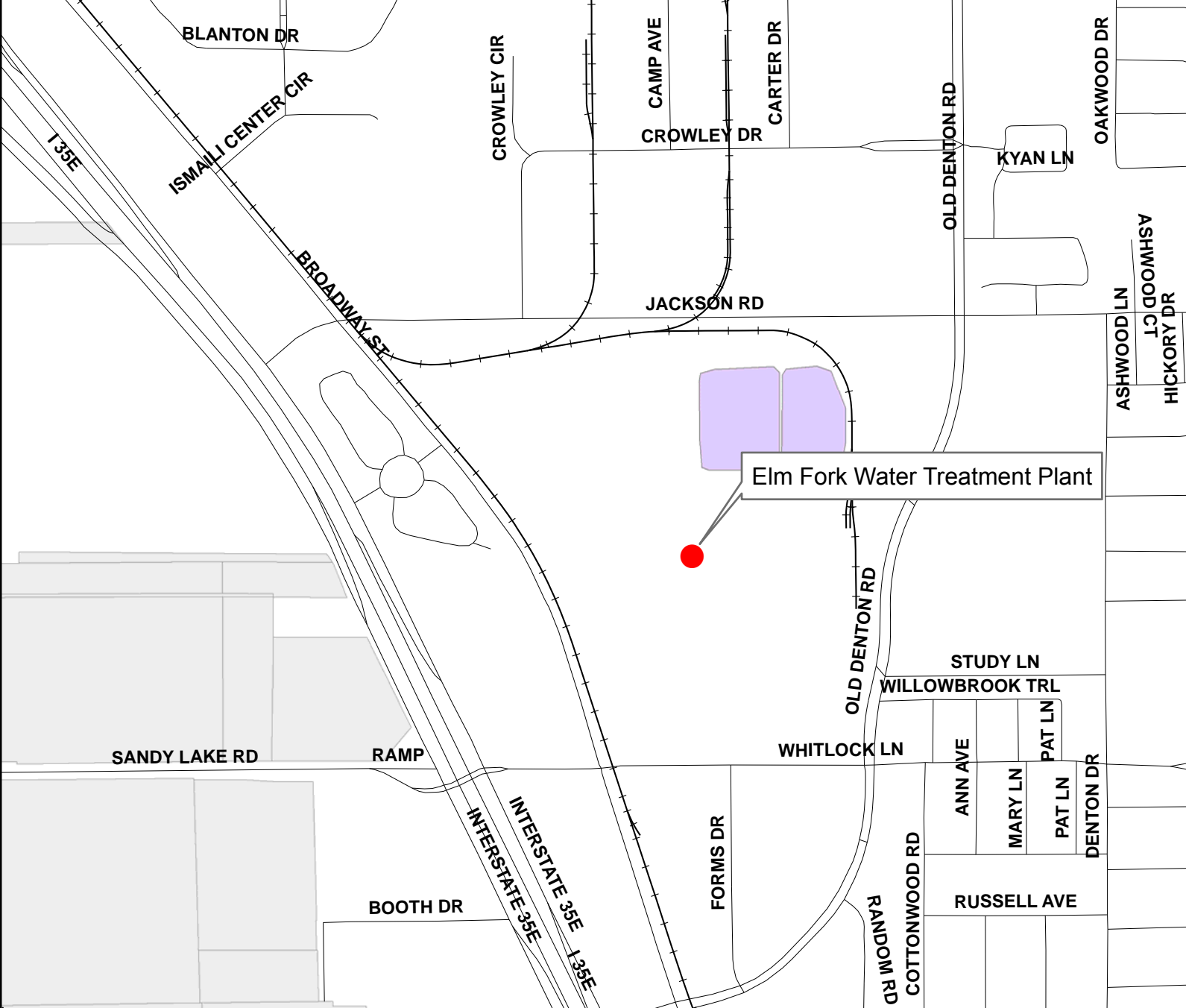
**Section 1.** That the proposed Change Order No. 3 be accepted and that Contract No. 12-135 with Archer Western Construction, LLC, be revised accordingly.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$258,866.00 from the Water Capital Improvement Fund as follows:

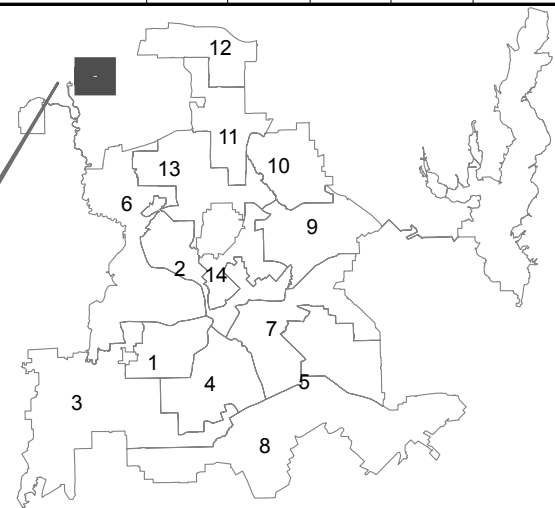
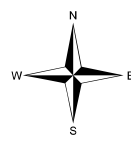
<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2115	DWU	PW31	4550	712135	CT-DWU712135CP	VS0000064407

Archer Western Construction, LLC - (Contract No. 12-135) - \$258,866.00

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Mapsc0: 2 T



Council District: Outside City Limits

**Dallas Water Utilities**  
**Contract No. 12-135, Change Order No. 3**  
**Elm Fork Water Treatment Plant**  
**Chlorine Scrubber System Improvements**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 33 C G

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**SUBJECT**

Authorize an increase in the contract with MWH Constructors, Inc. for additional work related to the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant - Not to exceed \$667,812, from \$47,720,500 to \$48,388,312 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

The Bachman Water Treatment Plant was constructed in the late 1920s and underwent expansions in 1936, 1948, and 2006. The most recent expansion brought it to a capacity of 150 million gallons per day. The Bachman Water Treatment Plant is Dallas' only water treatment plant located within the city limits and can serve areas to the north, south, and east of the site.

On June 25, 2014, the City Council awarded a construction contract to MWH Constructors, Inc., for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant. These improvements included modifications to the existing treatment basins, construction of new chemical facilities, flow measurement and solids handling strategies needed to implement the Water Quality Study recommendations and transition to enhanced organics removal with better stability of water in the distribution system.

Due to the plant's age and numerous projects over the years, underground site conditions have become congested resulting in unforeseen utility conflicts. This action will authorize additional work identified during the construction of the project to mitigate these conflicts. The additional work includes tunneling of a solids handling pipeline, in lieu of open cut, to avoid structural footings that were larger and deeper than shown on prior plans. This action also includes the re-routing of a sludge drain line to avoid a utility conflict and additional structural support and shoring for a 1930's cast-in-place conduit in order to prevent damage to it during construction. This additional work is needed for the systems to function as intended and allow Bachman Water Treatment Plant to continue providing clean drinking water to its customers.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design July 2010  
Completed Design May 2014  
Began Construction August 2014  
Complete Construction December 2016

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized a professional services contract with Carollo Engineers, P.C. to provide engineering services for the Bachman Water Treatment Plant water quality improvements on June 23, 2010, by Resolution No. 10-1640.

Authorized a contract with MWH Constructors, Inc. for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant on June 25, 2014, by Resolution No. 14-1045.

Information about this item will be provided to the Transportation & Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

\$667,812.00 - Water Utilities Capital Improvement Funds

Design	\$ 1,163,554.00
Construction Contract	\$47,720,500.00
Change Order No. 1 (this action)	<u>\$ 667,812.00</u>
Total Project Cost	\$49,551,866.00

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

MWH Constructors, Inc.

Hispanic Female	2	Hispanic Male	44
Black Female	0	Black Male	1
Other Female	0	Other Male	0
White Female	1	White Male	13



**OWNER**

**MWH Constructors, Inc.**

John Abraham, Director

**MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize an increase in the contract with MWH Constructors, Inc. for additional work related to the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant - Not to exceed \$667,812, from \$47,720,500 to \$48,388,312 - Financing: Water Utilities Capital Improvement Funds

MWH Constructors, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$667,812.00	100.00%
Non-local contracts	\$0.00	0.00%
<b>TOTAL THIS ACTION</b>	<b>\$667,812.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Shankle Concrete & Construction Co.	BMDB77809Y0616	\$3,262.00	0.49%
Soto's Steel, Inc.	HMDFW101561215	\$537.50	0.08%
LKT & Associates, LLC	WFDB63380Y1015	\$30,105.63	4.51%
<b>Total Minority - Local</b>		<b>\$33,905.13</b>	<b>5.08%</b>

#### Non-Local Contractors / Sub-Contractors

None

### TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$3,262.00	0.49%	\$4,816,235.00	9.95%
Hispanic American	\$537.50	0.08%	\$567,337.50	1.17%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$30,105.63	4.51%	\$8,503,901.88	17.57%
<b>Total</b>	<b>\$33,905.13</b>	<b>5.08%</b>	<b>\$13,887,474.38</b>	<b>28.70%</b>

August 12, 2015

**WHEREAS**, on June 25, 2014, the City Council awarded Contract No. 13-125 in the amount of \$47,720,500.00, by Resolution No. 14-1045, to MWH Constructors, Inc., for the construction of water quality and miscellaneous improvements at the Bachman Water Treatment Plant; and,

**WHEREAS**, it is necessary to authorize Change Order No. 1 for additional work required for the tunneling of two sections of the solids pipeline to protect existing structures and utilities, and additional improvements and credits to the contracted work that were identified during the construction of the water quality improvements at the Bachman Water Treatment Plant; and,

**WHEREAS**, MWH Constructors, Inc., 747 Port America Place, Suite 300, Grapevine, Texas 76051, has submitted an acceptable proposal for this additional work; and,

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 13-125 be increased by \$667,812.00, from \$47,720,500.00 to \$48,388,312.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the proposed Change Order No. 1 be accepted and that Contract No. 13-125 with MWH Constructors, Inc., be revised accordingly.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$667,812.00 from the Water Capital Improvement Fund as follows:

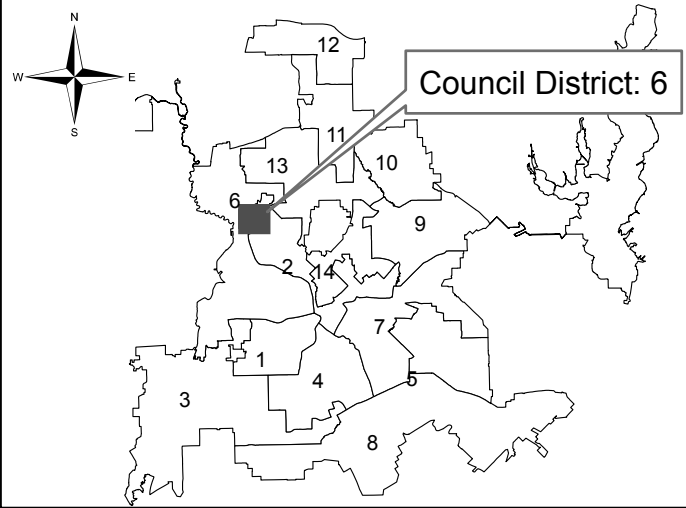
<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2115	DWU	PW30	4550	713125	CT-DWU713125CP	VC0000013103

MWH Constructors, Inc. - (Contract No. 13-125) - \$667,812.00

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Mapsc0: 33 C, G



**Dallas Water Utilities  
 Contract No. 13-125, Change Order No. 1  
 Bachman Water Treatment Plant  
 Water Quality Improvements**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 11  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 5 S

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**SUBJECT**

Authorize an increase in the contract with S.J. Louis Construction of Texas, Ltd. for additional work associated with the installation of an 8-inch wastewater main under White Rock Creek to connect the service lateral of the Glen Abbey Phase II subdivision to a new wastewater main interceptor - Not to exceed \$295,666, from \$8,492,899 to \$8,788,565 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

On September 11, 2013, the City Council authorized a contract with S. J. Louis Construction of Texas, Ltd. for the relocation and replacement of wastewater interceptors at five different locations, including an existing 24-inch wastewater interceptor in and along White Rock Creek from just north of Club Hill Drive to Keller Springs Road. The improvements included relocating the interceptor from White Rock Creek and upsizing it to meet future capacity needs identified through master planning efforts.

Following the award of the construction contract, it was discovered that a new subdivision was developed and connected to the existing 24-inch wastewater interceptor. In order to abandon the existing 24-inch interceptor in White Rock Creek, wastewater flows from the Glen Abbey Phase II subdivision need to be transferred to the new interceptor. This action includes the construction of an additional 310 feet of 8-inch wastewater main by boring under White Rock Creek to connect the subdivision to the new wastewater interceptor.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	February 2011
Completed Design	March 2013
Began Construction	January 2014
Complete Construction	October 2015

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized a professional services contract with RJN Group, Inc. to provide engineering services for the replacement or rehabilitation of water and wastewater mains in an area bounded by Loop 12, Spur 408, I.H. 635, I.H. 20, Dallas North Tollway, Frankford Road and Preston Road on March 28, 2001, by Resolution No. 01-0957.

Authorized a contract with S.J. Louis Construction of Texas, Ltd. for the installation of wastewater interceptor mains at five locations on September 11, 2013, by Resolution No. 13-1584.

Information about this item will be provided to the Transportation & Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

\$295,666.00 - Water Utilities Capital Improvement Funds

Design	\$ 1,572,371.00
Construction Contract	\$ 8,492,899.00
Change Order No. 1 (this action)	<u>\$ 295,666.00</u>
Total Project Cost	\$10,360,936.00

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

S.J. Louis Construction of Texas, Ltd.

Hispanic Female	7	Hispanic Male	287
Black Female	0	Black Male	3
Other Female	0	Other Male	2
White Female	13	White Male	125

**OWNER**

**S.J. Louis Construction of Texas, Ltd.**

James L. Schueller, President and Chief Manager

**MAP**

Attached

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize an increase in the contract with S.J. Louis Construction of Texas, Ltd. for additional work associated with the installation of an 8-inch wastewater main under White Rock Creek to connect the service lateral of the Glen Abbey Phase II subdivision to a new wastewater main interceptor - Not to exceed \$295,666, from \$8,492,899 to \$8,788,565 - Financing: Water Utilities Capital Improvement Funds

S.J. Louis Construction of Texas, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$232,474.55	78.63%
Non-local contracts	\$63,191.45	21.37%
<b>TOTAL THIS ACTION</b>	<b>\$295,666.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
J.E. Guzman Construction, Inc.	HMMB64868N0417	\$2,500.00	1.08%
<b>Total Minority - Local</b>		<b>\$2,500.00</b>	<b>1.08%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
LKT & Associates, LLC	WFDB63380Y1015	\$6,396.45	10.12%
<b>Total Minority - Non-local</b>		<b>\$6,396.45</b>	<b>10.12%</b>

### TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$2,500.00	0.85%	\$413,330.00	4.70%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,396.45	2.16%	\$1,785,408.95	20.32%
<b>Total</b>	<b>\$8,896.45</b>	<b>3.01%</b>	<b>\$2,198,738.95</b>	<b>25.02%</b>

August 12, 2015

**WHEREAS**, on September 11, 2013, the City Council awarded Contract No. 13-234 in the amount of \$8,492,899.00, by Resolution No. 13-1584, to S.J. Louis Construction of Texas, Ltd., for the installation of wastewater interceptor mains at five locations; and,

**WHEREAS**, additional work is required to transfer wastewater flows from an existing subdivision to a new wastewater interceptor so that the existing interceptor in White Rock Creek can be abandoned; and,

**WHEREAS**, S.J. Louis Construction of Texas, Ltd., 520 South 6th Avenue, Mansfield, Texas 76063, has submitted an acceptable proposal for this additional work; and,

**WHEREAS**, Dallas Water Utilities recommends that Contract No. 13-234 be increased by \$295,666.00, from \$8,492,899.00 to \$8,788,565.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the proposed Change Order No. 1 be accepted and that Contract No. 13-234 with S.J. Louis Construction of Texas, Ltd., be revised accordingly.

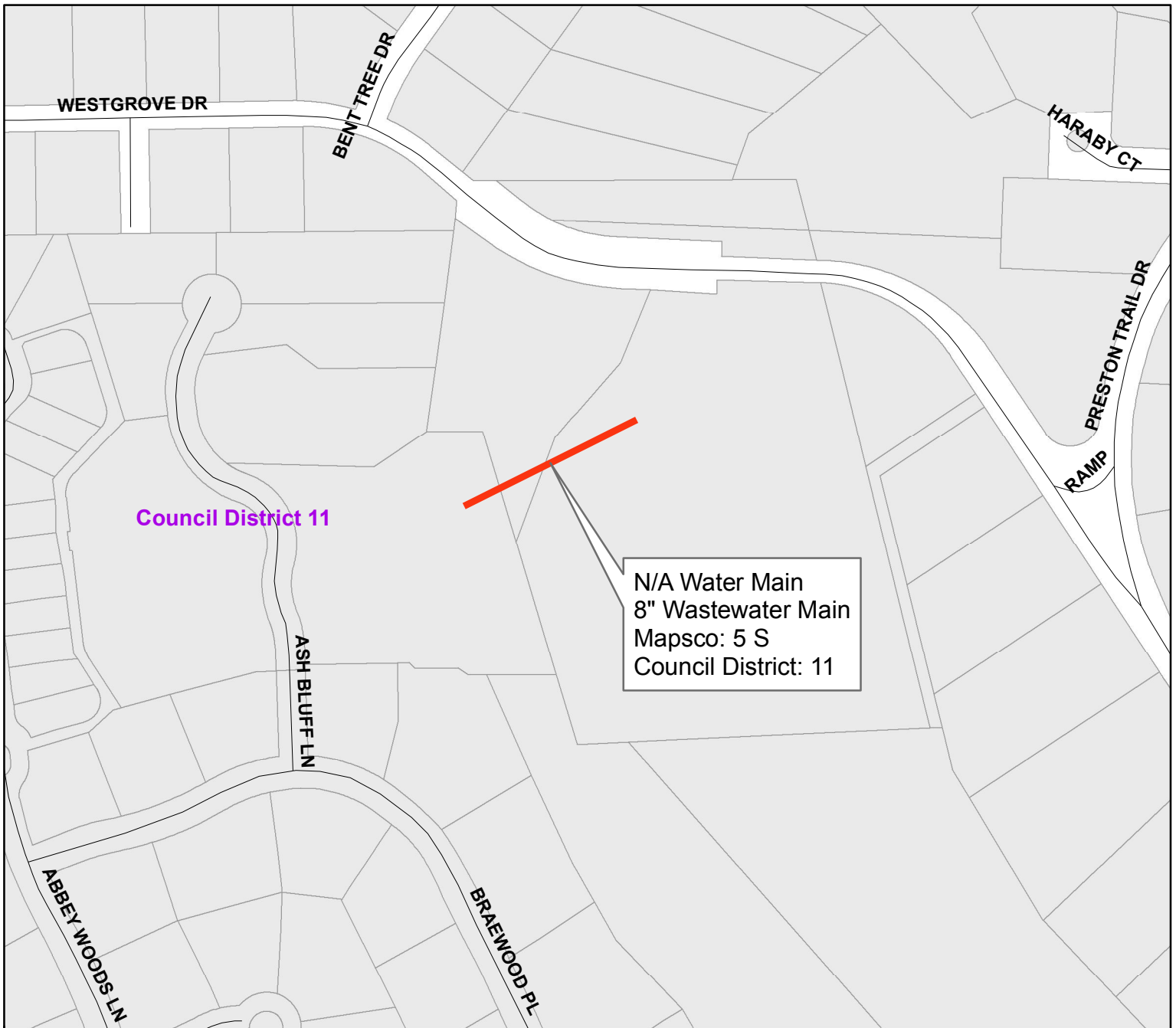
**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$295,666.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3116	DWU	PS40	4560	713234	CT-DWU713234CP	VS0000078761

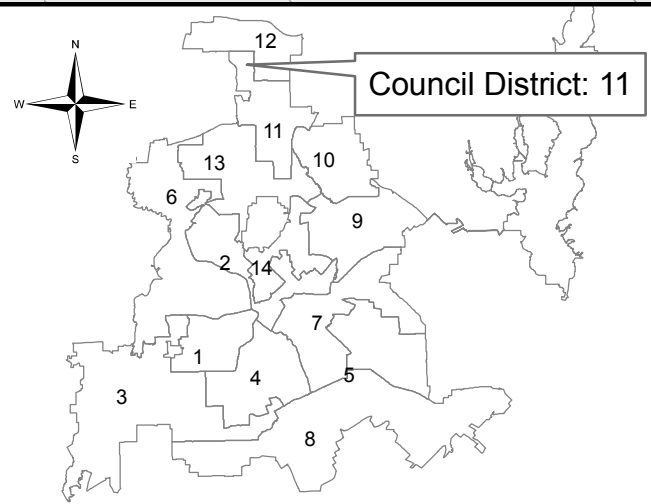
S.J. Louis Construction of Texas, Ltd. - (Contract No. 13-234) - \$295,666.00

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.





Easement south of Westgrove Drive  
from east of Ash Bluff Lane northeast



**Dallas Water Utilities  
Contract No. 13-234, Change Order No. 1  
Wastewater Interceptor Project**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 1, 2  
**DEPARTMENT:** Water Utilities  
**CMO:** Mark McDaniel, 670-3256  
**MAPSCO:** 44 Z 45 P S

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**SUBJECT**

Authorize the disbursement of funds to Dallas Area Rapid Transit for the design of water and wastewater main relocations necessary for the Dallas Transportation Investment Generated Economic Recovery (TIGER) grant funded modern Streetcar Project, from Union Station to North Oak Cliff, in accordance with the terms and conditions of the existing Interlocal Agreements - Not to exceed \$94,372 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

The City of Dallas entered into multiple Interlocal Agreements with Dallas Area Rapid Transit (DART) and the North Central Texas Council of Governments to plan, design, procure, build, and operate the Transportation Investment Generated Economic Recovery (TIGER) grant funded Streetcar Project. The City of Dallas was responsible for the costs of water and wastewater main utility relocations, including engineering work necessary to accommodate streetcar construction and DART was responsible for completing the design of the water and wastewater main relocations.

This action item will authorize the Chief Financial Officer to disburse funds to DART for the design of 90 feet of 8-inch, 760 feet of 12-inch, and 420 feet of 16 inch water main relocations, and 910 feet of 8-inch wastewater main relocations for the TIGER grant funded Streetcar Project from Union Station to North Oak Cliff. DART has completed the final design of the water and wastewater main relocations and has invoiced Dallas Water Utilities for reimbursement of those costs in accordance with the terms and conditions of the Interlocal Agreements. Dallas Water Utilities has reviewed and concurred with the invoice amount.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design            December 2012  
Completed Design    April 2013

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized (1) the acceptance of a grant from the North Central Council of Governments (NCTCOG) in the amount of \$10,000,000 for the development of a modern streetcar system that will operate in and around the Central Business District; (2) an Interlocal Agreement with NCTCOG and Dallas Area Rapid Transit (DART) to detail project roles and responsibilities related to technical engineering, environmental analysis and public involvement of the TIGER Grant streetcar proposal; (3) an Interlocal Agreement with DART to outline project roles and responsibilities related to the development of the Streetcar System Plan and Financial Feasibility Analysis; and (4) an Interlocal Cooperation Agreement with DART to establish a cooperative purchasing program for goods and services on August 4, 2010, by Resolution No. 10-1921.

Authorized an Interlocal Agreement with the North Central Texas Council of Governments and Dallas Area Rapid Transit to detail agency roles and responsibilities related to the financial commitment for operation and maintenance of the TIGER grant Streetcar Project on April 27, 2011, by Resolution No. 11-1185.

Authorized an Interlocal Agreement with the North Central Texas Council of Governments and Dallas Area Rapid Transit to detail agency roles and responsibilities related to procurement and financial matters for implementation of the TIGER grant funded Streetcar Project (Union Station to North Oak Cliff) on April 11, 2012, by Resolution No. 12-1041.

Authorized the acceptance of funds from the Texas Department of Transportation in an amount not to exceed \$5,800,000, through a grant from the North Central Council of Governments for the development of a modern streetcar system that will operate from Union Station in the Central Business District into North Oak Cliff near Methodist Hospital on August 8, 2012, by Resolution No. 12-1921.

Authorized the acceptance of a Federal Transit Administration Grant awarded to the North Central Council of Governments on behalf of the City of Dallas in the amount of \$26,000,000 for the construction of a modern streetcar system operating from Union Station in the Central Business District into North Oak Cliff near Methodist Hospital on February 13, 2013, by Resolution No. 13-0312.

Authorized an Interlocal Agreement with Dallas Area Rapid Transit to detail agency roles and responsibilities related to operation and maintenance of the TIGER grant funded Dallas Streetcar Project (Union Station to North Oak Cliff) on May 28, 2014, by Resolution No. 14-0831.

Information about this item will be provided to the Transportation & Trinity River Project Committee on August 10, 2015.

**FISCAL INFORMATION**

\$94,372.00 - Water Utilities Capital Improvement Funds

<b><u>Council District</u></b>	<b><u>Amount</u></b>
1	\$66,060.40
2	<u>\$28,311.60</u>
Total	\$94,372.00

**MAP**

Attached

August 12, 2015

**WHEREAS**, the City of Dallas, Dallas Area Rapid Transit (DART), and the North Central Texas Council of Governments entered into multiple Interlocal Agreements to plan, design, procure, build, and operate the Union Station to North Oak Cliff Streetcar Project, also referred to as the Dallas TIGER (Transportation Investment Generated Economic Recovery) modern Streetcar Project; and,

**WHEREAS**, the City of Dallas is responsible for the costs of water and wastewater main utility relocations necessary to accommodate the Streetcar Project in accordance with the existing Interlocal Agreements with DART; and,

**WHEREAS**, DART is responsible for the design of the water and wastewater main relocations; and,

**WHEREAS**, it is now necessary to disburse funds to DART for the design of the water and wastewater main relocations for the Streetcar Project.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the Chief Financial Officer is hereby authorized to disburse funds to Dallas Area Rapid Transit in the amount of \$94,372.00 from the Water Capital Improvement Fund and Wastewater Capital Improvement Fund as follows:

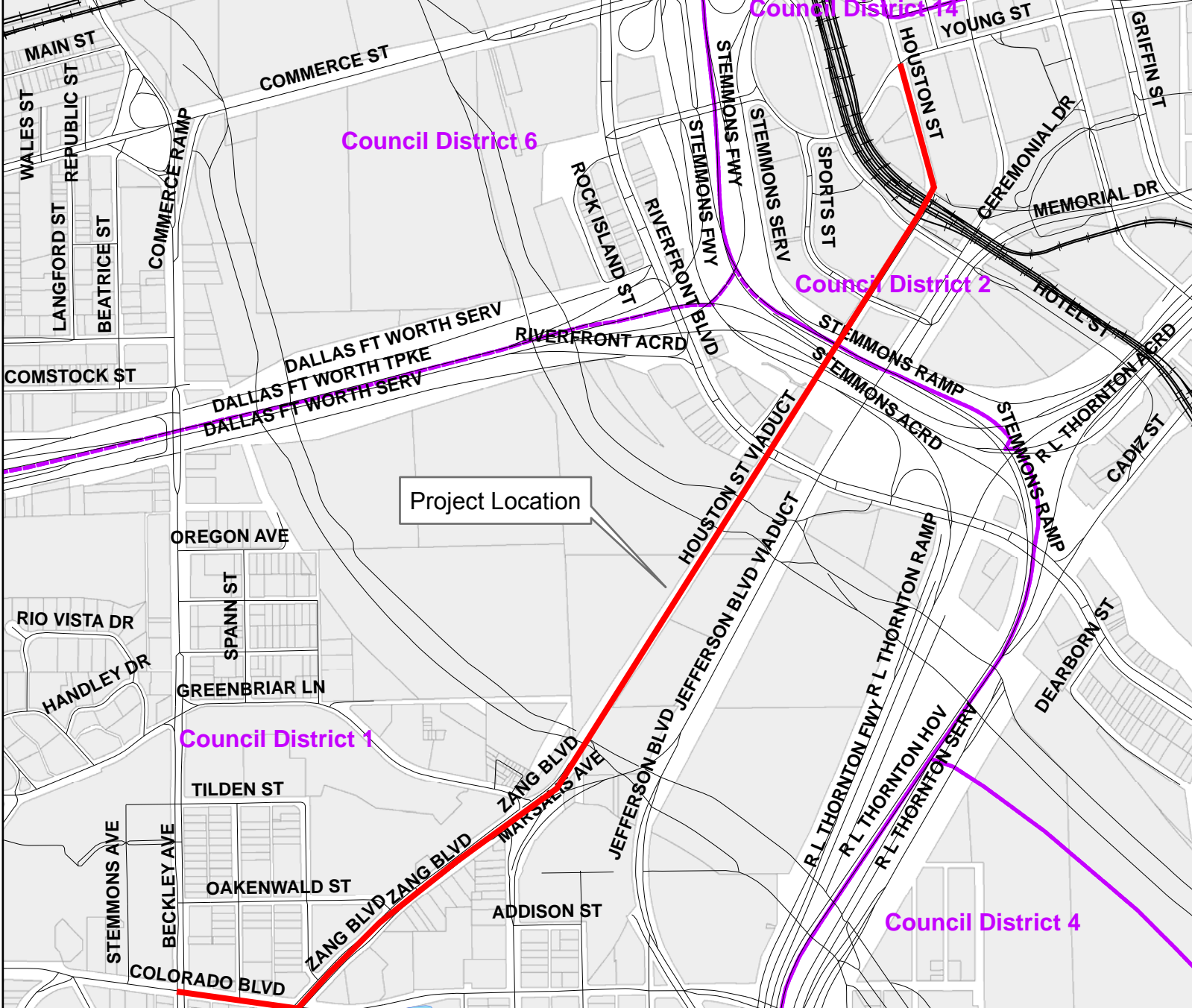
<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3115	DWU	PW42	4550	712071	CT-DWU712071CP	232802

Dallas Area Rapid Transit - (Contract No. 12-071) - \$59,171.24

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3116	DWU	PS42	4560	712072	CT-DWU712072CP	232802

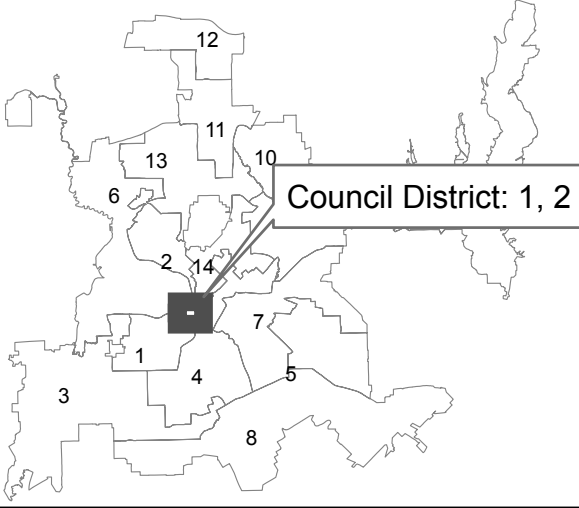
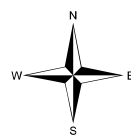
Dallas Area Rapid Transit - (Contract No. 12-072) - \$35,200.76

**Section 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



Mapsc0: 44 Z, 45 P, S

Union Station to North Oak Cliff



**Dallas Water Utilities**  
**Contract No. 12-071/072**  
**Dallas TIGER Streetcar Project**

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** August 12, 2015  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Public Works Department  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 36 J

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**SUBJECT**

**Katy Trail Phase VI**

- \* Authorize **(1)** amendments to Resolution Nos. 11-1700, 11-3258, 12-3059 and 12-3060 to revise the source of funds for the contracts to design and construct the Katy Trail Phase VI; and **(2)** authorize the reallocation of the project specific funds from Dallas County and Regional Toll Revenue to the construction phase of the project - Financing: 2006 Bond Funds (\$7,294,809), decrease Capital Projects Reimbursement Funds (\$814,809) and Regional Toll Revenue II Funds (\$6,480,000)
- \* Authorize Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to provide engineering services during construction for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street - Not to exceed \$422,703, from \$2,582,793 to \$3,005,496 - Financing: 2006 Bond Funds
- \* Authorize a contract with Rebcon, Inc., lowest responsible bidder of two for construction of a concrete trail and pedestrian bridges for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street - Not to exceed \$11,611,578 - Financing: Regional Toll Revenue II Funds (\$6,480,000), Capital Projects Reimbursement Funds (\$1,000,000) and General Obligation Commercial Paper Funds (\$4,131,578)

**BACKGROUND**

This item is submitted as an addendum item because it is necessary to award this construction contract in order to have the construction begin in October 2015 to minimize impacts to the surrounding businesses and DART on their planned events and access. Delaying or deferring this item will delay the construction of the Katy Trail Phase VI.

**BACKGROUND** (Continued)

Bids were received on June 11, 2015 for construction of the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street. This action will authorize a construction contract with Rebcon, Inc. for the construction of concrete trail pavement and two pedestrian bridges. This action will also authorize Supplemental Agreement No. 7 to the contract with HNTB Corporation to provide engineering services necessary during construction.

The Katy Trail Phase VI project will construct approximately 0.65 miles of hike and bike trail. It also includes two pedestrian bridges over Mockingbird Lane and the Dallas Area Rapid Transit (DART) light rail Redline tracks near Twin Sixties Drive. Once completed, it will be part of Katy Trail going south towards the American Airline Center and going east towards White Rock Lake. The total project costs including design, construction, right-of-way, and utilities are estimated at \$16,798,284.16 of which \$9,318,284.16 is to be funded by the City, \$6,480,000 is to be funded by the Regional Toll Revenue (RTR), and \$1,000,000 is to be funded by Dallas County.

Rebcon, Inc. has no completed contractual activities with the City of Dallas for the past three years.

**ESTIMATED SCHEDULE OF PROJECT**

Began Design	March 2009
Completed Design	March 2011
Begin Construction	October 2015
Complete Construction	January 2017

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Authorized TEA-21's First Call for Projects on April 28, 1999, by Resolution No. 99-1459.

Authorized STEP's Call for Projects on May 23, 2001, by Resolution No. 01-1667.

Authorized a professional services contract with Washington Infrastructure Services, Inc. on October 10, 2001, by Resolution No. 01-3024.

Authorized an Interlocal Agreement with the Texas Department of Transportation on October 10, 2001, by Resolution No. 01-3025.

Authorized Supplemental Agreement No. 1 to the contract with Washington Infrastructure Services, Inc. on April 24, 2002, by Resolution No. 02-1346.



**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

Authorized Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc. on December 11, 2002, by Resolution No. 02-3488.

Authorized a professional services contract with HNTB Corporation on November 8, 2006, by Resolution No. 06-3064.

Authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation on November 8, 2006, by Resolution No. 06-3065.

Authorized Supplemental Agreement No. 1 to the professional services contract with HNTB Corporation on February 25, 2009, by Resolution No. 09-0548.

Authorized Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation on August 11, 2010, by Resolution No. 10-1971.

Authorized an agreement with Atmos Energy Corporation, Inc. on June 8, 2011, by Resolution No. 11-1523.

Authorized a license agreement with DART on June 22, 2011, by Resolution No. 11-1697.

Authorized termination of the existing Interlocal Agreement with the Texas Department of Transportation on June 22, 2011, by Resolution No. 11-1698.

Authorized a Project Specific Agreement with Dallas County and receipt of funds from Dallas County on June 22, 2011, by Resolution No. 11-1699.

Authorized a contract with AUI Contractors, LLC for construction on June 22, 2011, by Resolution No. 11-1700.

Authorized Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation on December 14, 2011, by Resolution No. 11-3258.

On December 7, 2012, the Transportation and Environment Committee was briefed by memo.

Authorized Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation on December 12, 2012, by Resolution No. 12-3059.

Authorized Change Order No. 1 to the construction contract with AUI Contractors, LLC on December 12, 2012, by Resolution No. 12-3060.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)** (Continued)

Authorized an amendment to a previously approved agreement with Atmos Energy Corporation on April 10, 2013, by Resolution No. 13-0672.

Authorized an agreement with Oncor Electric Delivery Company, LLC on April 10, 2013, by Resolution No. 13-0673.

Information about this item will be provided to the Transportation and Trinity River Projects Committee on August 10, 2015.

**FISCAL INFORMATION**

Regional Toll Revenue II Funds - \$6,480,000.00  
 Capital Projects Reimbursement Funds - \$1,000,000.00  
 General Obligation Commercial Paper Funds - \$4,131,577.46  
 2006 Bond Funds - \$422,703.00

Design	\$ 2,582,793.00
Supplemental Agreement No. 7 (this action)	\$ 422,703.00
Construction (this action)	\$ 11,611,577.46
Right-of-way	\$ 1,171,520.00
DART	\$ 100,000.00
Utilities (including billboard removal)	\$ 734,283.39
TxDOT Payment	<u>\$ 175,407.31</u>
 Total Project Cost	 \$ 16,798,284.16

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

HNTB Corporation

Hispanic Female	1	Hispanic Male	1
African-American Female	2	African-American Male	1
Other Female	0	Other Male	9
White Female	21	White Male	47

**ETHNIC COMPOSITION** (Continued)

Rebcon, Inc.

Hispanic Female	0	Hispanic Male	60
African-American Female	1	African-American Male	1
Other Female	0	Other Male	0
White Female	1	White Male	9

**BID INFORMATION**

The following bids with quotes were received and opened on June 11, 2015:

\*Denotes successful bidder(s)

**BIDDERS**

**BID AMOUNT**

*Rebcon, Inc. 1868 W. Northwest Highway Dallas, Texas 75220	\$ 11,611,577.46
Gibson and Associates, Inc.	\$ 12,787,118.40

**OWNER(S)**

**HNTB Corporation**

Michael Hegarty, Vice President

**Rebcon, Inc.**

Robert C. Bibby, President

**MAP**

Attached.

August 12, 2015

**WHEREAS**, on April 28, 1999, Resolution No. 99-1459 authorized the submission, acceptance and implementation of City of Dallas candidate projects for the Congestion Mitigation Air Quality Program (CMAQ); and,

**WHEREAS**, Katy Trail was accepted in March 2000, as a candidate project in the First Call for Projects in the Congestion Mitigation Air Quality Program (CMAQ) under the Transportation Equity Act of the 21st Century (TEA-21); and,

**WHEREAS**, on October 10, 2001, Resolution No. 01-3024 authorized a professional services contract with Washington Infrastructure Services, Inc. to provide engineering services for bicycle and pedestrian enhancements on Phase III of the Katy Trail extension from McCommas Boulevard at North Central Expressway to Sandhurst Street just west of Skillman Street and from Lyte Street at north Houston Street to Levee Street at Manufacturing Street in the amount of \$234,190.00; and,

**WHEREAS**, on October 10, 2001, Resolution No. 01-3025 authorized an Interlocal Agreement with the Texas Department of Transportation for design, right-of-way acquisition, utility relocations, and construction of bicycle and pedestrian enhancements for Phase III of the Katy Trail Extension; and,

**WHEREAS**, on April 24, 2002, Resolution No. 02-1346 authorized Supplemental Agreement No. 1 to the contract with Washington Infrastructure Services, Inc. in the amount of \$94,000; and,

**WHEREAS**, on December 11, 2002, Resolution No. 02-3488 authorized Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc. in the amount of \$436,971; and,

**WHEREAS**, on November 8, 2006, Resolution No. 06-3064 authorized a professional services contract with HNTB Corporation to provide preliminary design services for Phase VI of the Katy Trail in the amount of \$265,748.00; and,

**WHEREAS**, on November 8, 2006, Resolution No. 06-3065 authorized a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisitions, and construction of bicycle and pedestrian enhancements for the Katy Trail, Phase VI in the amount of \$20,000; and,

**WHEREAS**, on February 25, 2009, Resolution No. 09-0548 authorized Supplemental Agreement No. 1 to the professional services contract with HNTB Corporation to provide final design services for Phase VI of the Katy Trail in the amount of \$1,109,612.00, from \$265,748.00 to \$1,375,360.00; and,

August 12, 2015

**WHEREAS**, on August 11, 2010, Resolution No. 10-1971 authorized Supplemental Agreement No. 2 to the professional services contract with HNTB Corporation to provide design services for revisions to the pedestrian bridge design for Phase VI of the Katy Trail in an amount not to exceed \$506,734.00, increasing the contract from \$1,375,360.00 to \$1,882,094.00; and,

**WHEREAS**, the State of Texas has received money from the North Texas Tollway Authority for the SH 121 toll project, and, pursuant to the Transportation Code, 228.006, the State of Texas shall authorize the use of surplus revenue of a toll project for transportation project, highway project, or air quality project within the district of the Texas Department of Transportation (TxDOT) in which any part of the toll project is located; and,

**WHEREAS**, the Regional Transportation Council (RTC), which is the transportation policy body of the North Central Texas Council of Governments (NCTCOG) and a federally designated Metropolitan Planning Organization (MPO), was designated by the Texas Transportation Commission on October 26, 2006, to select and oversee projects to be financed using the Regional Toll Revenue (RTR) fund; and,

**WHEREAS**, in June 2010, the RTC approved the replacement of federal CMAQ funds for the Katy Trail Phase VI from Ellsworth Street to Worcola Street with RTR funds; and,

**WHEREAS**, the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street is now approved to receive \$6,480,000.00 from the RTR fund to be matched by \$1,620,000.00 of local funds from the City's 2006 Bond Program and Dallas County; and,

**WHEREAS**, in order to accept the RTR funds, the existing Interlocal Agreement with TxDOT for the use of federal CMAQ funds needs to be terminated; and,

**WHEREAS**, the City is required to pay TxDOT for their up-to-date engineering review cost at the termination of the agreement in the amount of \$194,000.00; and,

**WHEREAS**, on June 8, 2011, Resolution No. 11-1523 authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline in the vicinity of the Katy Trail Phase VI, and authorized payment to Atmos Energy Corporation in an amount not to exceed \$37,573.68; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1697 authorized a license agreement with DART for the use of its right-of-way to construct and maintain the proposed Phase VI of the Katy Trail extension and authorized Supplemental Agreement No. 9 to the Master Agreement with DART for the use of its right-of-way to construct and maintain the pedestrian bridges over Mockingbird Lane and the DART Light Rail Red Line track near Twin Sixties Drive; and,

August 12, 2015

**WHEREAS**, on June 22, 2011, Resolution No. 11-1698 authorized the termination of the previous Interlocal Agreement for the Katy Trail Phase VI, previously approved on November 8, 2006, by Resolution No. 06-3065, and authorized a new Advance Funding Agreement with TxDOT and receipt of payment for the Katy Trail Phase VI in the amount of \$6,480,000.00; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1699 authorized a Project Specific Agreement with Dallas County and receipt of payment from Dallas County for the County's share of project costs for the Katy Trail Phase VI in the amount of \$1,000,000.00; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1700 authorized a construction contract with AUI Contractors, LLC, for the Katy Trail Phase VI in an amount not to exceed \$6,974,628.44; and,

**WHEREAS**, on June 22, 2011, Resolution No. 11-1700 authorized reprogram of eleven projects associated with the City Lights development from the 2006 Bond Program to the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street in an amount not to exceed \$2,499,998.00, as follows: Live Oak Street from Cantegral Street to Texas Street (\$125,000), Texas Street from Bryan Street to Live Oak Street (\$200,000), Cantegral Street reconstruction (\$299,999), Cantegral Street / Texas Street traffic signalization (\$175,000), Cantegral Street streetscaping (\$360,000), Cantegral Street utility modifications (\$125,000), Good Latimer Street deceleration lane (\$250,000), Live Oak Street from Cantegral Street to Good Latimer Street (\$290,000), Live Oak Street left turn lane (\$175,000), Live Oak Street/ Good Latimer Street traffic signal modifications (\$99,999), and City Lights streetscaping (\$400,000); and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3258 authorized Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation to provide additional engineering design services related to construction oversight of the Mockingbird Lane Bridge for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$461,890.00, increasing the contract from \$1,882,094.00 to \$2,343,984.00; and,

**WHEREAS**, on December 12, 2012, Resolution No. 12-3059 authorized Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation to provide additional engineering design services related to partial realignment of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$138,842.00, from \$2,343,984.00 to \$2,482,826.00; and,

August 12, 2015

**WHEREAS**, on December 12, 2012, Resolution No. 12-3060 authorized Change Order No. 1 to the contract with AUI Contractors, LLC to provide for material and labor cost escalations associated with the construction of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$534,257.02, from \$6,974,628.44 to \$7,508,885.46; and,

**WHEREAS**, on April 10, 2013, Resolution No. 13-0672 authorized an amendment to Resolution No. 11-1523, previously approved on June 8, 2011 which authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline for Katy Trail Phase VI in an amount not to exceed \$389,164.00; and,

**WHEREAS**, on April 10, 2013, Resolution No. 13-0673 authorized an agreement with Oncor Electric Delivery Company LLC for relocation of electric facilities for Katy Trail Phase VI with payment in an amount not to exceed \$235,427.00; and,

**WHEREAS**, on October 23, 2014, Administrative Action No. 14-1759 authorized Supplemental Agreement No. 5 to the professional services contract with HNTB Corporation to provide additional professional services during construction in an amount not to exceed \$49,989.00, increasing the contract from \$2,482,826.00 to \$2,532,815.00; and,

**WHEREAS**, on June 20, 2015, Administrative Action No. 15-1278 authorized Supplemental Agreement No. 6 to the professional services contract with HNTB Corporation to perform support services for the bidding process for Katy Trail Extension Phase VI in an amount not to exceed \$49,978.00, increasing the contract from \$2,532,815.00 to \$2,582,793.00; and,

**WHEREAS**, the construction contract with AUI Contractors, LLC for the Katy Trail Phase VI, previously awarded on June 22, 2011, by Resolution No. 11-1700 was terminated due to prolonged right-of-way acquisition, at the request of the contractor; and,

August 12, 2015

**WHEREAS**, bids were received on June 11, 2015, for the construction of Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Rebcon, Inc.	\$11,611,577.46
Gibson and Associates, Inc.	\$12,787,118.40

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to execute a contract with Rebcon, Inc. for the construction of the Katy Trail Phase VI from Ellsworth Avenue to Worcola Street in an amount not to exceed \$11,611,577.46, this being the lowest responsible bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Regional Toll Revenue II Fund Fund S232, Dept. PBW, Unit P653, Act. INGV Obj. 4510, Program #PB06P653, CT PBW06P653K1 Vendor #243551, in an amount not to exceed	\$ 6,480,000.00
Capital Projects Reimbursement Fund Fund 0556, Dept. PBW, Unit P653, Act. INGV Obj. 4510, Program #PB06P653, CT PBW06P653K1 Vendor #243551, in an amount not to exceed	\$ 1,000,000.00
Street and Transportation Improvements Fund Fund 3T22, Dept. PBW, Unit P653, Act. INGV Obj. 4510, Program #PB06P653, CT PBW06P653K1 Vendor #243551, in an amount not to exceed	<u>\$ 4,131,577.46</u>
Total amount not to exceed	\$11,611,577.46

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



August 12, 2015

**WHEREAS**, on June 22, 2011, Resolution No. 11-1700 authorized a construction contract with AUI Contractors, LLC, for the Katy Trail Phase VI in an amount not to exceed \$6,974,628.44; and,

**WHEREAS**, on December 14, 2011, Resolution No. 11-3258 authorized Supplemental Agreement No. 3 to the professional services contract with HNTB Corporation to provide additional engineering design services related to construction oversight of the Mockingbird Lane Bridge for Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$461,890.00; and,

**WHEREAS**, on December 12, 2012, Resolution No. 12-3059 authorized Supplemental Agreement No. 4 to the professional services contract with HNTB Corporation to provide additional engineering design services related to partial realignment of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$138,842.00, from \$2,343,984 to \$2,482,826.00; and,

**WHEREAS**, on December 12, 2012, Resolution No. 12-3060 authorized Change Order No. 1 to the contract with AUI Contractors, LLC to provide for material and labor cost escalations associated with the construction of Phase VI of the Katy Trail from Ellsworth Avenue to Worcola Street in an amount not to exceed \$534,257.02, from \$6,974,628.44 to \$7,508,885.46; and,

**WHEREAS**, on April 10, 2013, Resolution No. 13-0672 authorized an amendment to Resolution No. 11-1523, previously approved on June 8, 2011 which authorized an agreement with Atmos Energy Corporation for relocation of a gas pipeline for Katy Trail Phase VI in an amount not to exceed \$389,164.00; and,

**WHEREAS**, on April 10, 2013, Resolution No. 13-0673 authorized an agreement with Oncor Electric Delivery Company LLC for relocation of electric facilities for Katy Trail Phase VI with payment in an amount not to exceed \$235,427.00; and,

**WHEREAS**, the construction contract with AUI Contractors, LLC for the Katy Trail Phase VI, previously awarded on June 22, 2011, by Resolution No. 11-1700 was terminated due to prolonged right-of-way acquisition, at the request of the contractor; and,

**WHEREAS**, it is now necessary to amend Resolution Nos. 11-1700, 11-3258, 12-3059 and 12-3060 to revise the source of funds for the contracts to design and construct the Katy Trail Phase VI and authorize the reallocation of the project specific funds from Dallas County and Regional Toll Revenue to the construction phase of the project.

August 12, 2015

Now, Therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to amend Resolution Nos. 11-1700, 11-3258, 12-3059 and 12-3060 to revise the source of funds for the contracts to design and construct the Katy Trail Phase VI, after it has been approved as to form by the City Attorney as follows:

Resolution No. 11-1700

Street and Transportation Improvements Fund  
 Fund 8T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$ 697,462.85

~~Capital Projects Reimbursement Fund~~

Street and Transportation Improvements Fund  
~~Fund 0556~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$ 697,462.84

~~Regional Toll Revenue II Fund~~

Street and Transportation Improvements Fund  
~~Fund S232~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$5,579,702.75

Resolution No. 11-3258

Street and Thoroughfare Improvements Fund  
 Fund 3R22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 46,189.00

~~Capital Projects Reimbursement Fund~~

Street and Transportation Improvements Fund  
~~Fund 0556~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 46,189.00

~~Regional Toll Revenue II Fund~~

Street and Transportation Improvements Fund  
~~Fund S232~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 369,512.00

August 12, 2015Resolution No. 12-3059

Street and Thoroughfare Improvements Fund  
 Fund 8T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 17,731.19

~~Capital Projects Reimbursement Fund~~

Street and Transportation Improvements Fund  
~~Fund 0556~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 17,731.18

~~Regional Toll Revenue II Fund~~

Street and Transportation Improvements Fund  
~~Fund S232~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4111, Program #PB06P653, CT PBW98N946E1  
 Vendor #090096, in amount not to exceed \$ 103,379.63

Resolution No. 12-3060

Street and Thoroughfare Improvements Fund  
 Fund 8T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$ 53,425.70

~~Capital Projects Reimbursement Fund~~

Street and Transportation Improvements Fund  
~~Fund 0556~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$ 53,425.70

~~Regional Toll Revenue II Fund~~

Street and Transportation Improvements Fund  
~~Fund S232~~ Fund 2T22, Department PBW, Unit P653, Act. INGV  
 Obj. 4599, Program #PB06P653, CT PBW06P653H1  
 Vendor #259651, in amount not to exceed \$ 427,405.62

**Section 2.** That the Chief Financial Officer is hereby authorized to reallocate the project specific funds from Dallas County and Regional Toll Revenue to the construction phase of the project.

**DRAFT**

**COUNCIL CHAMBER**

August 12, 2015

**Section 3.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize Supplemental Agreement No. 7 to the professional services contract with HNTB Corporation to provide engineering services during construction for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street - Not to exceed \$422,703, from \$2,582,793 to \$3,005,496 - Financing: 2006 Bond Funds

HNTB Corporation is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Architecture & Engineering

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### LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$420,703.00	99.53%
Non-local contracts	\$2,000.00	0.47%
<b>TOTAL THIS ACTION</b>	<u>\$422,703.00</u>	<u>100.00%</u>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Urban Engineers Group	HFDB62721Y0715	\$6,000.00	1.43%
<b>Total Minority - Local</b>		<u>\$6,000.00</u>	<u>1.43%</u>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Yaggi Engineering	WFWB64778N0417	\$2,000.00	100.00%
<b>Total Minority - Non-local</b>		<u>\$2,000.00</u>	<u>100.00%</u>

**TOTAL M/WBE PARTICIPATION**

	<b>This Action</b>		<b>Participation to Date</b>	
	<b><u>Amount</u></b>	<b><u>Percent</u></b>	<b><u>Amount</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$6,000.00	1.42%	\$109,706.00	3.65%
Asian American	\$0.00	0.00%	\$204,114.00	6.79%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$2,000.00	0.47%	\$37,970.00	1.26%
Total	<u>\$8,000.00</u>	<u>1.89%</u>	<u>\$351,790.00</u>	<u>11.70%</u>

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a contract with Rebcon, Inc., lowest responsible bidder of two for construction of a concrete trail and pedestrian bridges for the Katy Trail Phase VI project from Ellsworth Avenue to Worcola Street - Not to exceed \$11,611,578 - Financing: Regional Toll Revenue II Funds (\$6,480,000), Capital Projects Reimbursement Funds (\$1,000,000) and General Obligation Commercial Paper Funds (\$4,131,578)

Rebcon, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Construction

### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$10,264,505.77	88.40%
Total non-local contracts	\$1,347,071.69	11.60%
<b>TOTAL CONTRACT</b>	<b>\$11,611,577.46</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
RG Painting	BMDB74881Y0516	\$2,401.50	0.02%
West Texas Rebar Placers	HMDB16309Y0416	\$42,707.25	0.42%
CT & S Metalworks	WFDB63033Y0915	\$729,974.50	7.11%
<b>Total Minority - Local</b>		<b>\$775,083.25</b>	<b>7.55%</b>

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Road Master Striping	HMDB64683Y0316	\$9,195.10	0.68%
Mobile Enterprises	WFWB25692N1115	\$283,792.50	21.07%
Ricochet Fuel	WFWB63913Y0117	\$200,000.00	14.85%
Buyers Barricades	WFDB24016Y0516	\$40,615.40	3.02%
Latham Fence	WFWB25353N0915	\$9,055.00	0.67%
<b>Total Minority - Non-local</b>		<b>\$542,658.00</b>	<b>40.28%</b>

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$2,401.50	0.02%	\$2,401.50	0.02%
Hispanic American	\$42,707.25	0.42%	\$51,902.35	0.45%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$729,974.50	7.11%	\$1,263,437.40	10.88%
Total	<u>\$775,083.25</u>	<u>7.55%</u>	<u>\$1,317,741.25</u>	<u>11.35%</u>



# KATY TRAIL EXTENSION PHASE VI

