

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Aviation
CMO: Ryan S. Evans, 671-9837
MAPSCO: 34K

SUBJECT

Lease buy-out and assignment of lease at Dallas Love Field

- * Authorize a lease buy-out and purchase agreement with Sandra Sue Owens Tucker for that certain lease of land at Dallas Love Field entered into on March 25, 1968 by and between the City of Dallas and Airfreight Expediting Service as authorized by Resolution No. 68-1549 - Not to exceed \$741,256 - Financing: Aviation Current Funds (\$741,256) and Revenue Foregone (\$455,757)
- * Authorize the assignment of all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and the Hertz Corporation, (Acct. #A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. #507008802), the current sublease tenants at the leased premises, to the City of Dallas through the remainder of their current lease terms, expiring July 23, 2018 and November 11, 2018 respectively - Revenue: \$826,941

BACKGROUND

The City of Dallas entered into a lease with Airfreight Expediting Service, Inc. on March 25, 1968, for two plots of unimproved land at Dallas Love Field ("Airport") for an initial term of ten years, with one, ten-year extension option. The lease was eventually assigned to Mr. Blake C. Tucker ("Mr. Tucker") in 1984 and the term was subsequently extended. The current term of the lease expires on July 23, 2018, but it has an extension option that would extend the term to July 22, 2028.

Sandra Sue Owens Tucker ("Ms. Tucker") obtained rights in the lease upon the passing of her husband, Mr. Tucker, in June 2015. Since then, Ms. Tucker has been in discussions with the Department of Aviation ("DOA") regarding the possible purchase and assignment of her leasehold interest. The subject leasehold currently has two subtenants using the property for Airport rental car storage and operations. DOA desires to buy out the lease with Ms. Tucker, while agreeing to honor the subleases through their current terms, expiring in July 23, 2018 and November 11, 2018, resulting in additional revenue to the City.

BACKGROUND (Continued)

DOA anticipates future Airport need for land development, and Ms. Tucker's leasehold would help alleviate that need. Currently, Ms. Tucker receives monthly rent from the Hertz Corporation in the amount of \$13,058.83 per month and from Enterprise Car Rental in the amount of \$12,000.00 per month. As part of the termination, DOA and Ms. Tucker have mutually agreed to value Ms. Tucker's remaining lease interest at \$741,255.97, reflecting \$371,184.33 in lost revenue to Ms. Tucker over thirty-three (33) months plus an agreed-upon value of \$370,071.64 for the additional one hundred and twenty (120) option months.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Ground Lease, on March 25, 1968, by Resolution No. 68-1549.

Authorized Agreement with Oak Cliff Bank, on June 30, 1969, by Resolution No. 69-3677.

Authorized First Supplement to the Lease, on April 20, 1970, by Resolution No. 70-1614.

Authorized Assignment of the Lease, on June 7, 1971, by Resolution No. 71-2097.

Authorized 2nd Supplement to the Lease, on May 6, 1974, by Resolution No. 74-1924.

Authorized 3rd Supplement to the Lease, on August 28, 1978, by Resolution No. 78-2340.

Authorized consent to Sublease Agreement, on May 23, 1984, by Resolution No. 84-1718.

Authorized consent to Assignment Agreement, on May 23, 1984, by Resolution No. 84-1719.

Authorized 4th Supplement to the Lease, on December 14, 1988, by Resolution No. 88-3929.

Authorized 5th Supplement to the Lease, on September 11, 1991, by Resolution No. 91-2664.

Authorized 6th Supplement to the Lease, on November 11, 1998, by Resolution No. 98-3262.

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

Authorized 7th Supplement to the Lease, on October 25, 2006, by Resolution No. 06-2958.

Information about this item will be provided to the Economic Development Committee on November 2, 2015.

FISCAL INFORMATION

Subject 1:

Aviation Current Funds - \$741,255.97
Revenue Foregone - \$455,757.06

Subject 2:

Revenue: \$826,941.39

OWNER

Sandra Sue Owens Tucker

MAP

Attached.

November 10, 2015

WHEREAS, on March 25, 1968, the Dallas City Council approved Resolution No. 68-1549, authorizing the City Manager to execute a lease agreement (the "Lease") between the City of Dallas ("City") and Airfreight Expediting Service, Inc., a Texas Corporation, for approximately 169,217.69 square feet of unimproved land located at Dallas Love Field Airport, Dallas County, Texas; and,

WHEREAS, the Lease was assigned to Meadow Autry and Lil Smith Autry and consented to by the City on April 1, 1971; and,

WHEREAS, the Lease was assigned to Blake C. Tucker and consented to by the City on May 23, 1984; and,

WHEREAS, Ms. Sandra Sue Owens Tucker, as the surviving beneficiary of Blake C. Tucker, obtained the leasehold interest; and,

WHEREAS, the Lease, as amended, expires by its own terms on July 23, 2018; and,

WHEREAS, the Lease, as amended, contains one additional ten year extension option which may be exercised by the tenant upon proper notice to the City; and,

WHEREAS, the property is currently subleased to two subtenants and such subleases will expire in July 23, 2018 and November 11, 2018; and,

WHEREAS, it is in the City's best interest to reclaim the property for further development and use for Dallas Love Field Airport; and,

WHEREAS, it is the desire of both parties to buy-out and assign all of Ms. Tucker's rights, title, and interest in the Lease effective upon City Council approval and have the property revert back to the City for the agreed upon payment.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to assign all of Sandra Sue Owens Tucker's rights, title and interest between Ms. Tucker and Hertz Corporation (Acct . No. A507000069) and EAN Holdings dba Enterprise Car Rental (Acct. No. 507008802) at the leased premises to the City of Dallas through the remainder of their current lease terms, expiring in July 23, 2018 and November 11, 2018 respectively.

November 10, 2015

SECTION 2. That the special terms and conditions of the Buy-out Agreement are:

(a) All of Ms. Tucker's rights, title, and interest in the existing subleases shall be assigned to the City of Dallas effective November 1, 2015.

(b) The City shall begin earning the monthly rental from the existing subtenants as contemplated by their agreement with Blake C. Tucker.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to deposit all rental proceeds received in accordance with the assigned subleases to: Fund 0130, Dept. AVI, Unit 7722, RSRC 7814.

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.

November 10, 2015

WHEREAS, on March 25, 1968, the Dallas City Council approved Resolution No. 68-1549, authorizing the City Manager to execute a lease agreement (the "Lease") between the City of Dallas ("City") and Airfreight Expediting Service, Inc., a Texas Corporation, for approximately 169,217.69 square feet of unimproved land located at Dallas Love Field Airport, Dallas County, Texas; and,

WHEREAS, the Lease was assigned to Meadow Autry and Lil Smith Autry and consented to by the City on April 1, 1971; and,

WHEREAS, the Lease was assigned to Blake C. Tucker and consented to by the City on May 23, 1984; and,

WHEREAS, Ms. Sandra Sue Owens Tucker, as the surviving beneficiary of Blake C. Tucker, obtained the leasehold interest; and,

WHEREAS, the Lease, as amended, expires by its own terms on July 23, 2018; and,

WHEREAS, the Lease, as amended, contains one additional ten year extension option which may be exercised by the tenant upon proper notice to the City; and,

WHEREAS, the property is currently subleased to two subtenants and such subleases will expire in July 23, 2018 and November 11, 2018; and,

WHEREAS, it is in the City's best interest to reclaim the property for further development and use for Dallas Love Field Airport; and,

WHEREAS, it is the desire of both parties to buy-out and assign all of Ms. Tucker's rights, title, and interest the Lease effective upon City Council approval and have the property revert back to the City for the agreed upon payment.

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a Buy-out Agreement with Ms. Sandra Sue Owens Tucker for the agreed-upon sum of \$741,255.97 for relinquishment of her interest in the remaining thirty-three months of the lease plus the additional one hundred and twenty option months.

November 10, 2015

SECTION 2. That the Chief Financial Officer is hereby authorized to draw warrants payable to Sandra Sue Owens Tucker upon execution of the Buy-out Agreement and charge same in the amount of \$741,255.97 to Fund 0130, Dept. AVI, Unit 7722, Object 3899, Encumbrance No. CT AVISSOTFY16, Vendor No. VC14860.

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.

DALLAS LOVE FIELD
Blake C. Tucker
Lease Premises
MAPSCO 34K

Google Earth



10000 ft



KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works Department
Street Services

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation related maintenance on roadways within the City of Dallas – Financing: No cost consideration to the City

BACKGROUND

The City of Dallas and Dallas County desire to enter into a Master Interlocal Agreement to jointly coordinate, facilitate, and/or fund future maintenance activities on certain roadways within the City of Dallas. This agreement will also allow the City to authorize and retain Dallas County through its Road and Bridge Division force to perform minor transportation-related services, including but not limited to pothole repairs, cleaning and clearing drainage culverts, roadway debris removal on certain public roadways and alleyways within the City of Dallas. This action will authorize the Master Interlocal Agreement with Dallas County for the maintenance of roadways within the City of Dallas.

The Master Interlocal Agreement contains elements identified as contract standards generally agreeable to all cities and counties. These include items such as termination clauses, amendments, utilities, maintenance, obligations of the parties, and others. Individual roadway maintenance project needs will be addressed as supplements to the master agreement. There are no specific projects being approved or authorized with the master agreement at this time. Having the master agreement in place will allow future supplements to address the specific needs of individual projects. Each supplement will require future consideration and action by the City Council.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

November 10, 2015

WHEREAS, Dallas County has developed a Master Interlocal Agreement pertaining to transportation related maintenance on roadways within the City of Dallas; and,

WHEREAS, the Master Interlocal Agreement will be supplemented in the future to address the specific needs of individual roadway maintenance projects; and,

WHEREAS, the City of Dallas desires to enter into a Master Interlocal Agreement with Dallas County to jointly coordinate, facilitate, and/or fund future maintenance activities on certain roadways within the City of Dallas.

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 Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation-related maintenance on roadways within the City of Dallas, 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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 1, 7, 9, 14

DEPARTMENT: Public Works Department
Office of Cultural Affairs

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-1204

MAPSCO: 37H; 45F/G; 45K; 45L; 46K; 46Q; 46U; 54H

SUBJECT

State of Texas Energy Conservation Office LoanSTAR Fund

- * Authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office ~~Loan Star~~ LoanSTAR Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office ~~Loan Star~~ LoanSTAR II Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery - Total not to exceed \$7,734,443 - Financing: State of Texas Energy Conservation Office ~~Loan Star~~ LoanSTAR Funds (\$6,935,946) and Current Funds (\$798,497) (subject to annual appropriations)
- * Authorize **(1)** the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets - Total not to exceed \$7,685,946 - Financing: Current Funds - \$7,685,946 (subject to annual appropriations)

BACKGROUND

In 1997, Chapter 302, Texas Local Government Code approved legislation allowing Cities and political subdivisions to enter multi-year contracts for the purpose of implementing energy related conservation projects and use energy savings to repay the debt for a period up to 15 years. The City has implemented four energy conservation projects.

BACKGROUND (Continued)

On September 12, 2014, Administrative Action No. 14-6619 authorized Phase 1 of the Energy Services Contract with Pepco Energy Services, Inc. to perform an energy audit and develop energy conservation related projects at 20 Office of Cultural Affairs facilities throughout the City of Dallas.

On January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various city facilities project in the amount of \$7,000,000.

This Supplemental Agreement No. 1 authorizes energy conservation measures for lighting, controls, and commissioning for conservation management programs. In addition, Pepco Energy Services, Inc. will perform measurement and verification services for a period up to ten years for a total cost not to exceed \$798,497 for this same period. ~~This~~ These services will also be paid from guaranteed energy savings.

The terms of the supplemental agreement stipulate, pursuant to Chapter 302, Texas Local Government Code, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract. An independent third party engineering review was completed by SECO's approved third party consultant.

Project financing for this supplemental agreement will have a term of ten years and will be funded through State Energy Conservation Office's (SECO's) ~~Loan Star~~ LoanSTAR Fund in the amount of \$6,935,946, which will be amortized over a ten-year period at a ~~2.50%~~ 2.00% interest rate. This interest rate is considered competitive with the City's most recent debt issuance.

This contract will not require any up-front dollars from the City and guarantees the savings. The construction project will be completely funded out of the SECO's ~~Loan Star~~ LoanSTAR fund and then repaid with the realized energy savings on an annual basis for a period of ten years. If the annual savings falls below the amount guaranteed by Pepco Energy Services, Inc., they will be contractually obligated to make up the amount of energy savings not realized. Pepco Energy Services will also provide one year guaranteed bonds renewed on an annual basis throughout the duration of the project to further secure the loan.

As required by terms, the City Manager is authorized to repay the SECO loan over ten years, plus interest, through energy savings from the City's annual electricity and natural gas budgets, subject to appropriation by the Council, at the beginning of each fiscal year. The guaranteed energy savings will be deducted from the annual electricity and natural gas budget and set aside for the repayment of the loan to SECO ~~Loan Star~~ LoanSTAR Fund in an amount of \$6,935,946 plus interest.

BACKGROUND (Continued)

The City's annual electricity and natural gas budget will include the guaranteed savings for the terms of the loan. As exact electric and gas service rates cannot be known over the ten year term of the repayment, the guaranteed savings from the project will be in the form of units of energy (such as kilowatt hours) and not the rate charged. This means that in the event of a rate increase during the repayment term, the dollar value of the utility savings within the City's budget would increase commensurate with the rate adjustment and not negatively impact the City.

This project is eligible to receive energy and demand reduction incentives from Oncor which will be utilized toward the implementation of this project and other energy conservation efforts.

ESTIMATED SCHEDULE OF PROJECT

Retrofit Schedule will be as follows:

Begin Construction	January 2016
Complete Construction	October 2016
Complete Contract	October 2026

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Memorandum of Understanding with the State Energy Conservation Office for energy projects at City Hall and various City facilities project in the amount of \$7,000,000 on January 28, 2015, by Resolution No. 15-0171.

Information about this item will be presented to the Budget, Finance, and Audit Committee on November 2, 2015.

FISCAL INFORMATION

State of Texas Energy Conservation Office ~~Loan Star~~ LoanSTAR Fund - \$6,935,946
Current Funds - \$798,497 (subject to annual appropriations)

Current Funds - \$7,685,946 (subject to annual appropriations)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Pepco Energy Services, Inc.

Hispanic Female	1	Hispanic Male	5
African-American Female	9	African-American Male	15
Other Female	6	Other Male	19
White Female	15	White Male	75

OWNER

Pepco Energy Services, Inc.

John Huffman, President and Chief Executive Officer

MAP(S)

Attached

City Facilities

<u>Bldg</u>	<u>Building Name</u>	<u>Address</u>	<u>District</u>	<u>Mapsco</u>
1	Meyerson Symphony Center	2301 Flora St.	14	45F/G
2	Music Hall at Fair Park	909 1st Ave.	7	46K
3	WRR Radio Studio	1516 1st Ave.	7	46Q
4	Latino Cultural Center	2600 Live Oak St.	14	45L
5	Oak Cliff Cultural Center	223 W Jefferson Blvd.	1	54H
6	South Dallas Cultural Center	3400 S Fitzhugh Ave.	7	46U
7	Bath House	521 E Lawther Dr.	9	37H
8	Dallas Museum of Art	1717 N Harwood	14	45K

November 10, 2015

WHEREAS, Chapter 302 of the Texas Local Government Code, as amended, allows the procurement of energy performance contracts for the purpose of making energy conservation improvements to public buildings; and,

WHEREAS, on September 12, 2014, Administrative Action No. 14-6619 authorized a Comprehensive Energy Savings and Photovoltaic (PV) Performance Contract with Pepco Energy Services, Inc. for an energy audit and development of proposals for energy conservation related projects in the amount of \$5,000; and,

WHEREAS, the energy audit resulted in proposals for energy conservation measures for Office of Cultural Affairs buildings throughout the city of Dallas; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various City facilities in the amount of \$7,000,000; and,

WHEREAS, in April 2015, an independent third party review was completed as required per Chapter 302 of the Texas Local Government Code; and,

WHEREAS, the terms of the contract stipulate, per the Texas Local Government Code Chapter 302, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract; and,

WHEREAS, it is desirable to authorize **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office ~~Loan-Star~~ LoanSTAR Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office ~~Loan-Star~~ LoanSTAR II Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery for a total amount not to exceed \$7,734,443 (subject to annual appropriations)

Now, Therefore,

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

November 10, 2015

Section 1. That the City Manager is hereby authorized to execute a ten-year term loan agreement with SECO LoanSTAR II Program, in the amount of \$6,935,946 for the funding of the energy related projects, upon approval as to form by the City Attorney, of all loan documents required.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit loan proceeds from SECO LoanSTAR II Program in the SECO ~~Loan Star~~ LoanSTAR II Fund 0706, Dept. PBW, Unit 1724, Revenue Source Code 6532, in the amount of \$6,935,946.

Section 3. That the City Manager is hereby authorized to establish appropriations in the SECO LoanStar II Program Fund 0706, Department PBW, Unit 1724, Object Code 4310, in an amount not to exceed \$6,935,946.

Section 4. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the contract with Pepco Energy Services, Inc. for the construction of energy conservation related projects at 8 facilities, in an amount not to exceed \$6,935,946; and for measurement and verification services, in a total amount not to exceed \$798,497 for a ten year period, after it has been approved as to form by the City Attorney.

Section 5. That the Chief Financial Officer is hereby authorized to receive and deposit the Oncor Rebate and incentives funds in the Oncor Rebate Fund EG02, Department PBW, Unit P588, Revenue Source Code 7894.

Section 6. That the Chief Financial Officer is hereby authorized to disburse funds to Pepco Energy Services, Inc. in accordance with the terms and conditions of Supplemental Agreement No. 1 from:

State of Texas Energy Conservation Office LoanStar II Fund
Fund 0706, Department PBW, Unit 1724
Object #4310, Program #PBSEC004, CT PBWSEC004K1
Vendor #VS0000036947, in an amount not to exceed \$6,935,946

Section 7. That the Chief Financial Officer is hereby authorized to transfer funds over a ten year period, from the electricity and natural gas savings in an amount not to exceed \$798,497 from Fund 0001, Department OCA, Unit 4903, Object 3690 to Fund 0575, Department PBW, Unit DG48, Revenue Source 9201 to pay the Measurement and Verification Support Services (subject to annual appropriations).

Section 8. That the Chief Financial Officer is hereby authorized to disburse funds to Pepco Energy Services, Inc. for the Measurement and Verification Support Services, in accordance with the terms and conditions of Supplemental Agreement No. 1 from the electricity and natural gas savings, from:

November 10, 2015

SECO Loan Repayment Fund
Fund 0575, Department PBW, Unit DG48
Object #3070, Job #PBSEC004
Vendor #VS0000036947, in an amount not to exceed \$ 798,497

Section 9. That in the event the guaranteed annual energy savings are not fully achieved, the Pepco Energy Services, Inc. shall reimburse the City in the amount of the difference between the actual energy savings achieved for the contract year in question and the guaranteed annual energy savings, or the performance security required under the supplemental agreement in such amount as is necessary to make payment of the outstanding loan payment for the contract year in question. Pepco Energy Services, Inc. will also maintain a ~~Letter of Credit~~ Guarantee Bond to provide additional loan security in accordance with the terms of the contract. The ~~City Controller~~ Chief Financial Officer is authorized in such event to deposit the proceeds of any reimbursement or performance security collection in SECO Loan Repayment Fund 0575, Department PBW, Unit DG47, Revenue Source Code 8428.

Section 10. 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 **(1)** the acceptance of a loan from the State of Texas Energy Conservation Office ~~Loan Star~~ LoanSTAR Fund in the amount of \$6,935,946, to be repaid plus interest, beginning in FY 2016-17 for a period of ten years from electric and natural gas energy savings; **(2)** the establishment of appropriations in the amount of \$6,935,946 in the State Energy Conservation Office ~~Loan Star~~ LoanSTAR II Fund; **(3)** Supplemental Agreement No. 1 to the contract with Pepco Energy Services for **(a)** construction of energy conservation related projects at eight City facilities in an amount not to exceed \$6,935,946 (list attached) and **(b)** measurement and verification for a period not to exceed ten years, in an amount not to exceed \$798,497 to be paid from electric and natural gas savings; **(4)** the acceptance and deposit in the Oncor Rebate Fund of rebates from Oncor Electric Delivery - Total not to exceed \$7,734,443 - Financing: State of Texas Energy Conservation Office ~~Loan Star~~ LoanSTAR Funds (\$6,935,946) and Current Funds (\$798,497) (subject to annual appropriations)

Pepco Energy Services is a non-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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,986,073.50	28.63%
Total non-local contracts	\$4,949,872.50	71.37%
TOTAL CONTRACT	\$6,935,946.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Triton Supply	WFDB84070Y1016	\$1,986,073.50	100.00%
Total Minority - Local		\$1,986,073.50	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$1,986,073.50	100.00%	\$1,986,073.50	28.63%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$1,986,073.50	100.00%	\$1,986,073.50	28.63%

November 10, 2015

WHEREAS, Chapter 302 of the Texas Local Government Code, as amended, allows the procurement of energy performance contracts for the purpose of making energy conservation improvements to public buildings; and,

WHEREAS, on September 12, 2014, Administrative Action No. 14-6619 authorized a Comprehensive Energy Savings and Photovoltaic (PV) Performance Contract with Pepco Energy Services, Inc. for an energy audit and development of proposals for energy conservation related projects in the amount of \$5,000; and,

WHEREAS, the energy audit resulted in proposals for energy conservation measures for Office of Cultural Affairs buildings throughout the city of Dallas; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0171 authorized a Memorandum of Understanding with the State Energy Conservation Office (SECO) for energy projects at City Hall and various City facilities in the amount of \$7,000,000; and,

WHEREAS, in April 2015, an independent third party review was completed as required per Chapter 302 of the Texas Local Government Code; and,

WHEREAS, the terms of the contract stipulate, per the Texas Local Government Code Chapter 302, that the project financing must be repaid from realized annual energy savings, as identified and guaranteed in the contract; and,

WHEREAS, it is desirable to authorize **(1)** the repayment of a loan from the State of Texas Energy Conservation Office over a ten year period, plus interest, using savings in the City's annual electricity and natural gas budgets for a total amount not to exceed \$7,685,946 (subject to annual appropriations)

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to set aside funds from the annually appropriated electric and natural gas budgets for City departments, in an amount equal to the guaranteed savings, in order to repay the loan and for measurement and verification support services.

November 10, 2015

Section 2. That the Chief Financial Officer is hereby authorized to transfer funds over a ten-year period, from the electricity and natural gas savings in an amount not to exceed \$7,685,946 from Fund 0001, Department OCA, Unit 4903, Object 3690 to Fund 0575, Department PBW, Unit DG47, Revenue Source 9201 to repay the loan (subject to annual appropriations).

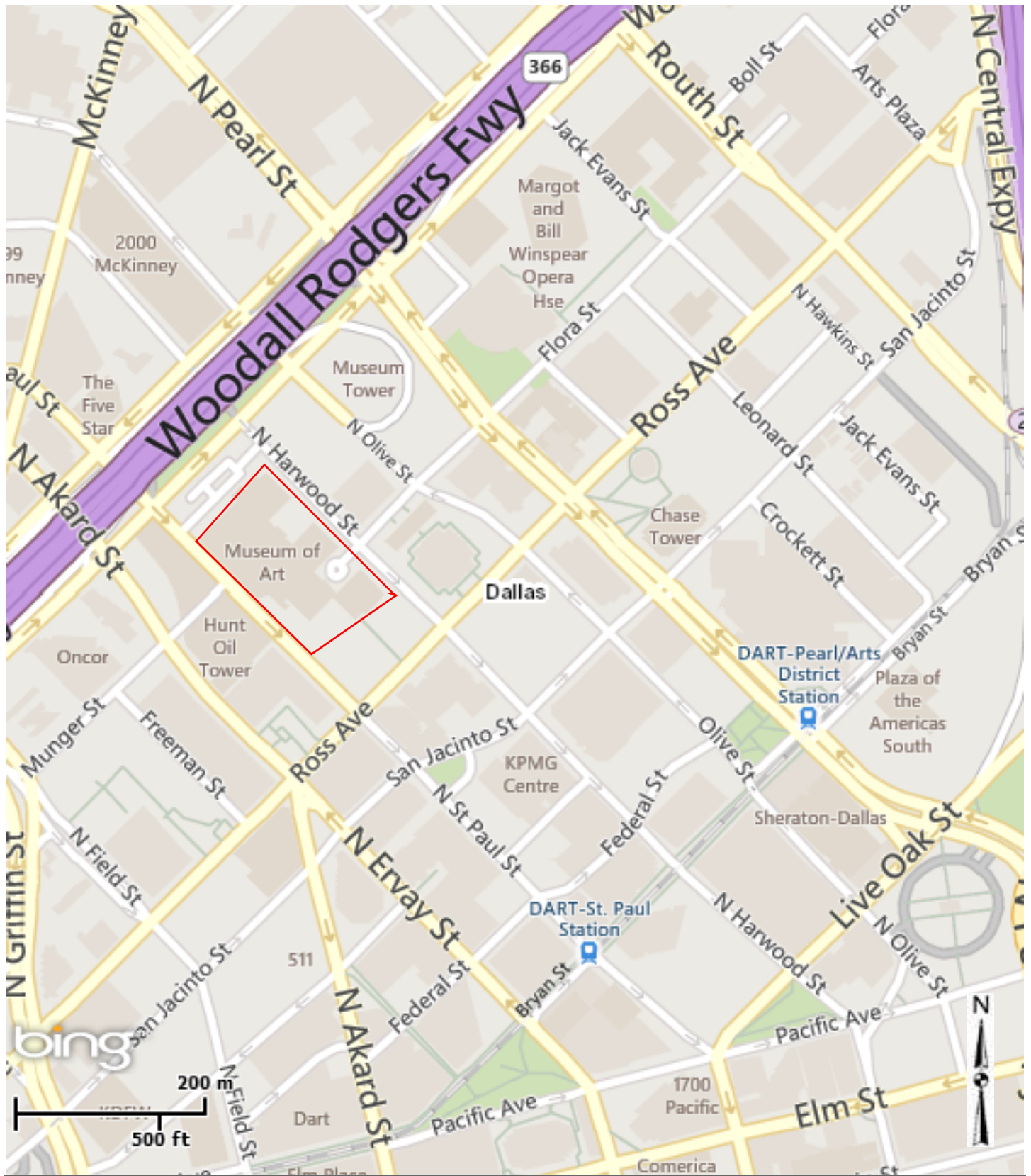
Section 3. That the Chief Financial Officer is hereby authorized to disburse funds to the State of Texas to repay the loan, in accordance with the terms and conditions of the loan agreement, in an amount not to exceed \$6,935,946 plus interest over a ten year period, subject to annual appropriations, beginning FY 2016-17, from the electricity and natural gas savings, from:

SECO Loan Repayment Fund
Fund 0575, Department PBW, Unit DG47
Obj. 3535, Job #PBSEC004
Vendor #269648, in an amount not to exceed \$7,685,946

Section 4. That in the event the guaranteed annual energy savings are not fully achieved, the Pepco Energy Services, Inc. shall reimburse the City in the amount of the difference between the actual energy savings achieved for the contract year in question and the guaranteed annual energy savings, or the performance security required under the supplemental agreement in such amount as is necessary to make payment of the outstanding loan payment for the contract year in question. Pepco Energy Services, Inc. will also maintain a ~~Letter of Credit~~ Guarantee Bond to provide additional loan security in accordance with the terms of the contract. The Chief Financial Officer is authorized in such event to deposit the proceeds of any reimbursement or performance security collection in SECO Loan Repayment Fund 0575, Department PBW, Unit DG47, Revenue Source Code 8428.

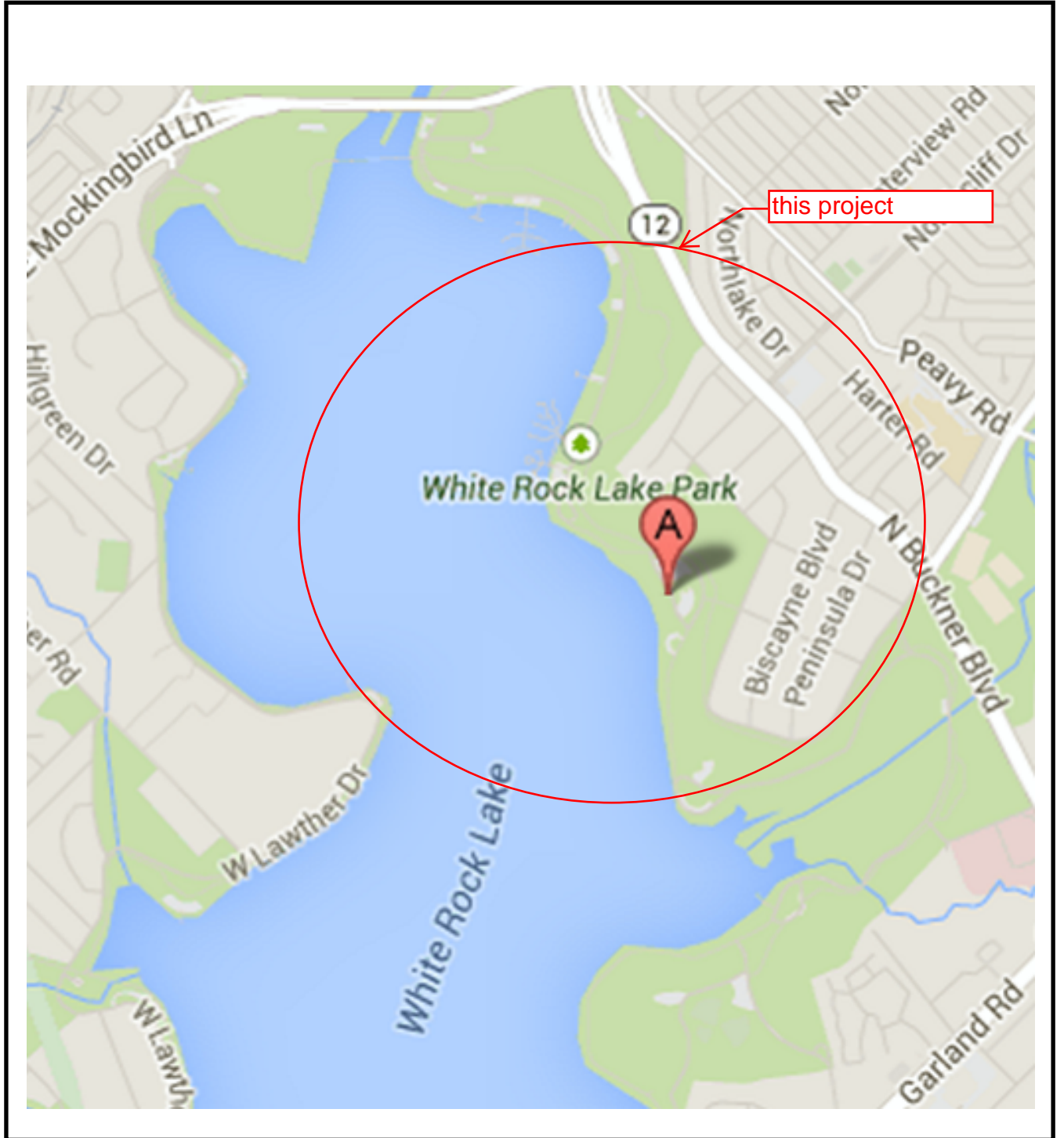
Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

1717 N Harwood St



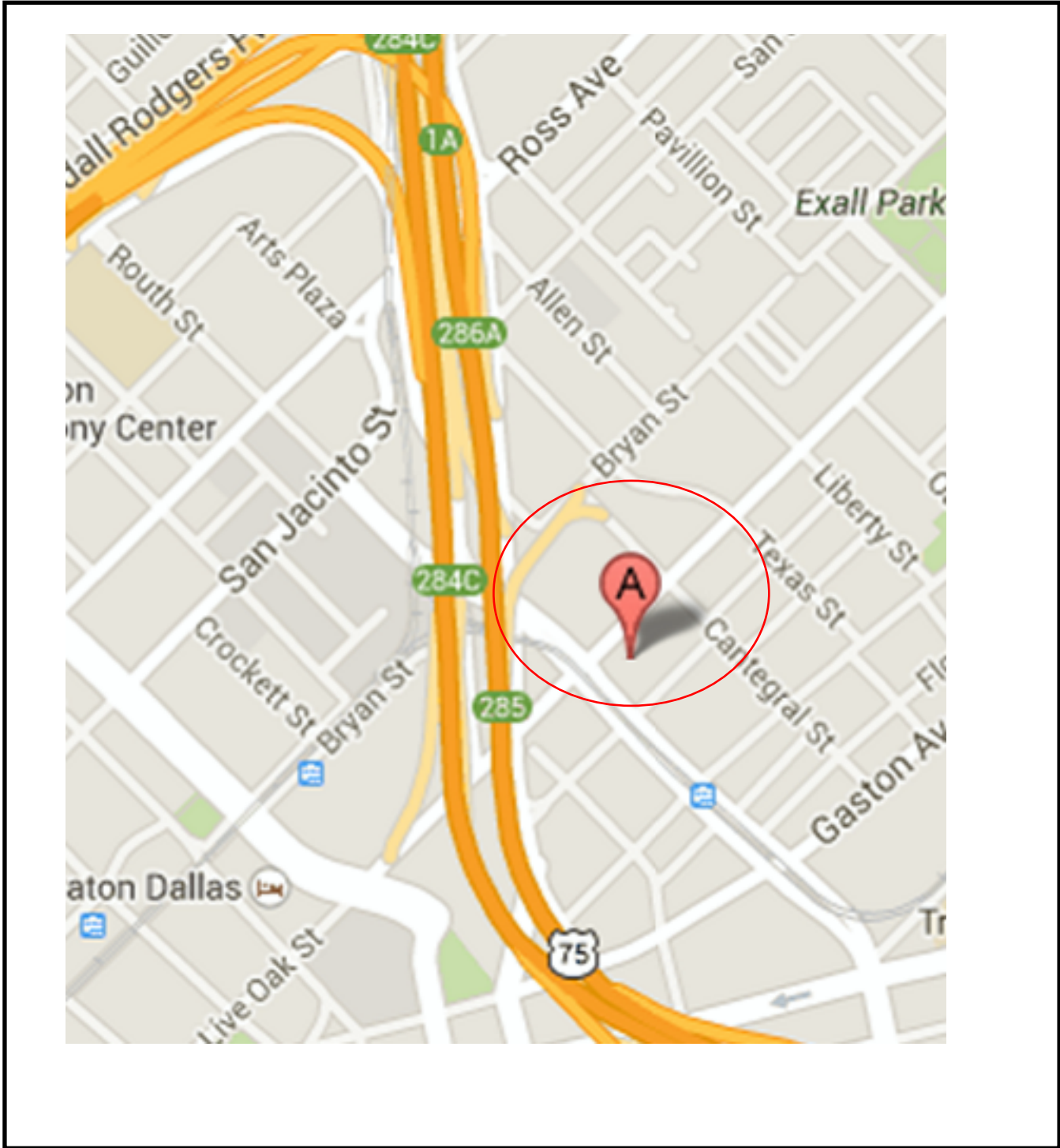
Mapsc0 45K

Bath House



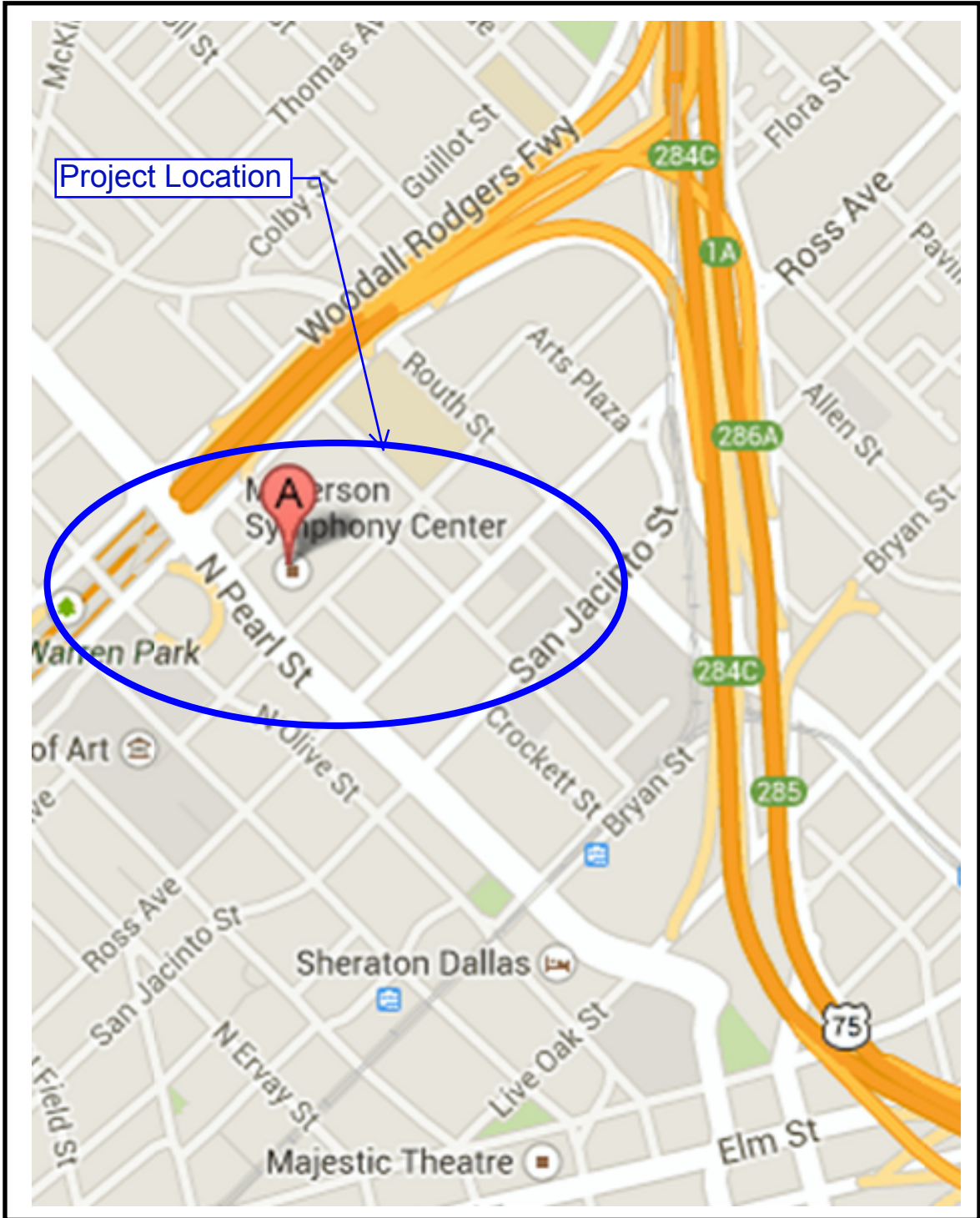
Mapsc0 37H

Latino Cultural Center



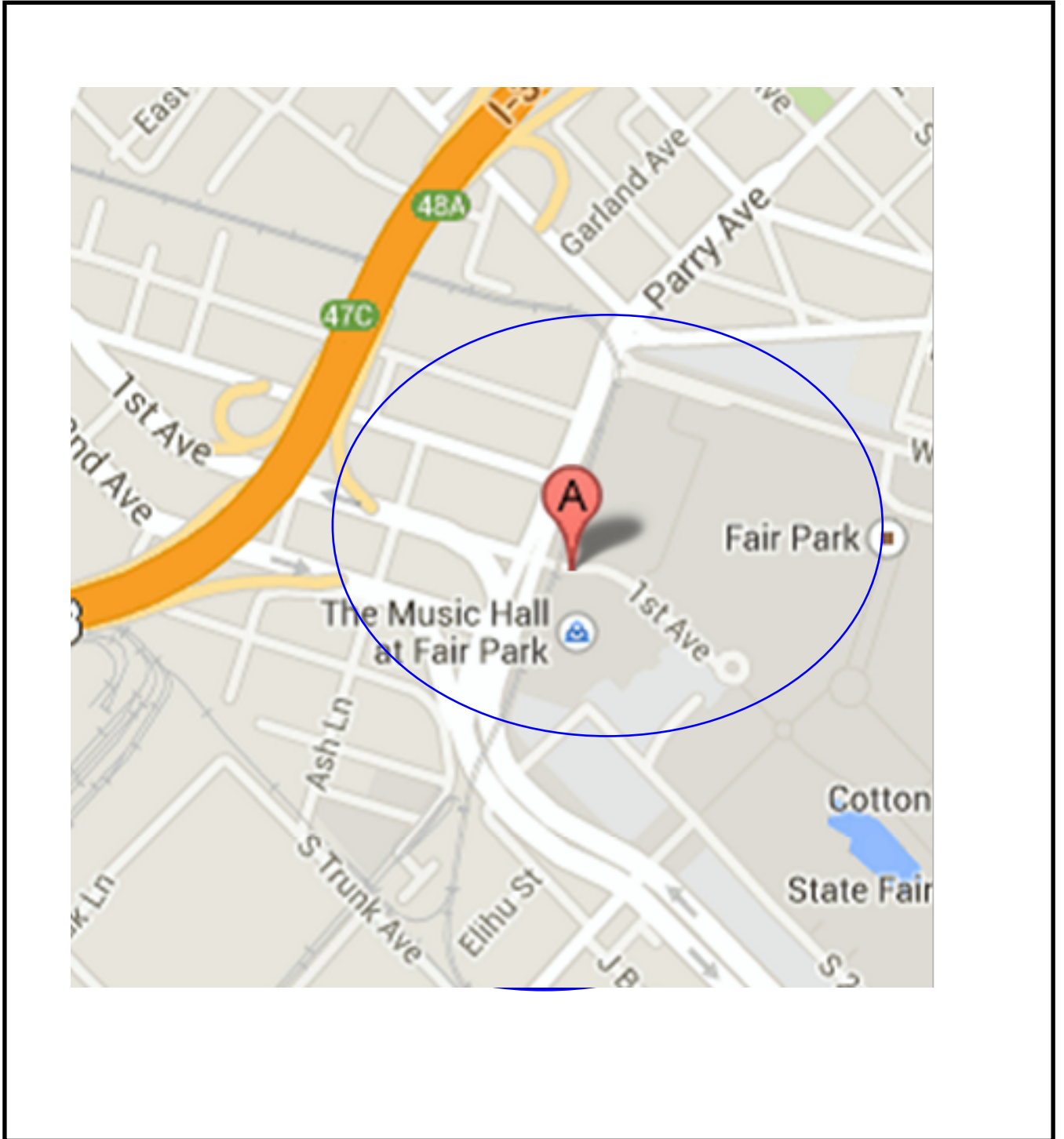
Mapsc0 45L

Meyerson Symphony Center

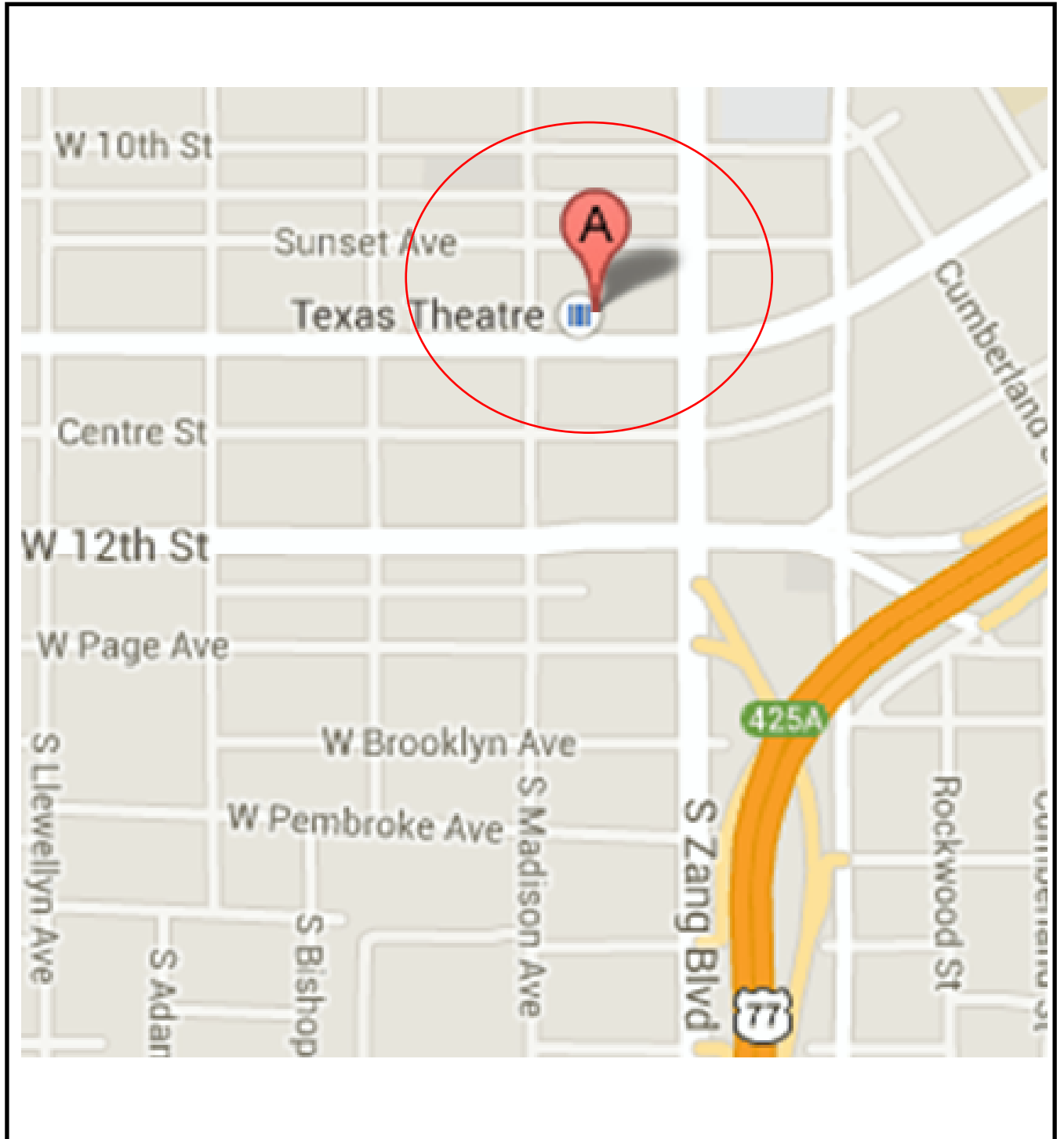


Mapsc0 45F, G

Music Hall at Fair Park

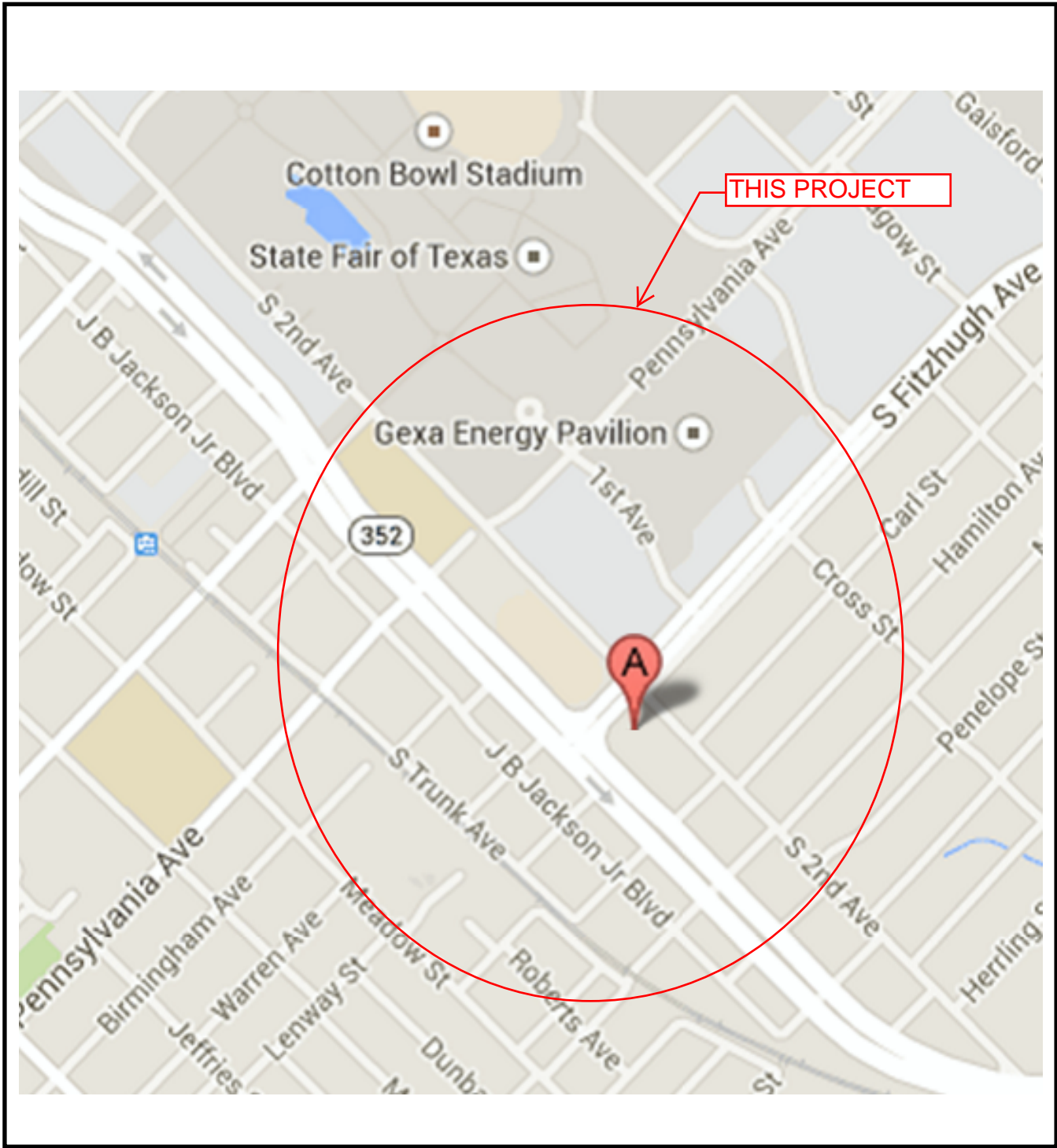


Oak Cliff Cultural Center



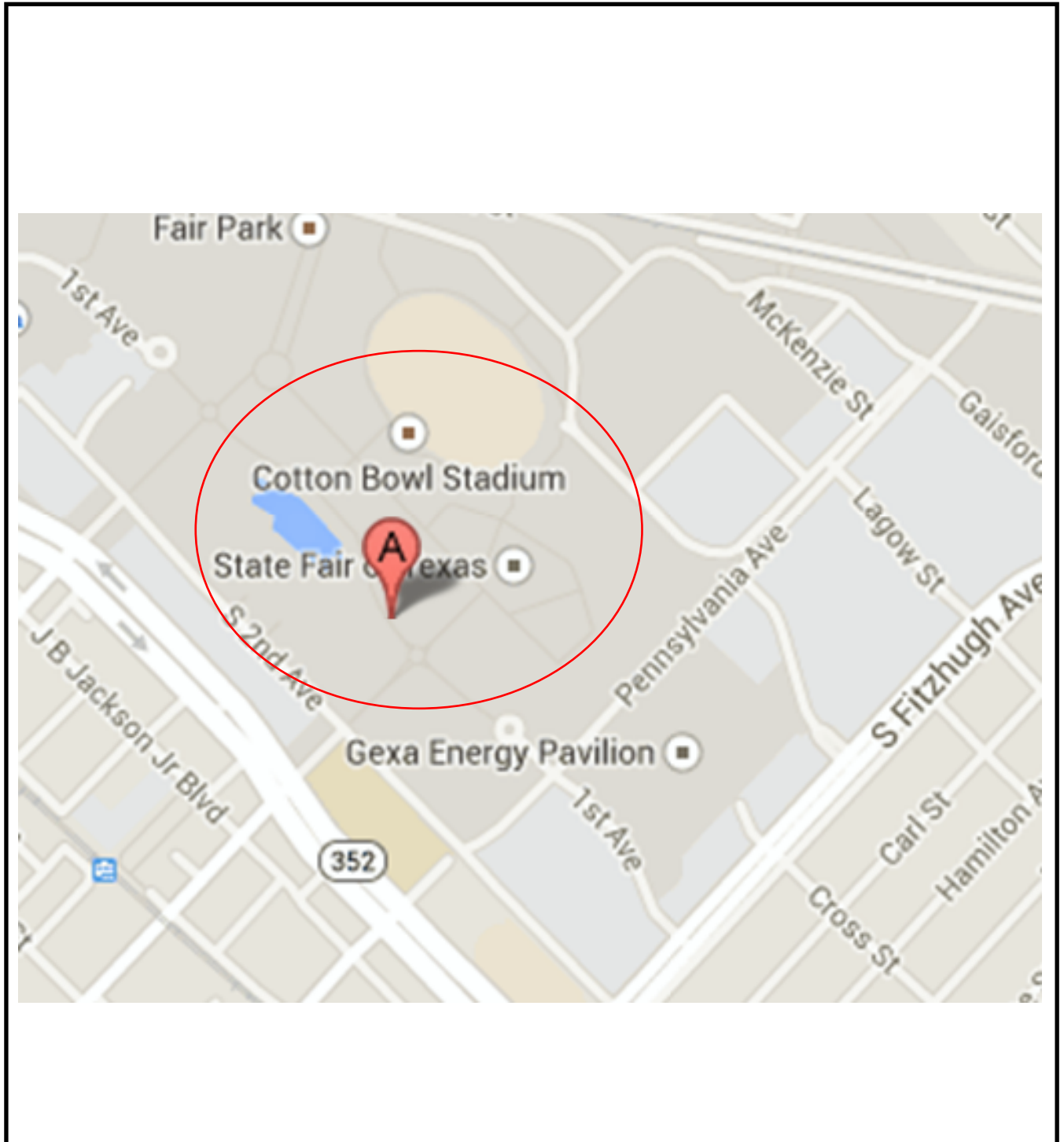
Mapsc0 54H

S Dallas Cultural Center



Mapsc0 46U

WRR Radio Studio



Mapsc0 46Q

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Public Works Department
Aviation
CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837
MAPSCO: 34K

SUBJECT

Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of an above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue – Not to exceed \$299,393 – Financing: Aviation Capital Construction Funds

BACKGROUND

This action will authorize a construction contract with McCon Building & Petroleum Services, Inc. for an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility.

Airport personnel and equipment need to move about the Dallas Love Field airside runway system to perform daily tasks and respond to events for the airport to remain open. The installation of a fuel storage tank at the airport maintenance facility adjacent to the runway system will ensure that the equipment will have fuel available on site to operate. A contract with the firm of EJES, Inc. was authorized by Resolution No. 14-1916, dated November 12, 2014, to design and provide construction documents for a 4,000-gallon above-ground fuel storage tank installation.

ESTIMATED PROJECT SCHEDULE

Began Design	November 2014
Completed Design	July 2015
Begin Construction	November 2015
Complete Construction	April 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Inc. on November 12, 2014, by Resolution No. 14-1916.

Information about this item will be presented to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

Aviation Capital Construction Funds - \$299,393.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

McCon Building & Petroleum Services, Inc.

Hispanic Female	2	Hispanic Male	9
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	8	White Male	34

BID INFORMATION

The following bids were received and opened on August 20, 2015:

*Denotes successful bidder(s)

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*McCon Building & Petroleum Services, Inc. 8120 Jetstar Drive, Suite 150, Irving, TX 75063	\$299,393.00
United Pump Supply	\$321,255.32

OWNER

McCon Building & Petroleum Services, Inc.

Christopher M. Lawson, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a construction contract with McCon Building and Petroleum Services, Inc., lowest responsible bidder of two, for the installation of **an** above-ground fuel storage tanks at the Dallas Love Field Airport Maintenance Facility located at 3387 Hawes Avenue – Not to exceed \$299,393 – Financing: Aviation Capital Construction Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$165,416.00	55.25%
Total non-local contracts	\$133,977.00	44.75%
TOTAL CONTRACT	\$299,393.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
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%
Total	\$0.00	0.00%	\$0.00	0.00%

November 10, 2015

WHEREAS, the installation of a fuel storage tank to support airside operations is needed to allow airport support and maintenance vehicles to remain in operation during temporary fuel delivery delays to Dallas Love Field; and,

WHEREAS, EJES, Inc. was awarded a professional services contract to complete construction documents for a fuel storage tank installation at Dallas Love Field as authorized by Resolution No. 14-1916, dated November 12, 2014; and,

WHEREAS, the following bids were received and opened on August 20, 2015 for construction of the fuel storage tank installation:

* Denotes lowest responsible bidder

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*McCon Building & Petroleum Services, Inc. 8120 Jetstar Drive, Suite 150, Irving, TX 75063	\$299,393.00
United Pump Supply	\$321,255.32

and,

WHEREAS, it is now desirable to authorize a construction contract with McCon Building & Petroleum Services, Inc., the lowest responsible bidder of two, for an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility, located at 3387 Hawes Avenue, in an amount not to exceed \$299,393.00.

Now, Therefore,

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

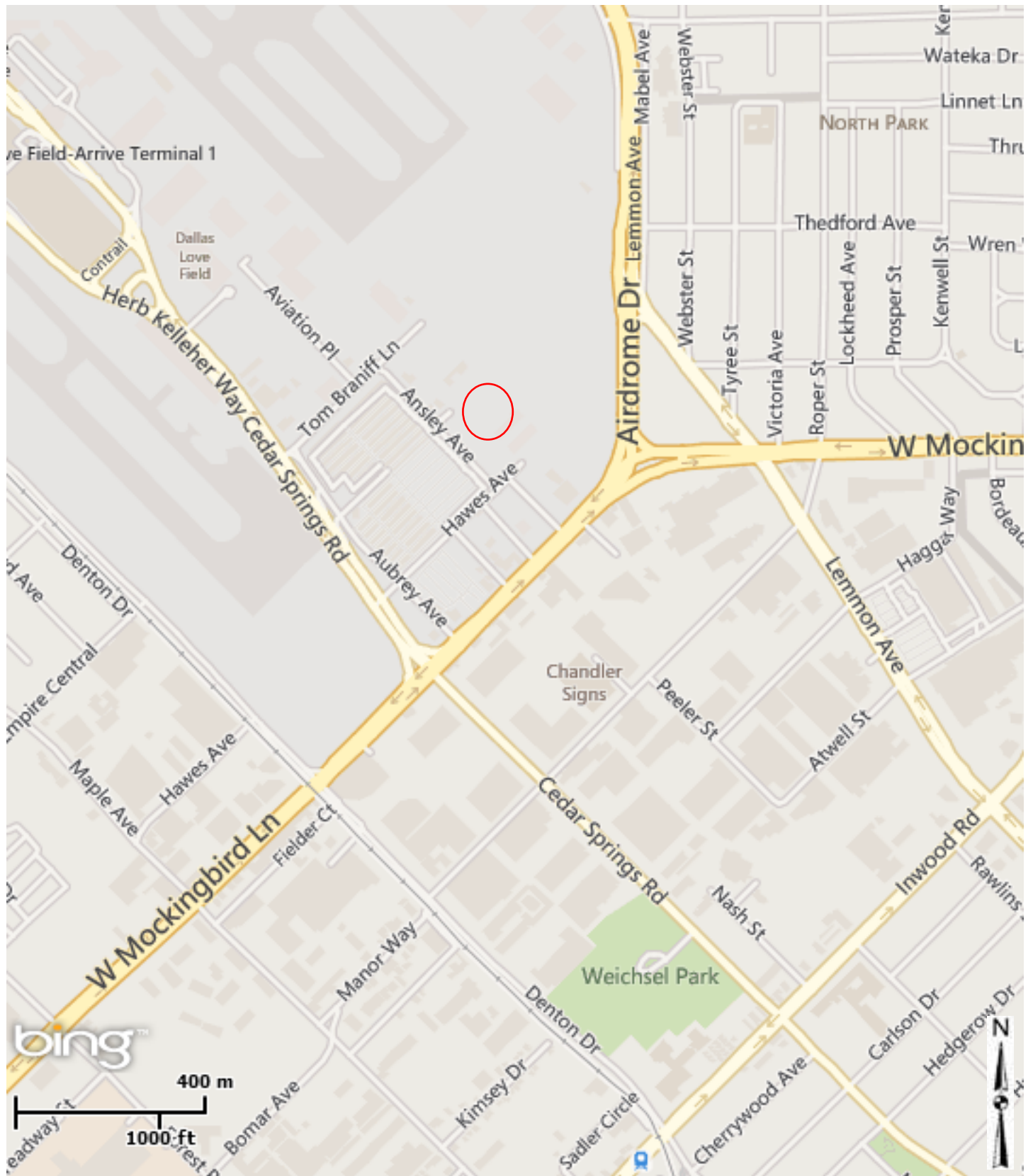
Section 1. That the City Manager is hereby authorized to execute a contract with McCon Building & Petroleum Services, Inc. for construction of an above-ground fuel storage tank installation at the Dallas Love Field Airport Maintenance Facility, located at 3387 Hawes Avenue, in an amount not to exceed \$299,393.00, 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 contract:

Aviation Capital Construction Funds Fund 0131, Dept. AVI, Unit 8748, Act. AAIP Obj. 4599, Program AVSTNK, CT AVIMCN1015 Vendor 513730, in an amount not to exceed	\$299,393.00
--	--------------

November 10, 2015

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



Dallas Love Field Above Ground Fuel Storage Tank

3387 Hawes Avenue

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 1
DEPARTMENT: Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 45P S W

SUBJECT

Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 Bond Funds

BACKGROUND

On June 17, 2015, Resolution No. 15-1246 authorized a contract with Gibson & Associates, Inc. for the construction of Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue. This action will authorize Change Order No. 1 to the construction contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for Houston Street Viaduct bridge spans located within the Texas Department of Transportation's (TxDOT's) IH35 / IH30 right-of-way.

The Houston Street Viaduct bridge repair and rehabilitation project was approved in the 2012 Bond Program. On August 19, 2013, Administrative Action No. 13-6249 authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for developing the scope of work for the Houston Street Viaduct bridge repair and rehabilitation improvements, and on August 27, 2014, Council Resolution No. 14-1386 authorized Supplemental Agreement No. 1 to the contract with Nathan D. Maier Consulting Engineers, Inc. for the engineering design of the identified repairs. Construction of the Houston Street Viaduct bridge project is being administrated in two primary phases. Phase 1 was completed in June 2015, and consisted of bridge deck repair and rehabilitation work; Phase 1 was constructed as a stand alone project in order to expedite the re-opening of the Houston Street Viaduct to vehicular traffic following the completion of the Oak Cliff Streetcar project.

BACKGROUND (Continued)

Phase 2 construction consists of bridge substructure and superstructure bridge repair and rehabilitation work. The design for Phase 2 is anticipated to be complete in late 2015, and the construction award is planned early 2016. However, TxDOT has encouraged the City to accelerate a portion of the planned Phase 2 work within the State's IH35 / IH30 right-of-way. Accelerating the work will take advantage of a small window of time within TxDOT's Horseshoe project schedule this coming fall / winter when there will not be any freeway traffic under the Houston Street Viaduct bridge spans being repaired as part of this construction change order. This will eliminate the need for freeway traffic lane closures while working on these spans, thus minimizing traffic impacts to motorists and reducing construction costs.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2014
Completed Design	May 2015
Begin Construction	November 2015
Complete Construction	April 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. for engineering services on August 27, 2014, by Resolution No. 14-1386.

Authorized a professional services contract with Urban Engineers, Inc. for engineering services on November 12, 2014, by Resolution No. 14-1917.

Authorized a construction contract with Gibson & Associates, Inc. on June 17, 2015, by Resolution No. 15-1246.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2012 Bond Funds - \$799,846.00

Design (Nathan D. Maier Consulting Engineers) \$ 46,172.00
Supplemental Agreement No. 1 \$ 812,970.00

Design (Urban Engineers, Inc.) \$ 402,849.60

Construction
Paving & Drainage - PBW \$3,022,825.72
Water & Wastewater - DWU \$ 886,431.15
Change Order No. 1 (this action) \$ 799,846.00

Total \$5,971,094.47

M/WBE INFORMATION

See attached.

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

Gibson & Associates, Inc.

William J. Gibson, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way - Not to exceed \$799,846, from \$3,909,257 to \$4,709,103 - Financing: 2012 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	\$598,346.00	74.81%
Non-local contracts	\$201,500.00	25.19%
TOTAL THIS ACTION	\$799,846.00	100.00%

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>
Mobile Enterprises, Inc.	WFDB93369Y0816	\$201,500.00	100.00%
Total Minority - Non-local		\$201,500.00	100.00%

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	\$0.00	0.00%	\$1,735,911.85	36.86%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$201,500.00	25.19%	\$691,661.00	14.69%
Total	\$201,500.00	25.19%	\$2,427,572.85	51.55%

November 10, 2015

WHEREAS, on August 19, 2013, Administrative Action No. 13-6249 authorized a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for developing the scope of work for the Houston Street Viaduct bridge repair and rehabilitation improvements in the amount of \$46,172.00; and,

WHEREAS, on August 27, 2014, Resolution No. 14-1386 authorized Supplemental Agreement No. 1 to the professional services contract with Nathan D. Maier Consulting Engineers, Inc. for additional engineering services for the Houston Street Viaduct bridge repair and rehabilitation improvements in the amount of \$812,970.00, increasing the contract from \$46,172.00 to \$859,142.00; and,

WHEREAS, on November 12, 2014, Resolution No. 14-1917 authorized a professional services contract with Urban Engineers, Inc. for the engineering design of Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue in the amount of \$402,849.60; and,

WHEREAS, on May 14, 2015, bids were received for the reconstruction of street paving, storm drainage, traffic signals, markings, landscape, water and wastewater main improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue; and,

WHEREAS, on June 17, 2015, Resolution No. 15-1246 authorized a contract with Gibson & Associates, Inc. for the reconstruction of street paving, storm drainage, traffic signals, markings, landscape, water and wastewater main improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue in the amount of \$3,909,256.87; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way in the amount of \$799,846.00, increasing the contract from \$3,909,256.87 to \$4,709,102.87.

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 Change Order No. 1 to the contract with Gibson & Associates, Inc. for bridge repair and rehabilitation for the Houston Street Viaduct bridge spans located within the Texas Department of Transportation's IH35 / IH30 right-of-way in the amount of \$799,846.00, increasing the contract from \$3,909,256.87 to \$4,709,102.87, after it has been approved as to form by the City Attorney.

November 10, 2015

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

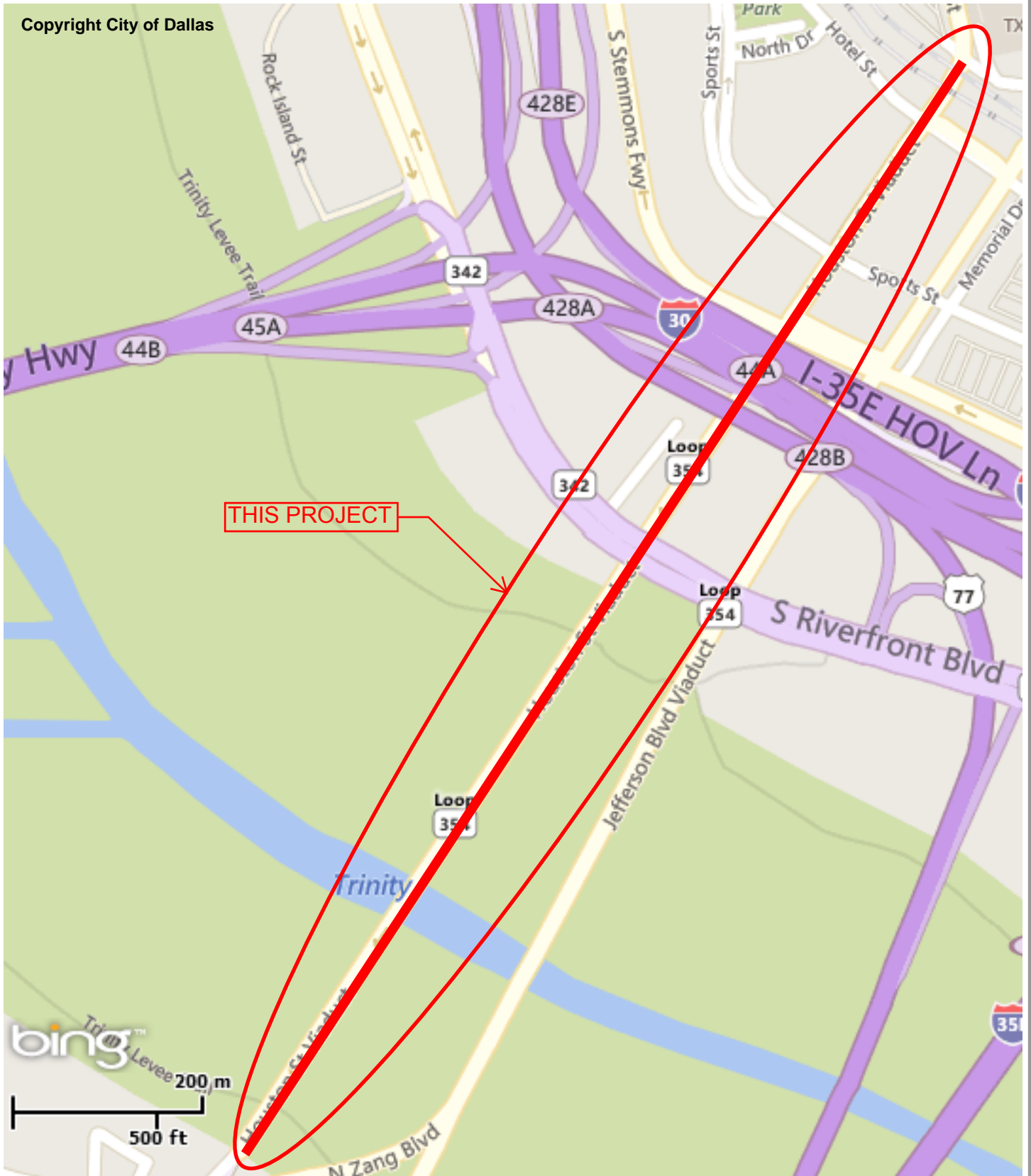
Street and Transportation Improvements Fund
Fund 2U22, Department PBW, Unit S389, Act. BRAM
Obj. 4510, Program #PB12S389, CT PBW12S39411
Vendor #VS0000022657, in an amount not to exceed \$ 799,846.00

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.

HOUSTON STREET VIADUCT

BRIDGE REPAIR AND REHABILITATION IMPROVEMENTS

Copyright City of Dallas



MAPSCO 45P, S, W

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works Department
Convention and Event Services

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

MAPSCO: 45P

SUBJECT

Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds

BACKGROUND

A construction contract with Gilbert May, Inc. dba Phillips/May Corp. to furnish materials and labor for the construction of interior finishes for C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas was authorized by Resolution No. 13-1763 on October 8, 2013.

These improvements are part of the \$60 million Convention Center Improvement Project. This project is one of multiple projects identified in the facility assessment within the Convention Center Facility Improvement Program. Construction projects which have been authorized to date are the Upper Level D Meeting Rooms, Chilled Water Loop, Lobby A and A/B Pre-function Areas, Fire Alarm and Emergency Lighting Replacement, Roof Replacement of Exhibit Halls, A, B, Lower C, and Administration Building, and the Exterior Waterproofing and Storm Drain Repair.

BACKGROUND (Continued)

On September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with Change Order No. 2 were audio/visual cabling, electrical, alarm strobes, dimmers, mechanical, supply grills, fixtures, and miscellaneous interior finish items.

On January 28, 2015, Resolution No. 15-0216 authorized Change Order No. 4 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: Electrical and Lighting - additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in ballroom, additional circuits and rezoning for light fixtures in ballroom, height adjustment of Type C light fixtures in ballroom, additional keypad lighting controls, and additional C fixtures in men's restrooms. Mechanical and Interior - redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; Mechanical and Plumbing - additional cooling to audio/visual room, replacement of existing water valves in Upper C Restrooms, and replacement of damaged existing sanitary sewer line.

This action will authorize Change Order No. 6 to the construction contract of the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: electrical and lighting improvements, including changes in the ceiling configuration, light fixtures and support requirements in the four ballrooms, additional touch screens and password controls for meeting rooms and ballrooms, mechanical and plumbing improvements, modifications of soap dispensers, interior modifications, including raising and repair of operable walls in meeting rooms and ballrooms, additional coin wall density material and new stainless steel walls in the ballroom vestibules, additional corner guards, metal kick plates, water damage repair and painting.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2012
Completed Design	June 2013
Began Construction	October 2013
Complete Construction	December 2015

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HKS, Inc. for architectural and engineering design services to include the finishout of the Upper Level D Meeting Rooms and assessment for operational improvements and renovation of existing spaces for the Kay Bailey Hutchison Convention Center Dallas on January 27, 2010, by Resolution No. 10-0328.

Authorized Supplemental Agreement No. 1 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on August 25, 2010, by Resolution No. 10-2142.

Authorized Supplemental Agreement No. 2 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on June 22, 2011, by Resolution No. 11-1709.

Authorized Supplemental Agreement No. 3 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on December 14, 2011, by Resolution No. 11-3257.

Authorized Supplemental Agreement No. 4 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include interior design, for C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on February 22, 2012, by Resolution No. 12-0564.

Authorized Supplemental Agreement No. 5 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar Streetscape Conceptual Design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on April 25, 2012, by Resolution No. 12-1195.

Authorized Supplemental Agreement No. 7 to increase the professional services contract with HKS, Inc. for architectural and engineering design services to include a lightning protection study, roof replacement, and Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program on January 23, 2013, by Resolution No. 13-0181.

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

Authorized a contract with Gilbert May, Inc. dba Phillips/May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas, on October 8, 2013, by Resolution No. 13-1763.

Authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio/visual, and interior finish changes to the construction of interior improvements on September 10, 2014, by Resolution No. 14-1468.

Authorized Change Order No. 4 to the contract with Gilbert May, Inc. dba Phillips/May Corp., for the C Area Renovation Project. The changes to the contractor's scope of work associated with this action are: Electrical and Lighting - additional power requirements for new escalators, elevators and hand dryers, temporary manual dimming in ballroom, additional circuits and rezoning for light fixtures in ballroom, height adjustment of Type C light fixtures in ballroom, additional keypad lighting controls, and additional C fixtures in men's restrooms; Mechanical and Interior - redesign of ballroom ceiling area to reduce cost for fire sprinkler changes; Mechanical and Plumbing - additional cooling to Audio/Visual room, replacement of existing water valves in Upper C Restrooms, and replacement of damaged existing sanitary sewer line on January 28, 2015, by Resolution No. 15-0216.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2009 Convention Center Revenue Bonds - \$320,366.84

Design

Supplemental Agreement No. 4	
Task No. 9	\$ 63,890.00
Task No. 10	\$ 1,028,370.00
Supplemental Agreement No. 6	
Task No. 17	\$ 46,500.00
Supplemental Agreement No. 7	
Task No. 20	\$ 79,800.00
<u>Task No. 21</u>	<u>\$ 24,100.00</u>
Total Design Cost	\$ 1,242,660.00

FISCAL INFORMATION (Continued)

Project Expense Building Permit	\$ 103,940.85
Construction Contract	\$11,879,291.00
Change Order No. 1	\$ 38,518.98
Change Order No. 2	\$ 221,899.69
Change Order No. 3	\$ 49,920.06
Change Order No. 4	\$ 150,661.46
Change Order No. 5	\$ 23,655.70
<u>Change Order No. 6 (this action)</u>	<u>\$ 320,366.84</u>
Total Construction Cost	\$12,684,313.73
Total Project Cost	\$14,030,914.58

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Gilbert May, Inc. dba Phillips/May Corp.

Hispanic Female	8	Hispanic Male	42
African-American Female	0	African-American Male	4
White Female	7	White Male	48
Other Female	0	Other Male	1

OWNER(S)

Gilbert May, Inc. dba Phillips/May Corp.

Gilbert May, President
Chris Escobedo, Managing Director

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements, including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$320,367, from \$12,363,947 to \$12,684,314 - Financing: 2009 Convention Center Revenue Bonds

Gilbert May, Inc. dba Phillips/May Corporation is a local, 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	\$304,930.24	90.38%
Non-local contracts	\$32,450.00	9.62%
TOTAL THIS ACTION	\$337,380.24	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Gilbert May dba Phillips/May	HMDFW095210616	\$79,380.95	26.03%
Innovation Mechanical	HMDB63691Y1115	\$6,994.32	2.29%
Total Minority - Local		\$86,375.27	28.33%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$86,375.27	25.60%	\$5,049,075.97	39.75%
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%
Total	<u>\$86,375.27</u>	<u>25.60%</u>	<u>\$5,049,075.97</u>	<u>39.75%</u>

November 10, 2015

WHEREAS, the Kay Bailey Hutchison Convention Center Dallas initiated a \$60 million Facility Improvement Program; and,

WHEREAS, on January 27, 2010, Resolution No. 10-0328 authorized a professional services contract with HKS, Inc. for architectural and engineering design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in the amount of \$2,616,466.00; and,

WHEREAS, the facility assessment has identified numerous projects that will require architectural and engineering design services; and,

WHEREAS, on August 25, 2010, Resolution No. 10-2142 authorized Supplemental Agreement No. 1 to the professional services contract with HKS, Inc. for architectural and engineering design services to include renovations to the chilled water loop and mechanical equipment in Central Plant No. 3 for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$54,625.00, from \$2,616,466.00 to \$2,671,091.00; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1709 authorized Supplemental Agreement No. 2 to the professional services contract with HKS, Inc. for architectural and engineering design services to include waterproofing building envelope, fire alarm and emergency lighting system replacement, and Area C concept design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$1,437,740.00, from \$2,671,091.00 to \$4,108,831.00; and,

WHEREAS, on December 14, 2011, Resolution No. 11-3257 authorized Supplemental Agreement No. 3 to the professional services contract with HKS, Inc. for architectural, engineering, and interior design services to include interior improvements for Lobby A and A/B Pre-function areas for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$142,720.00, from \$4,108,831.00 to \$4,251,551.00; and,

WHEREAS, on February 22, 2012, Resolution No. 12-0564 authorized Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, design services to include interior design for C Lobby and the Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms, roof inspections, drainage system video investigation, and construction administration services for the Kay Bailey Hutchison Convention Center Dallas Improvement Program in an amount not to exceed \$1,217,060.00, from \$4,251,551.00 to \$5,468,611.00; and,

November 10, 2015

WHEREAS, on April 25, 2012, Resolution No. 12-1195 authorized Supplemental Agreement No. 5 to the professional services contract with HKS, Inc. for architectural, engineering, and construction administration services for digital signage system, additional electrical power supply for Upper Level D/C areas, a photovoltaic feasibility study, and Lamar streetscape conceptual design for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$245,266.00, from \$5,468,611.00 to \$5,713,877.00; and,

WHEREAS, on November 5, 2012, Administrative Action No. 12-2814 authorized Supplemental Agreement No. 6 to the professional services contract with HKS, Inc. for additional architectural, engineering and construction administration services for alterations of existing Elevator No. 7, additional rigging points in C Lobby and lounge spaces, design of digital signage systems for the Hall C Ballroom, Hall C Meeting Rooms, Lower Hall D Meeting Rooms and HVAC revisions in the Concourse C, C Ballroom and Lobby A for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$46,500.00, from \$5,713,877.00 to \$5,760,377.00; and,

WHEREAS, on January 23, 2013, Resolution No. 13-0181 authorized Supplemental Agreement No. 7 to the professional services contract with HKS, Inc. for architectural and engineering services for a lightning protection study, roof replacement, Area C furniture and restroom improvements for the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$488,445.00, from \$5,760,377.00 to \$6,248,822.00; and,

WHEREAS, the design and construction documents were complete and the construction of the next Improvement Program Project was publicly procured; and,

WHEREAS, on October 8, 2013, Resolution No. 13-1763 authorized a contract with Gilbert May, Inc. dba Phillips/May Corp. for the construction of interior improvements to C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$11,879,291.00; and,

WHEREAS, on July 8, 2014, Administrative Action No. 14-1108 authorized Change Order No. 1 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include Facilities Performance Associates for Environmental Investigation and abating rust encountered on C-100 Meeting Room's operable partitions in an amount not to exceed \$38,518.98, from \$11,879,291.00 to \$11,917,809.98; and,

November 10, 2015

WHEREAS, on September 10, 2014, Resolution No. 14-1468 authorized Change Order No. 2 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include mechanical, electrical, audio visual, and interior finish changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$221,899.69, from \$11,917,809.98 to \$12,139,709.67; and,

WHEREAS, on December 1, 2014, Administrative Action No. 14-2012 authorized Change Order No. 3 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include installation of Crestron Keypads in Meeting Rooms in lieu of manual dimming switches as requested by the Convention Center, in an amount not to exceed \$49,920.06, from \$12,139,709.67 to \$12,189,629.73; and,

WHEREAS, on January 28, 2015, Resolution No. 15-0216 authorized Change Order No. 4 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for the mechanical, electrical, audio visual and interior finish changes to the construction of interior improvements to the C Lobby and Pre-function areas, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas Improvement Program, in an amount not to exceed \$150,661.46, from \$12,189,629.73 to \$12,340,291.19; and,

WHEREAS, on April 30, 2015, Administrative Action No. 15-0609 authorized Change Order No. 5 to the contract with Gilbert May, Inc. dba Phillips/May Corp., increasing the contractor's scope of work to include upgrading finishes at lobby elevator shaft, added programming of the lighting system in the Ballroom, adding LED lighting to the lower level totems, raising the ball valve at the Ballroom restroom, relocating 4 AV connection panels, replacing a plexiglass door panel to match the adjacent glass doors and a credit back for not installing the center banner support in the lobby, in an amount not to exceed \$23,655.70, from \$12,340,291.19 to \$12,363,946.89; and,

WHEREAS, it is now desirable to authorize an increase in the contract for Change Order No. 6 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$320,366.84, from \$12,363,946.89 to \$12,684,313.73.

November 10, 2015

Now, Therefore,

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

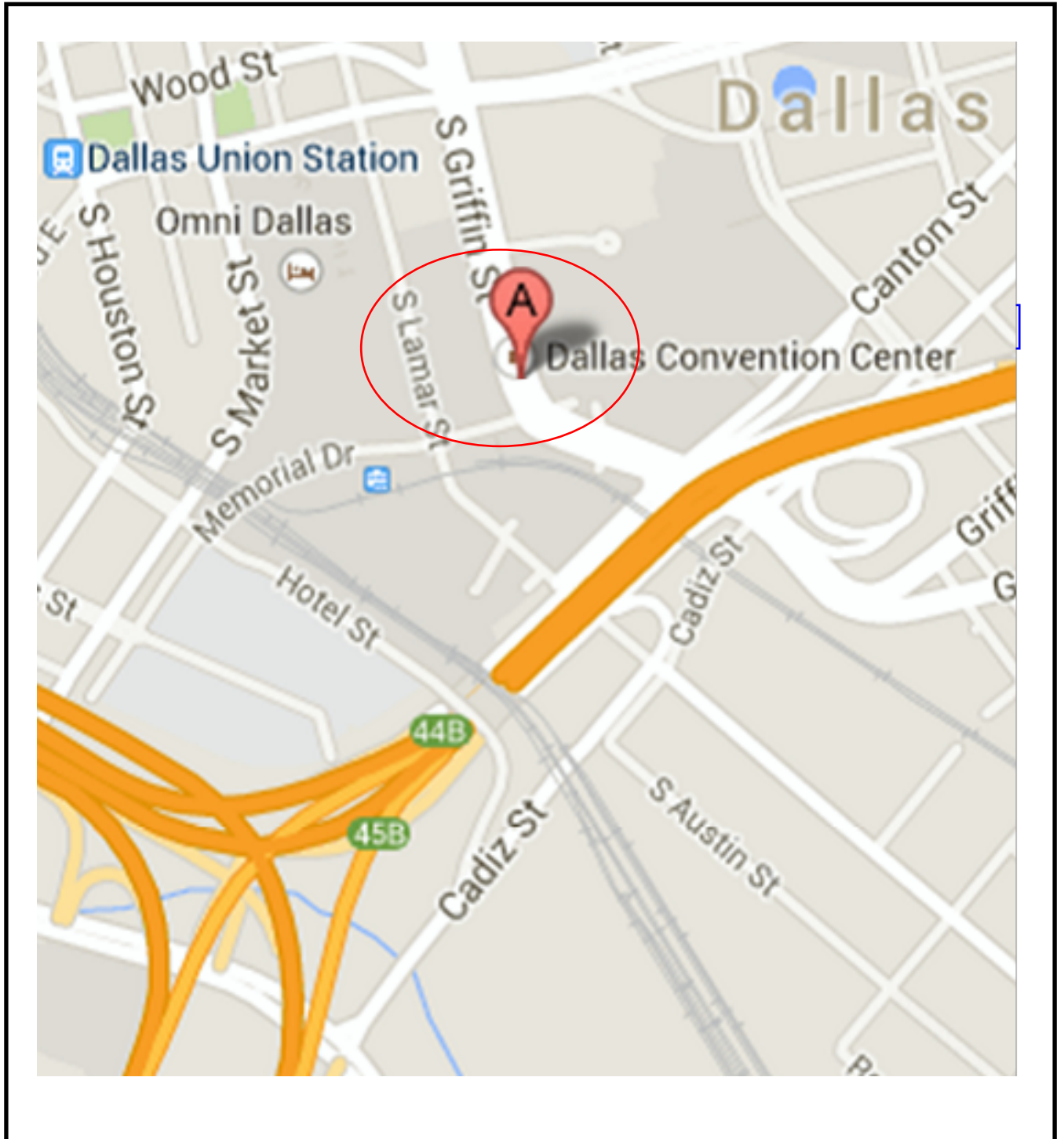
Section 1. That the City Manager is hereby authorized to execute an increase in the contract for Change Order No. 6 to the construction contract with Gilbert May, Inc. dba Phillips/May Corp. for electrical and lighting improvements including changes in the configuration, light fixtures, lighting controls and ceiling support, mechanical, plumbing improvements, interior modifications, repair of operable walls in meeting rooms and ballrooms, interior finish materials improvements for durability, painting and water damage repair changes to the construction of interior improvements to C Lobby and Pre-function, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas in an amount not to exceed \$320,366.84, from \$12,363,946.89 to \$12,684,313.73, 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:

2009 Convention Center Revenue Bonds
Fund 0568, Dept. CCT, Unit P505, Act. CCIM
Obj. 4310, Program #PBC00038, CT PBWC00038L1
Vendor #VS0000039750, in an amount not to exceed \$320,366.84

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.

Kay Bailey Hutchison Convention Center - Dallas



Mapsc0 45P

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 14
DEPARTMENT: Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 45L

SUBJECT

Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds

BACKGROUND

During the construction phase, the following additional modifications are required to the original scope of work:

- Replace all drain lines from all the building downspouts to the sump pits in the sub-basement. Also replace the existing sump pumps required to discharge stormwater from the existing sump pits to the City's stormwater system. Also install an 8" water line to supply the future code required fire sprinkler system for this building.
- Reinforce existing corroded steel lintels at six windows on the third floor.
- Fabricate over thirty variations of the reproduced historic exterior handrail on low planter walls due to numerous on-site conditions in order to comply with City codes.
- Reconfigure the Main Street exterior basement entrance to create a safer pedestrian environment.
- Reconfigure the Commerce Street exterior basement entrance to create a safer pedestrian environment.
- Reconstruct the existing planter walls on Harwood Street to the original height and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover

BACKGROUND (Continued)

- Reconstruct the existing planter on Commerce Street to the original size and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover.
- Install a new electrical panel required by the City building inspector to provide power to the new exterior lighting system instead of reusing the old existing panel.
- Install four new conduits from a manhole in Harwood Street to the basement for future use by UNT.
- Reconstruct the existing planter on Main Street to the original size and configuration. Increase the depth of the planter to provide enough soil for sod or groundcover.
- Install new lead flashing at the terracotta ledge at the fourth floor to prevent water infiltration at the joints. Credit to the City not to fabricate and install windows in place of original infilled window openings.
- Increase the height of the rain gutter on the fourth floor ledge to prevent water infiltration into the building.
- Reinforce the underneath side of the existing steps at the Commerce Street entry due to existing deteriorated concrete and steel reinforcement.
- Replace the original rotten wood framework supporting the ornate copper chapeau trim at the mansard tile roof.
- Install additional and upgraded door hardware at the basement entrances on Main, Harwood and Commerce Street due to the reconfiguration of these areas.
- Abate asbestos-containing waterproofing at the existing exterior planters and exit ramp from the basement of 2014 Main Street.
- Increase the height of the existing window sills at all windows in the mansard tile roof to prevent water infiltration at the fifth floor rain gutter.
- Install new powder-coated metal resembling patined copper instead of installing copper flashing which could cause future green staining on the restored terracotta and limestone elevations.
- Install additional flashing at the ornate copper chapeau trim to the flat building roof to prevent future rotting and water infiltration.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2008
Completed Design	June 2014
Began Construction	January 2015
Complete Construction	April 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Conley Group for design services for the exterior renovation of the 106 S. Harwood Building on June 25, 2008, by Resolution No. 08-1890.

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

Authorized Supplemental Agreement No. 5 to the professional services contract with Conley Group for additional design services related to asbestos abatement for the renovation of the 106 S. Harwood Building on October 23, 2013, by Resolution No. 13-1845.

Authorized a construction contract with Phoenix 1 Restoration and Construction, Ltd. for renovation of the Old Municipal Building located at 106 S. Harwood Street on January 14, 2015, by Resolution No. 15-0118.

Authorized Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street on June 17, 2015, by Resolution No. 15-1166.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

1998 Bond Funds - \$784,283.11

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Phoenix 1 Restoration and Construction, Ltd.

Hispanic Female	0	Hispanic Male	37
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	5	White Male	24

OWNER

Phoenix 1 Restoration and Construction, Ltd.

Dale Sellers, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction services contract with Phoenix 1 Restoration and Construction, Ltd. for additional work including reconfiguring basement entrances, reconstruction of planter boxes, replace drain lines and existing sump pumps to discharge stormwater, install new electrical panel, abate asbestos containing waterproofing at the exterior planters and exit ramp from the basement, additional repairs and or restoration of window sills and increase the height of window sills in the tile roof and installation of metal flashing to prevent water infiltration for the renovation of the Old Municipal Building located at 106 South Harwood Street - Not to exceed \$784,284, from \$11,319,018 to \$12,103,302 - Financing: 1998 Bond Funds

Phoenix 1 Restoration and Construction, 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	\$774,297.36	98.73%
Non-local contracts	\$9,985.75	1.27%
TOTAL THIS ACTION	\$784,283.11	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Texas Roof Management Inc.	WFWB62655N0716	\$144,278.00	18.63%
Axis Contracting	WFDB03204Y0516	\$58,210.00	7.52%
Slaughter Services	WFWB61739N0516	(\$2,374.90)	(0.31%)
Total Minority - Local		\$200,113.10	25.84%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Madden Electric	WFWB62897N0317	\$9,985.75	100.00%
Total Minority - Non-local		\$9,985.75	100.00%

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$210,098.85	26.79%	\$3,039,399.78	25.11%
Total	\$210,098.85	26.79%	\$3,039,399.78	25.11%

November 10, 2015

WHEREAS, on January 14, 2015, Resolution No. 15-0118 authorized the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of \$11,166,285.20; and,

WHEREAS, on June 17, 2015, Resolution No. 15-1166 authorized Change Order No. 1 to the construction contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building located at 106 S. Harwood Street in the amount of \$152,732.93, from \$11,166,285.20 to \$11,319,018.13; and,

WHEREAS, it is now necessary to authorize an increase in the contract with Phoenix 1 Restoration and Construction, Ltd. for the renovation of the Old Municipal Building, located at 106 S. Harwood Street in the amount of \$784,283.11, from \$11,319,018.13 to \$12,103,301.24.

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 increase in the contract with Phoenix 1 Restoration and Construction, Ltd. for the Renovation of the Old Municipal Building, located at 106 S. Harwood Street in the amount of \$784,283.11, from \$11,319,018.13 to \$12,103,301.24.

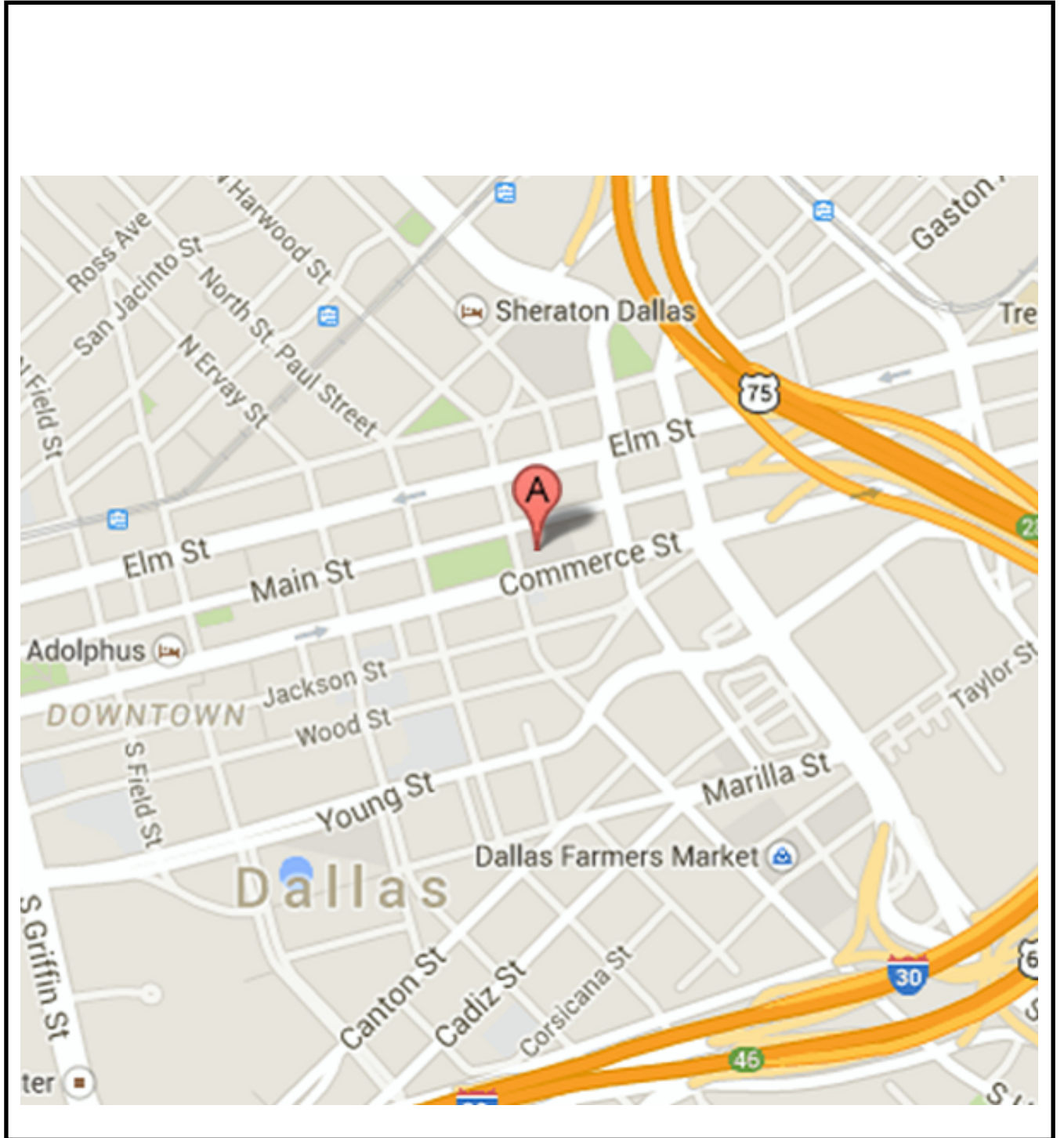
Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

City Facilities and Improvement Fund
Fund 1P60, Dept. PBW, Unit N924, Act. MMCF
Obj. 4310, Program #PB98N924, CT PBW98N924D1
Vendor #VC0000003594, in an amount not to exceed \$784,283.11

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.

106 S Harwood St Building



Mapsc0 45L

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 2
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 34N

SUBJECT

Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project – Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 – Financing: General Obligation Commercial Paper Funds

BACKGROUND

The 2012 Bond Program funded the design and construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project to alleviate street flooding and improve the existing floodplain. This project installed stormwater drainage and sanitary sewer improvements that will revise the existing floodplain and allow the redevelopment of approximately 37 acres. A construction contract for the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project was authorized by City Council on December 11, 2013.

This action will authorize Change Order No. 2 with RKM Utility Services, Inc., to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and provide additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2013
Completed Design	October 2013
Began Construction	March 2014
Complete Construction	November 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Fill Permit 07-03 on November 28, 2007, by Resolution No. 07-3528.

Authorized a professional services contract for engineering design services on February 13, 2013, by Resolution No.13-0321.

Authorized a construction contract with RKM Utility Services, Inc. for the construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project on December 11, 2013, by Resolution No. 13-2088.

Authorized an increase in the construction contract with RKM Utility Services, Inc. for the construction of the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements on September 10, 2014, by Resolution No. 14-1480.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$171,493.00

Design	
Public Private Partnership Funds	\$134,600.00
Wastewater Capital Improvement Funds	\$5,000.00
Supplemental Agreement No. 1	<u>\$1,870.75</u>
Total Design	\$141,470.75
Construction	\$4,887,413.00
Change Order No. 1	\$144,425.00
Change Order No. 2 (this action)	<u>\$171,493.00</u>
Total Construction Cost	\$5,203,331.00
Total Project Cost	\$5,344,801.75

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

RKM Utility Services, Inc.

Hispanic Female	4	Hispanic Male	290
African-American Female	0	African-American Male	55
Other Female	0	Other Male	0
White Female	7	White Male	75

OWNER(S)

RKM Utility Services, Inc.

Ryan Dowdy, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with RKM Utility Services, Inc. for additional excavation for detention pond improvements, mobilization for completion of the stormwater box culvert, and additional material for stormwater pollution prevention for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project – Not to exceed \$171,493, from \$5,031,838 to \$5,203,331 – Financing: General Obligation Commercial Paper Funds

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$171,493.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$171,493.00	100.00%

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%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
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%	\$1,302,500.00	25.03%
Total	\$0.00	0.00%	\$1,302,500.00	25.03%

November 10, 2015

WHEREAS, on November 28, 2007, Resolution No. 07-3528 authorized Fill Permit 07-03 for the Forest Park/Mockingbird Retail Development; and

WHEREAS, on February 13, 2013, Resolution No. 13-0321 authorized a professional services contract for engineering design services with URS Corporation in an amount not to exceed \$139,600.00; and

WHEREAS, on November 5, 2013, Administrative Action No. 13-1248 authorized Supplemental Agreement No. 1 to the professional services contract with URS Corporation for additional services needed for the stormwater drainage and wastewater improvements in an amount not to exceed \$1,870.75, increasing the contract from \$139,600.00 to \$141,470.75; and

WHEREAS, on December 11, 2013, Resolution No. 13-2088 authorized a construction contract with RKM Utility Services, Inc. for construction services for the Mockingbird Lane from Maple Avenue to Forest Park Flood and Storm Drainage Improvements Project in the amount of \$4,887,413.00; and

WHEREAS, on September 10, 2014, Resolution No. 14-1480 authorized Change Order No. 1 to the construction contract with RKM Utility Services, Inc. for additional stormwater drainage, wastewater and paving improvements in the amount of \$144,425.00, increasing the contract from \$4,887,413.00 to \$5,031,838.00; and

WHEREAS, it is necessary to authorize an increase in the construction contract with RKM Utility Services, Inc. to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and additional material for stormwater pollution prevention (Change Order No. 2) for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project, in an amount not to exceed \$171,493.00, increasing the contact from \$5,031,838.00 to \$5,203,331.00.

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 increase in the construction contract with RKM Utility Services, Inc. to include excavation for the detention pond improvements, mobilization for completion of the stormwater box culverts, and additional material for stormwater pollution prevention (Change Order No. 2) for the Mockingbird Lane from Maple Avenue to Forest Park Storm Drainage Improvements Project, in an amount not to exceed \$171,493.00, increasing the contact from \$5,031,838.00 to \$5,203,331.00.

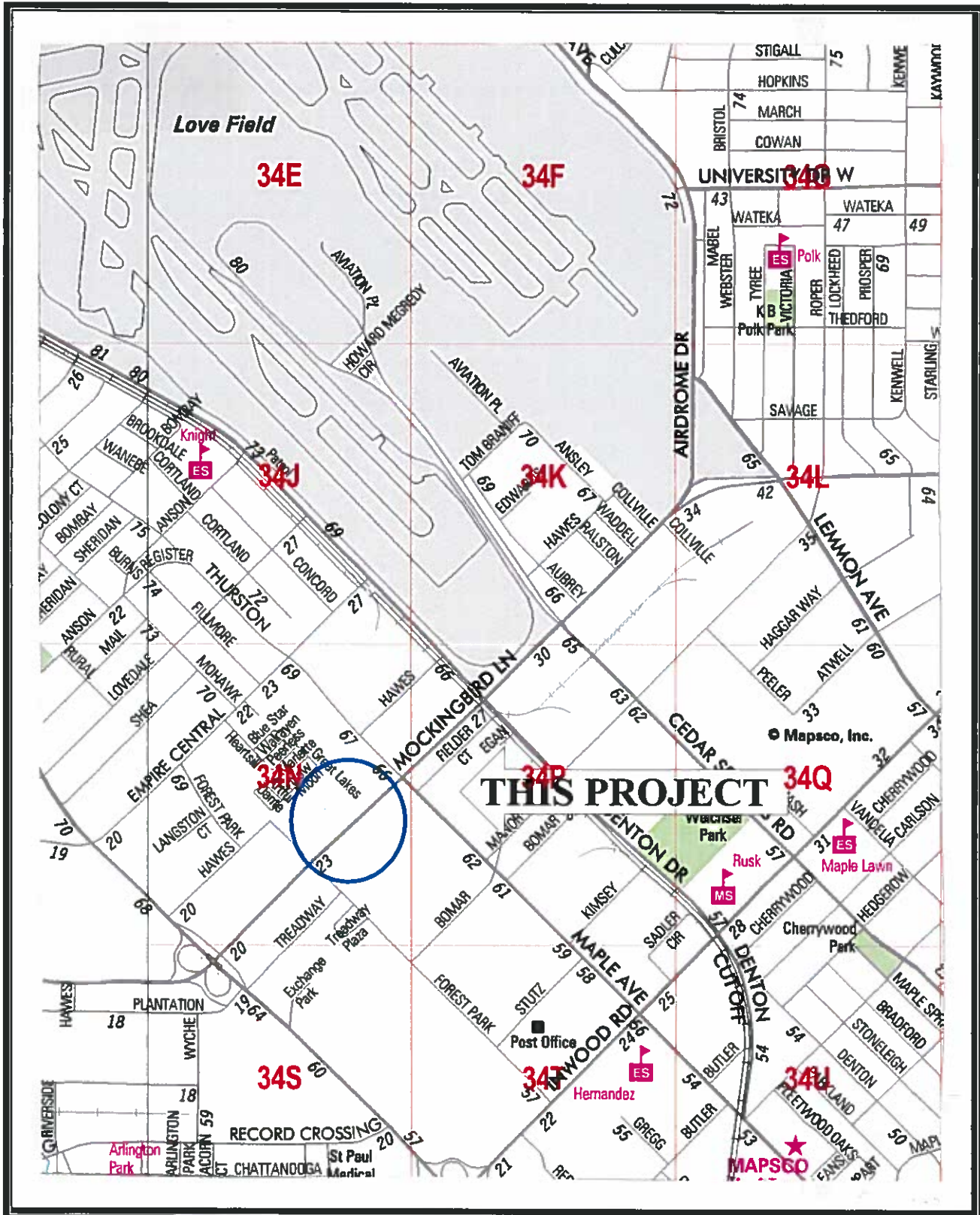
November 10, 2015

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

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S767, Activity FLDM
Object 4540, Program #TW12S767, CT TWM12S7671
Vendor No. VS0000026242, in an amount not to exceed \$171,493.00

Section 3. That this resolution shall take effective 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.

MOCKINGBIRD – MAPLE FLOOD MANAGEMENT PROJECT



MAPSCO 34N

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 9

DEPARTMENT: Trinity Watershed Management
Public Works Department

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

MAPSCO: 36H 37E and 37J

SUBJECT

Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project – Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 – Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)

BACKGROUND

The Rush Creek Diversion System and Drainage Improvements Project was funded in the 2006 Bond Program and consists of a large box culvert with an inlet structure at Ridgewood Park and an outfall at Williamson Branch near White Rock Lake. This project also included local drainage system improvements in Axton, Santa Anita and Ridgemont Streets. Collectively, these improvements will eliminate twenty homes from the 100-year floodplain and reduce the flooding potential on additional properties. A construction contract for the Rush Creek Diversion System and Drainage Improvements was authorized by Council on June 22, 2011.

During the installation of the concrete box culverts, an existing Qwest Communication fiber optic line was encountered that delayed the work progress. In addition, a portion of the fiber optic line was damaged during construction and required relocation and repair. Full width paving, including curb and gutter, was authorized in the neighborhood impacted by the local drainage improvements. This action will authorize Change Order No. 4 to the construction contract with SJ Louis Construction of North Texas, Ltd. for additional fiber optic line repair and relocation and full width paving in the area neighborhood.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2006
Completed Design	April 2010
Began Construction	October 2011
Complete Construction	July 2015

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HDI Group, Inc. for engineering services for the design of concrete box culverts for Rush Creek at Patrick Avenue and Trammel Drive crossings on April 12, 2006, by Resolution No. 06-1036.

Authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc. for additional engineering services for the design of concrete box culverts for the Rush Creek Diversion System and Drainage Improvements Project at the Patrick Avenue and Trammel Drive crossings on May 23, 2007, by Resolution No. 07-1545.

Authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Diversion System and Drainage Improvements Project on September 26, 2007, by Resolution No. 07-2831.

Authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc. a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Relief/Diversion System on October 28, 2009, by Resolution No. 09-2645.

Authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for the Rush Creek Diversion System and Drainage Improvements Project on February 10, 2010, by Resolution No. 10-0480.

Authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering services for additional engineering design services of concrete box culverts for Rush Creek Diversion System and Drainage Improvements Project at the Patrick Avenue and Trammel Drive crossings on October 26, 2010, by Resolution No. 10-2750.

Authorized a construction contract with SJ Louis Construction of Texas Ltd. for the construction of Rush Creek Diversion System and Drainage Improvements on June 22, 2011, by Resolution No. 11-1727.

Authorized Change Order No. 2 to the contract with SJ Louis Construction of Texas Ltd., for the construction of the Rush Creek Diversion System and Drainage Improvements Project on April 24, 2013, by Council Resolution No. 13-0718.

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

Authorized Change Order No. 3 to the contract with SJ Louis Construction of Texas Ltd., for the construction of the Rush Creek Diversion System and Drainage Improvements Project on December 11, 2013, by Council Resolution No. 13-2089.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

2003 Bond Funds - \$144,259.53
2006 Bond Funds - \$320,004.44

<u>Design</u>	\$924,015.00
Supplemental Agreement No. 1	\$72,915.00
Supplemental Agreement No. 2	\$646,000.00
Supplemental Agreement No. 3	<u>\$60,007.00</u>

Total Design Cost \$1,702,937.00

<u>Construction</u>	
Paving & Drainage	\$8,327,531.39
Water & Wastewater (DWU)	\$864,084.00
Change Order No. 1	\$24,900.00
Change Order No. 2	\$273,371.89
Change Order No. 3	\$251,683.45
Change Order No. 4 (This action)	<u>\$464,263.97</u>

Total Construction Cost \$10,205,834.70

Total Project Cost \$11,908,771.70

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

SJ Louis Construction of Texas, Ltd.

Hispanic Female	3	Hispanic Male	227
African-American Female	0	African-American Male	1
Other Female	0	Other Male	0
White Female	11	White Male	65

OWNER

SJ Louis Construction of Texas, Ltd.

Les V. Whitman, General Manager

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with SJ Louis Construction of Texas, Ltd. for additional local drainage improvements and fiber optic cable relocation for the Rush Creek Diversion System and Drainage Improvements Project – Not to exceed \$464,264, from \$9,741,571 to \$10,205,835 – Financing: 2003 Bond Funds (\$144,260) and 2006 Bond Funds (\$320,004)

SJ Louis Construction of Texas, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$464,263.97	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$464,263.97	100.00%

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%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
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%	\$2,260,614.55	22.15%
Total	\$0.00	0.00%	\$2,260,614.55	22.15%

November 10, 2015

WHEREAS, on April 12, 2006, Resolution No. 06-1036 authorized a professional services contract with HDI Group Inc. for engineering services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$147,670; and,

WHEREAS, on January 10, 2007, Administrative Action No. 07-0242 authorized Supplemental Agreement No. 1 with HDI Group Inc. for the reassignment of the contract with HDI Group Inc. to LopezGarcia Garcia Group, Inc.; and,

WHEREAS, on May 23, 2007, Resolution No. 07-1545 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc. for additional engineering design and surveying services related to the hydraulic modeling for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$48,790, from \$147,670 to \$196,460; and,

WHEREAS, on September 26, 2007, Resolution No. 07-2831 authorized a professional services contract with LopezGarcia Group, Inc. for engineering services for the Rush Creek Relief/Diversion System in the amount of \$755,840; and,

WHEREAS, on October 13, 2009, Administrative Action No. 09-2849 authorized professional services contract with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$20,505; and,

WHEREAS, on October 28, 2009, Resolution No. 09-2645 authorized Supplemental Agreement No. 1 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the water and wastewater main relocations at various locations in close proximity to the proposed local drainage system in the amount of \$69,140 from \$755,840 to \$824,980; and,

WHEREAS, on February 10, 2010, Resolution No. 10-0480 authorized Supplemental Agreement No. 2 with LopezGarcia Group, Inc., a wholly owned subsidiary of URS Corporation for additional engineering design and surveying services related to the new alignment for the Rush Creek Relief/Diversion System in the amount of \$597,210, from \$824,980 to \$1,422,190; and,

WHEREAS, on October 26, 2010, Resolution No. 10-2750 authorized Supplemental Agreement No. 3 with LopezGarcia Group Inc., a wholly owned subsidiary of URS Corporation for additional engineering design services for the design of concrete box culverts for Rush Creek at the Patrick Avenue and Trammel Drive crossings in the amount of \$60,007, from \$196,460 to \$256,467; and,

November 10, 2015

WHEREAS, on November 19, 2010 Administrative Action No. 11-0454 authorized Supplemental Agreement No. 2 with Newman, Jackson, Bieberstein Landscape Architecture for Ridgewood Park Playground and Site Improvements related to the Rush Creek Relief/Diversion System in the amount of \$3,575.00, increasing the contract from \$20,505 to \$24,080; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized reprogramming of the following two canceled projects from the 2003 Bond Program: Rush Creek Culvert at Fisher (\$284,870) and Rush Creek Culvert at Dalgreen (\$292,754) and used \$577,624 for the Rush Creek Diversion System and Drainage Improvements Project; and,

WHEREAS, on June 22, 2011, Resolution No. 11-1727 authorized a construction contract with SJ Louis Construction of Texas, Ltd., Inc. for construction services for the Rush Creek Relief/Diversion System project in the amount of \$9,191,615.39; and,

WHEREAS, on February 9, 2012, Administrative Action No. 12-0436 authorized Change Order No. 1 to the contract with SJ Louis Construction of Texas, Ltd., for the relocation of an existing fiber optic cable for the Rush Creek Relief/Diversion System Project in the amount of \$24,900.00 increasing the contract from \$9,191,615.39 to \$9,216,515.39; and,

WHEREAS, on April 24, 2013 Resolution No. 13-0718 authorized Change Order No. 2 to the contract with SJ Louis Construction of Texas, Inc., for additional water and wastewater services and additional paving improvements for the Rush Creek Relief/Diversion System Project in the amount of \$273,371.89 increasing the contract from \$9,216,515.39 to \$9,489,887.28; and,

WHEREAS, on December 11, 2013 Resolution No. 13-2089 authorized Change Order No. 3 to the contract with SJ Louis Construction of Texas, Inc., for additional water and wastewater services and additional paving improvements for the Rush Creek Relief/Diversion System Project in the amount of \$251,683.45 increasing the contract from \$9,489,887.28 to 9,741,570.73 and,

WHEREAS, it is necessary to authorize Change Order No. 4 to the contract with S.J. Louis Construction of Texas, Ltd., for additional diversion drainage improvements, trash grate, and unforeseen underground utility relocation for the Rush Creek Relief/Diversion System Project in the amount of \$464,263.97 increasing the contract from \$9,741,570.73 to \$10,205,834.70 and,

November 10, 2015

Now, Therefore,

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

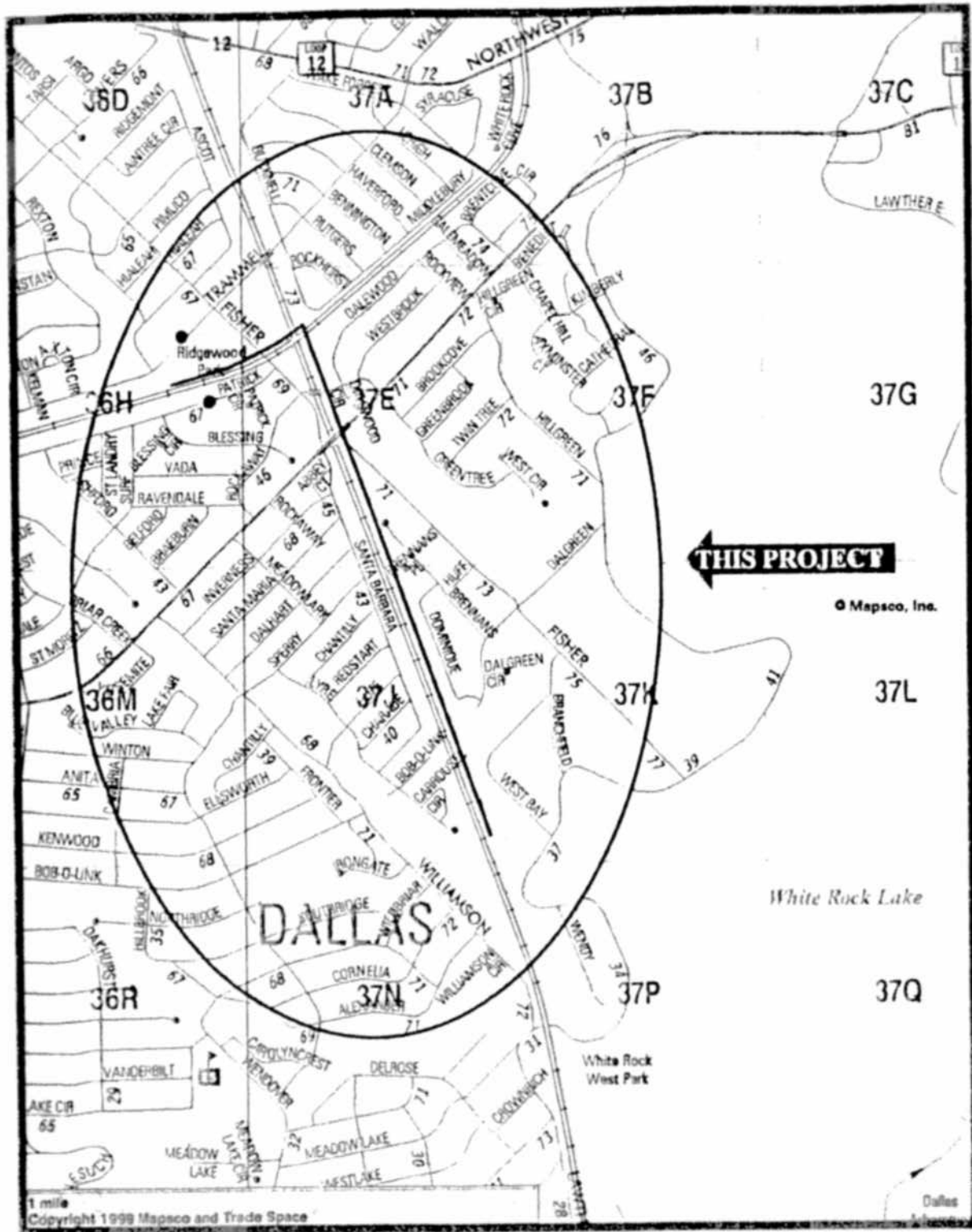
Section 1. That the City Manager is hereby authorized to execute Change Order No. 4 to the contract with S.J. Louis Construction of Texas Ltd. for additional local drainage improvements, Ridgewood Park enhancements and pedestrian safety improvements for the Rush Creek Diversion System and Drainage Improvements Project in an amount not to exceed \$464,263.97 increasing the contract from \$9,741,570.73 to \$10,205,834.70.

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

Flood Protection and Storm Drainage Facilities Fund Fund 6R23, Dept. PBW, Unit T533, Act. FLDM Object 4540, Program PB06T533, CT PBW06T533I2 Vendor #356847, in an amount not to exceed	\$144,259.53
Flood Protection and Storm Drainage Facilities Fund Fund 8T23, Dept. PBW, Unit T533, Act. FLDM Object 4540, Program PB06T533, CT PBW06T533I2 Vendor #356847, in an amount not to exceed	\$9,922.13
Flood Protection and Storm Drainage Facilities Fund Fund 7T23, Dept. PBW, Unit T533, Act. FLDM Object 4540, Program PB06T533, CT PBW06T533I2 Vendor #356847, in an amount not to exceed	\$240,669.42
Flood Protection and Storm Drainage Facilities Fund Fund BT23, Dept. TWM, Unit T533, Act. FLDM Object 4540, Program PB06T533, CT PBW06T533I2 Vendor #356847, in an amount not to exceed	<u>\$69,412.89</u>
Total not to exceed	\$464,263.97

Section 3. That this resolution shall take effective 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.

RUSH CREEK DIVERSION SYSTEM AND DRAINAGE IMPROVEMENTS



MAPSCO 36H, 37E, 37J

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 11
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: 26 B

SUBJECT

Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

On March 27, 2013, the City Council authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and replacement of large valves at various locations. Change Order No. 1 to this contract was authorized by the City Council on May 14, 2014, for emergency repairs to a 60-inch wastewater main adjacent to Interstate Highway 45 just north of Overton Road. Change Order No. 2 to this contract was authorized by City Council on May 27, 2015 for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway.

This action consists of the installation of approximately 317 feet of 48-inch wastewater main across Central Expressway. This 48-inch wastewater main is one of several wastewater mains that Dallas Water Utilities (DWU) is currently designing and constructing near Central Expressway just south of Forest Lane associated with an overall capacity improvement project as recommended in the 2007 Wastewater Collection System Master Plan. Implementation of the project has included coordination of design and construction activities with ongoing commercial development on the east side of Central Expressway. In order to avoid major disruption and future conflicts with the development it is critical to construct the 48-inch pipeline across Central Expressway before the development is completed. By accelerating construction of the highway crossing, DWU will also avoid the added costs associated with restoring new parking and landscaped areas.

ESTIMATED SCHEDULE OF PROJECT

Began Design February 2011
Completed Design November 2012
Began Construction May 2013
Complete Construction April 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with EJES, Incorporated to provide engineering design services for the renewal of water and wastewater mains at 31 locations on January 12, 2011, by Resolution No. 11-0186.

Authorized a contract with John Burns Construction Company of Texas, Inc. for the installation of water and wastewater mains and the replacement of large valves at 46 locations on March 27, 2013, by Resolution No. 13-0516.

Authorized an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 60-inch wastewater main and other connected pipelines at the vicinity of Overton Road and Interstate Highway 45 on May 14, 2014, by Resolution No. 14-0766.

Authorized an increase in the contract with John Burns Construction Company of Texas, Inc. for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway on May 27, 2015, by Resolution No. 15-0979.

Information about this item will be provided to the Transportation & Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

\$819,488.00 - Water Utilities Capital Improvement Funds

Design	\$ 1,049,890.00
Construction Contract	\$ 8,327,447.20
Change Order No. 1	\$ 488,550.00
Change Order No. 2	\$ 326,940.00
Change Order No. 3 (this action)	<u>\$ 819,488.00</u>
Total Project Cost	\$11,012,315.20

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

John Burns Construction Company of Texas, Inc.

Hispanic Female	0	Hispanic Male	45
Black Female	0	Black Male	0
Other Female	0	Other Male	0
White Female	3	White Male	21

OWNER

John Burns Construction Company of Texas, Inc.

John B. O'Malley, Owner

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for the installation of a 48-inch wastewater main across U.S. Highway 75 (Central Expressway) just south of Park Central Plaza - Not to exceed \$819,488, from \$9,142,938 to \$9,962,426 - Financing: Water Utilities Capital Improvement Funds

John Burns Construction Company of Texas, 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	\$686,102.00	83.72%
Non-local contracts	\$133,386.00	16.28%
TOTAL THIS ACTION	\$819,488.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Bussey Trucking	BMMB62596Y0716	\$7,096.00	1.03%
Supreme Sawing & Seal	HMDB15304Y0816	\$326.00	0.05%
Magnum Manhole & Utility, Inc.	WFDB64723Y0416	\$1,007.00	0.15%
Total Minority - Local		\$8,429.00	1.23%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Buyers Barricades	WFDB24016Y0516	\$3,000.00	2.25%
LB Transportation	WFWB63580N1116	\$2,557.00	1.92%
Total Minority - Non-local		\$5,557.00	4.17%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$7,096.00	0.87%	\$215,963.00	2.17%
Hispanic American	\$326.00	0.04%	\$2,557,827.00	25.67%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$6,564.00	0.80%	\$382,355.00	3.84%
Total	<u>\$13,986.00</u>	<u>1.71%</u>	<u>\$3,156,145.00</u>	<u>31.68%</u>

November 10, 2015

WHEREAS, on March 27, 2013, the City Council awarded Contract No. 13-029/030 in the amount of \$8,327,447.20, by Resolution No. 13-0516, to John Burns Construction Company of Texas, Inc., for the installation of water and wastewater mains and the replacement of large valves at 46 locations; and,

WHEREAS, on May 14, 2014, the City Council awarded Change Order No. 1 in the amount of \$488,550.00, by Resolution No. 14-0766, for emergency repairs to a 60-inch wastewater main and other connected pipelines in the vicinity of Overton Road and Interstate Highway 45; and,

WHEREAS, on May 27, 2015, the City Council approved Change Order No. 2 in the amount of \$326,940.00, by Resolution No. 15-0979, for emergency repairs to a 30-inch wastewater main in the vicinity of Park Central Place and North Central Expressway; and,

WHEREAS, Dallas Water Utilities has a need to install a 48-inch wastewater main across Central Expressway just south of Park Central Plaza to avoid future conflict with the commercial development in the area; and,

WHEREAS, John Burns Construction Company of Texas, Inc., 655 East Main Street, Lewisville, Texas 75057, has submitted an acceptable proposal for this additional work; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 13-029/030 be increased by \$819,488.00, from \$9,142,937.20 to \$9,962,425.20.

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. 13-029/030 with John Burns Construction Company of Texas, Inc., be revised accordingly.

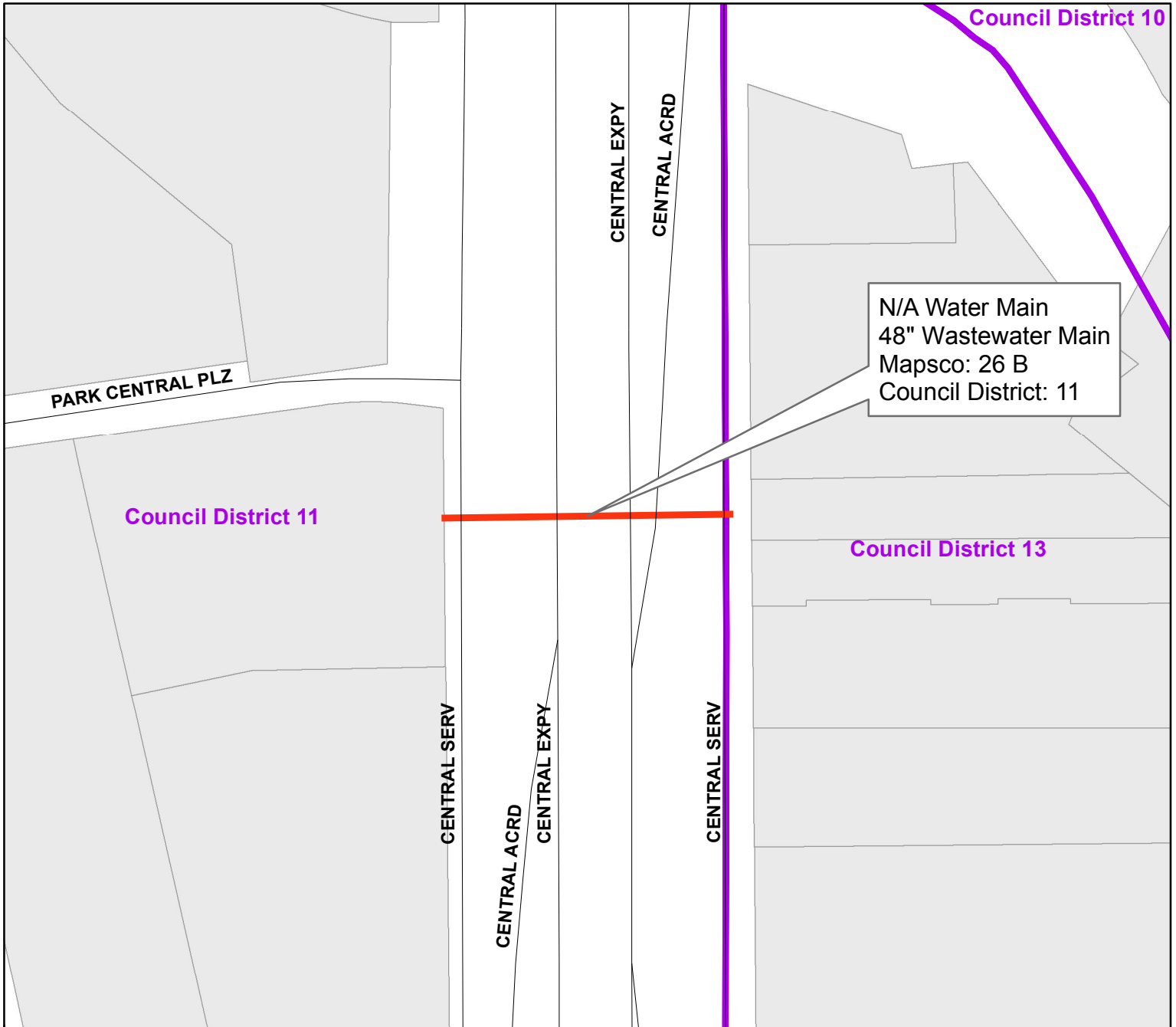
Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$819,488.00 from the Wastewater Capital Improvement Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
2116	DWU	PS40	4560	713030	CT-DWU713030CPA	199054

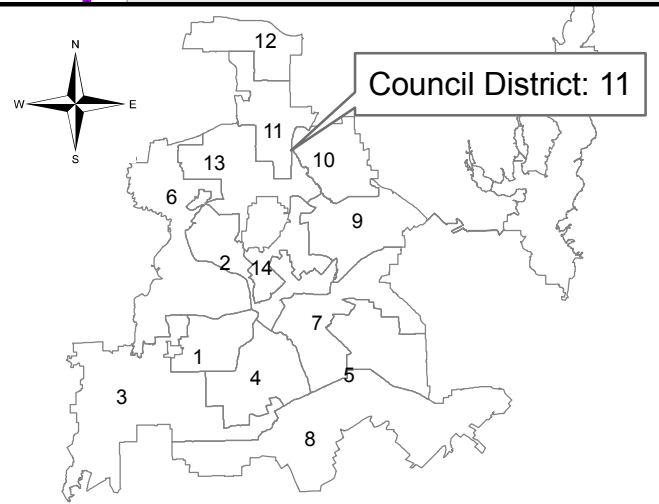
John Burns Construction Company of Texas, Inc. - \$819,488.00

November 10, 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.



Easement across U.S. Highway 75
south of Park Central Plaza



Dallas Water Utilities
Contract No. 13-029/030, Change Order No. 3
48" Wastewater Interceptor Installation

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): 6, 11, Outside City Limits
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: 2 T 25 R 33 C G

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of providing construction management services for year three of water quality improvement construction contracts at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant. Construction management services are also being provided for the Walcrest Pump Station Improvements project located at Hillcrest Road and Walnut Hill Lane. This supplemental agreement will provide construction management services necessary to manage and coordinate approximately \$150M of ongoing construction at these sites. This construction management contract was planned as a phased approach to match each fiscal year's construction projects with construction management needs. The intent of the annual authorization via supplemental agreements is to assure continuity in management and review of services.

Construction management services under this contract will plan and coordinate construction projects as the City's representative. This contract will both partner with and augment current City staff assigned to these projects. The construction management firm will be responsible for ensuring that all work is accomplished in accordance with the project plans and specifications, in a manner that meets the operational objectives, negotiating change orders, and aiding in resolution of any conflicts.

BACKGROUND (Continued)

Construction management services are necessary to efficiently schedule and stage complex, simultaneous construction activities with multiple contractors. Additional construction management services include schedule and budget evaluations, value engineering, constructability reviews, accuracy checks on cost estimates, monitoring the quality of the construction work, and documenting the materials, labor and equipment used.

ESTIMATED SCHEDULE OF PROJECT

Began Services September 2013
Complete Services October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with CH2M HILL Engineers, Inc. to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and relocation of a 48-inch wastewater main along Bachman Lake on August 28, 2013, by Resolution No. 13-1462.

Authorized a Supplemental Agreement No. 1 to the engineering services contract with CH2M HILL Engineers, Inc. for additional engineering services to provide construction management services for construction contracts related to (1) water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and (2) relocation of a 48-inch wastewater main just north of the Bachman Lake Dam on October 22, 2014, by Resolution No. 14-1825.

Information about this item will be provided to the Transportation & Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

\$3,111,029.00 - Water Utilities Capital Improvement Funds

Construction Management Services	\$ 3,611,650.00
Supplemental Agreement No. 1	\$ 3,963,775.00
Supplemental Agreement No. 2 (this action)	<u>\$ 3,111,029.00</u>
 Total Project Cost	 \$10,686,454.00

FISCAL INFORMATION (Continued)

<u>Council District</u>	<u>Amount</u>
6	\$1,252,521.00
11	\$ 791,145.00
Outside City Limits	<u>\$1,067,363.00</u>
Total	\$3,111,029.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CH2M HILL Engineers, Inc.

Hispanic Female	3	Hispanic Male	6
Black Female	4	Black Male	1
Other Female	0	Other Male	7
White Female	35	White Male	74

OWNER

CH2M HILL Engineers, Inc.

Edward M. Motley, Vice President

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 2 to the professional services contract with CH2M HILL Engineers, Inc., to provide additional construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements - Not to exceed \$3,111,029, from \$7,575,425 to \$10,686,454 - Financing: Water Utilities Capital Improvement Funds

CH2M HILL Engineers, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-consultants.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$3,019,329.00	97.05%
Non-local contracts	\$91,700.00	2.95%
TOTAL THIS ACTION	\$3,111,029.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Levis Consulting Group, LLC	BFDB63651Y1115	\$1,680.00	0.06%
Kai/Alliance, LLC	BMMB61714N0516	\$393,967.00	13.05%
Foster CM Group, Inc.	BMMB64036N0117	\$354,181.00	11.73%
Reginald Loftin Photographer	BMDB11783Y0816	\$16,000.00	0.53%
Rita Cox & Company	WFWB64262N0217	\$23,760.00	0.79%
Total Minority - Local		\$789,588.00	26.15%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
All Janitorial Professional Svcs., Inc.	WFDFW224960616	\$11,700.00	12.76%
Total Minority - Non-local		\$11,700.00	12.76%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY
Page 2

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$765,828.00	24.62%	\$2,680,321.65	25.08%
Hispanic American	\$0.00	0.00%	\$18,650.00	0.17%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$35,460.00	1.14%	\$80,460.00	0.75%
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$801,288.00	25.76%	\$2,779,431.65	26.01%

November 10, 2015

WHEREAS, on August 28, 2013, the City Council awarded Contract No. 12-079E in the amount of \$3,611,650.00, by Resolution No. 13-1462, to CH2M HILL Engineers, Inc., to provide construction management services for construction contracts related to water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and,

WHEREAS, on October 22, 2014, the City Council awarded Supplemental Agreement No. 1 in the amount of \$3,963,775.00, by Resolution No. 14-1825, to CH2M HILL Engineers, Inc., for additional engineering services to provide construction management services for construction contracts related to (1) water quality improvements at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant; and (2) relocation of a 48-inch wastewater main just north of the Bachman Lake Dam; and,

WHEREAS, ongoing construction activities at the Elm Fork Water Treatment Plant and the Bachman Water Treatment Plant, and the Walcrest Pump Station Improvements project total approximately \$150M of on-going construction at these sites; and,

WHEREAS, additional engineering services are required to supervise, coordinate, and manage the day-to-day activities of multiple contractors; and,

WHEREAS, CH2M HILL Engineers, Inc., 12750 Merit Drive, Suite 1100, Dallas, Texas 75251, has submitted an acceptable proposal to provide these engineering services; and,

WHEREAS, Dallas Water Utilities recommends that Contract No. 12-079E be increased by \$3,111,029.00, from \$7,575,425.00 to \$10,686,454.00.

Now, Therefore,

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

Section 1. That the proposed Supplemental Agreement No. 2 be accepted and that Contract No. 12-079E with CH2M HILL Engineers, Inc., be revised accordingly.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved 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 \$3,111,029.00 from the Water Capital Improvement Fund as follows:

November 10, 2015

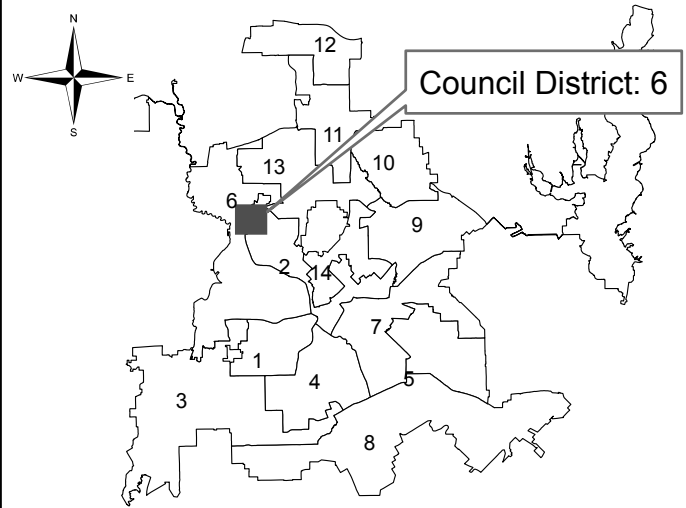
<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>PRO</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
3115	DWU	PW31	4116	712079	CT-DWU712079CP	VS0000065954

CH2M HILL Engineers, Inc. - (Contract No. 12-079E) - \$3,111,029.00

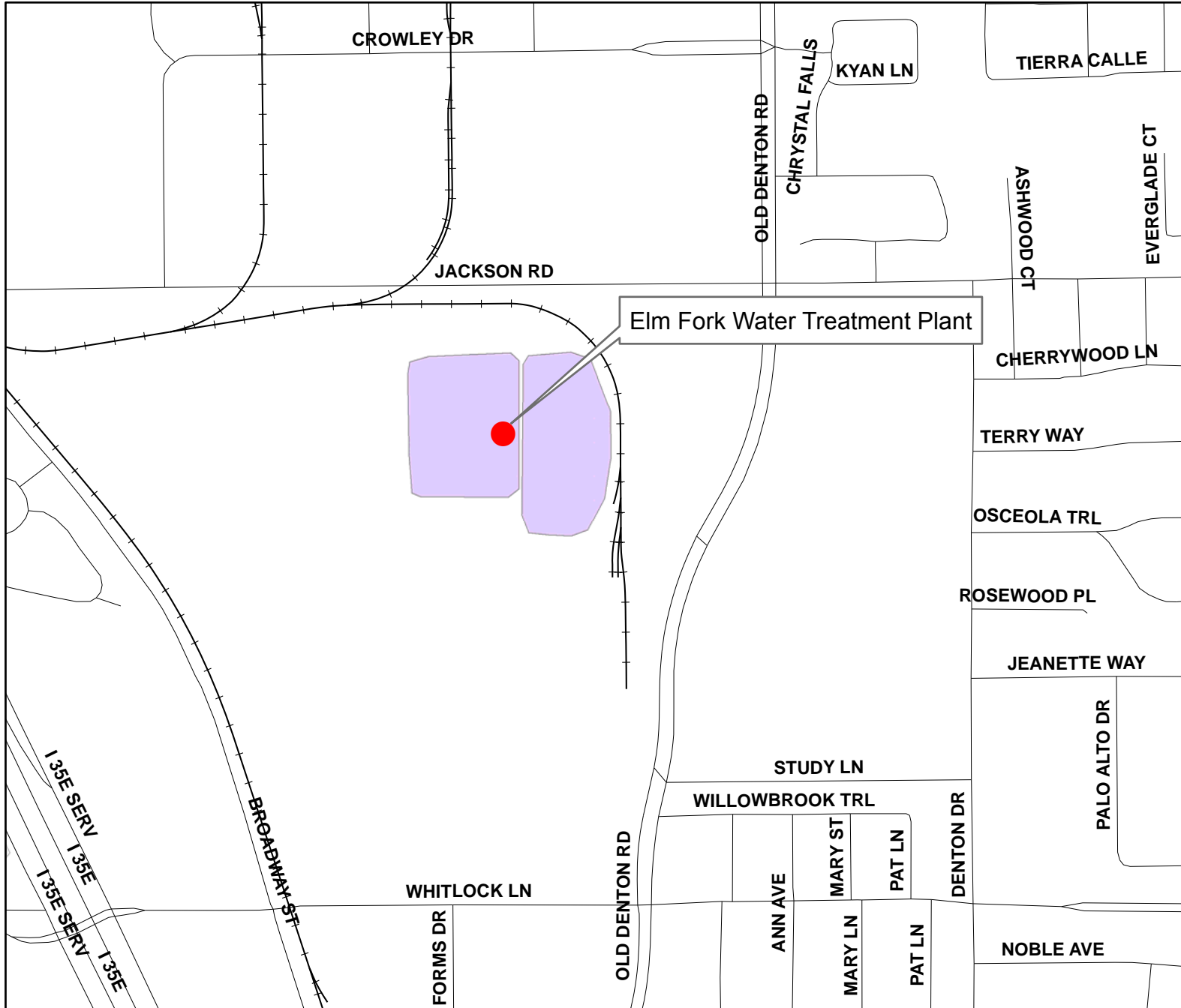
Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



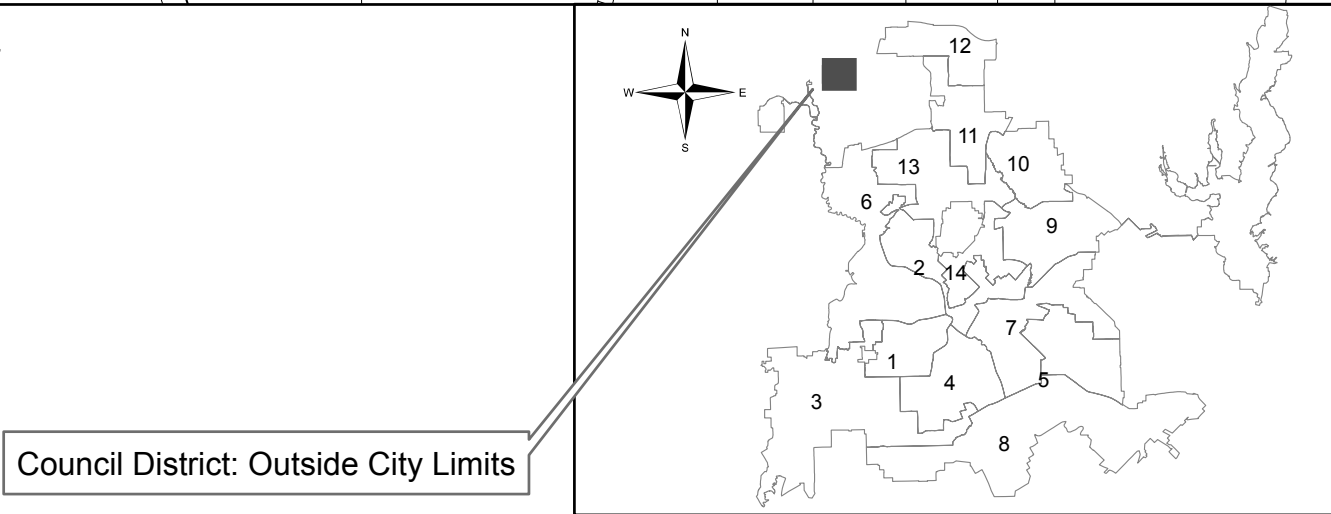
Mapsc0: 33 C, G



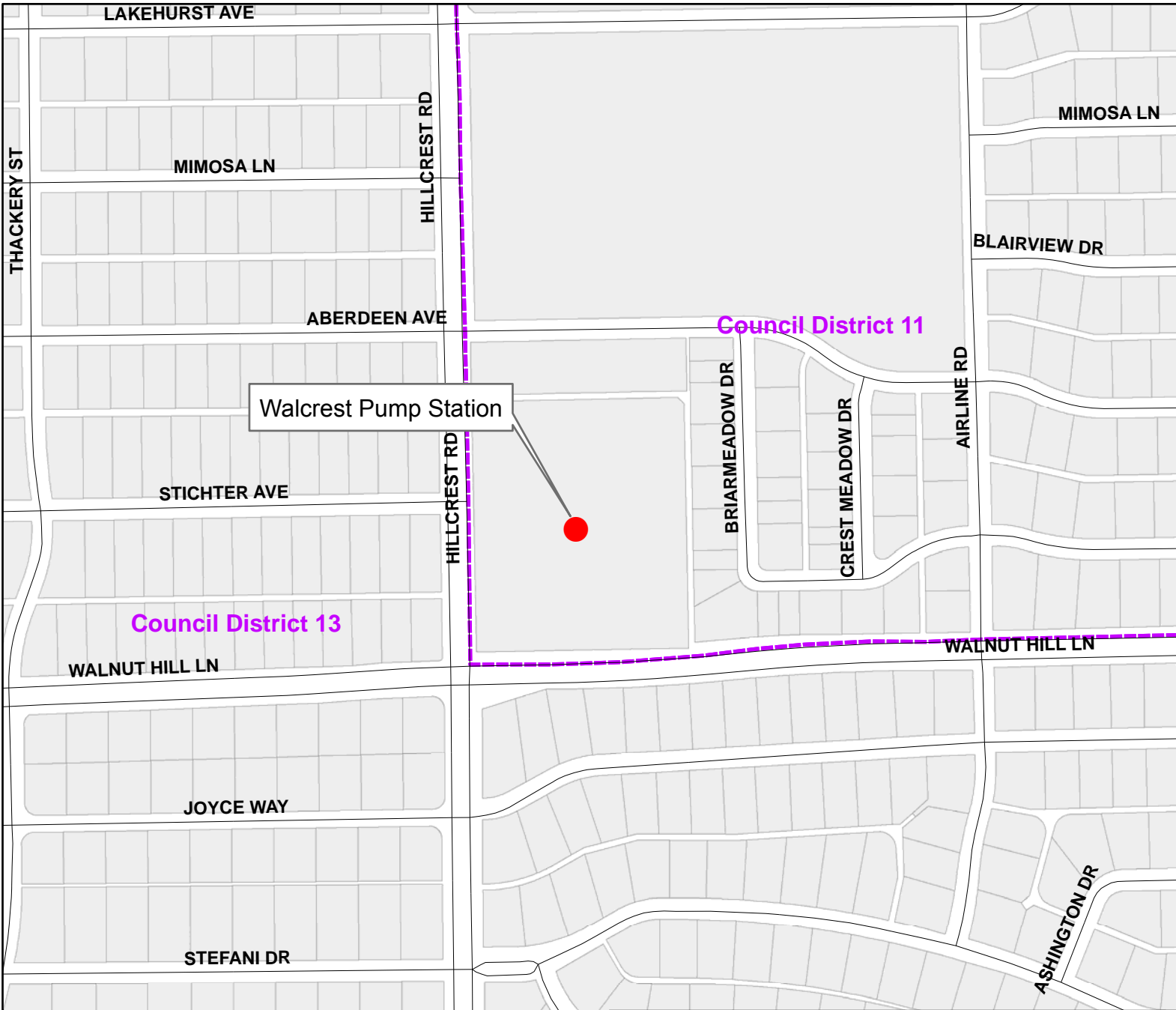
Dallas Water Utilities
Contract No. 12-079E, Supplemental Agreement No. 2
Bachman Water Treatment Plant
Construction Management Services for Water Quality Improvements



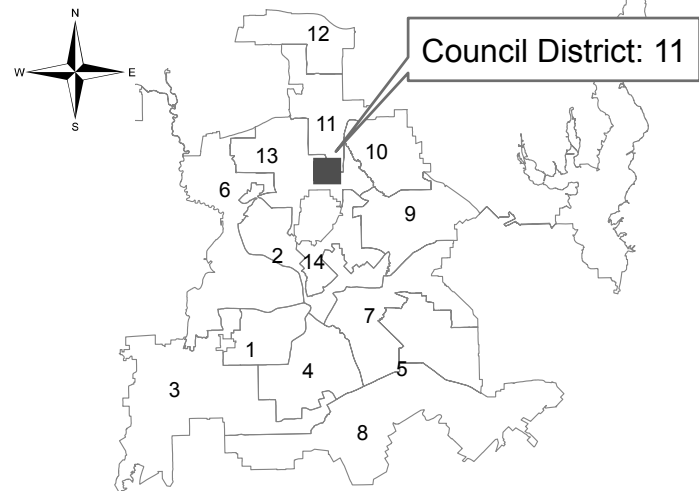
Mapsc0: 2 T



Dallas Water Utilities
Contract No. 12-079E, Supplemental Agreement No. 2
Elm Fork Water Treatment Plant
Construction Management Services for Water Quality Improvements



Mapsc0: 25 R



Dallas Water Utilities
Contract No. 12-079E, Supplemental Agreement No. 2
Walcrest Pump Station
Construction Management Services

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works Department
Water Utilities
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256
Ryan S. Evans, 671-9837

MAPSCO: 42U Y Z 52C

SUBJECT

Street Improvement, Benefit Assessment Hearing, and Material Testing for Chalk Hill Road

- * A benefit assessment hearing to receive comments on street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)
- * Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

BACKGROUND

Chalk Hill Road from Davis Street to 800' south of I-30 was included in the 2006 Bond Program under the category of Thoroughfares. A professional services contract for the design of this project was authorized by City Council on January 23, 2008, by Resolution No. 08-0324. This action will authorize the project, partial payment of cost by assessment, a benefit assessment hearing, and authorize a construction contract with Pavecon Public Works LP. The improvements will consist of a 44-foot wide concrete pavement with curbs, sidewalks, bicycle lanes, drive approaches, street lighting, landscaping, a storm drainage system, and water and wastewater main improvements.

BACKGROUND (Continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the 3rd and final step in the process.

Pavecon Public Works LP, has no completed contractual activities with the City of Dallas for the past three years.

This action will also authorize a professional services contract for the construction material testing services for Chalk Hill Road from Davis Street to 800 feet south of I-30 with Alliance Geotechnical Group, Inc. These testing services are required to assure that the material utilized during construction is in conformance with the quality required by the project specifications.

Alliance Geotechnical Group, Inc. has successfully performed numerous projects within several previous master agreement contracts for construction material testing services and geo-technical investigations within the City of Dallas for several City departments.

ESTIMATED SCHEDULE OF PROJECT

Began Design	February 2008
Completed Design	August 2015
Begin Construction	January 2016
Complete Construction	September 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on January 23, 2008, by Resolution No. 08-0324.

Authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30 on May 26, 2010, by Resolution No. 10-1330.

Authorized Supplemental Agreement No. 1 to the professional services contract for engineering on December 8, 2010, by Resolution No. 10-3076.

Authorized street paving improvements and a benefit assessment hearing on September 22, 2015, by Resolution No. 15-1772.

Information about this item will be provided to the Transportation and Trinity River Project Committee on November 9, 2015.

FISCAL INFORMATION

Construction - Pavecon Public Works LP

2012 Bond Funds - \$3,908,191.34

2006 Bond Program (General Obligation Commercial Paper Funds) - \$4,415,166.54

Water Utilities Capital Construction Funds - \$64,371.68

Water Utilities Capital Improvement Funds - \$711,932.68

Material Testing Services - Alliance Geotechnical Group, Inc.

2006 Bond Funds - \$90,924.50

Design	\$ 464,096.20
Supplemental Agreement No. 1	\$ 54,551.50
Construction (this action)	
Paving & Drainage - PBW	\$7,676,673.42
Water & Wastewater - WTR	<u>\$1,422,988.82</u>
Total Project Cost	\$9,618,309.94

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Pavecon Public Works LP

Hispanic Female	2	Hispanic Male	53
African-American Female	0	African-American Male	2
Other Female	0	Other Male	0
White Female	2	White Male	35

ETHNIC COMPOSITION

Alliance Geotechnical Group, Inc.

Hispanic Female	2	Hispanic Male	8
African-American Female	0	African-American Male	8
Other Female	0	Other Male	4
White Female	14	White Male	46

BID INFORMATION

The following bids with quotes were received and opened on September 4, 2015.

*Denotes successful bidder

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Pavecon Public Works LP P. O. Box 535457 Grand Prairie, TX 75053	\$9,099,662.24
Tiseo Paving Co.	\$9,863,219.25
Original estimate: PBW	\$7,805,860.00
WTR	<u>\$1,444,964.00</u>
Total Project	\$9,250,824.00

OWNERS

Pavecon Public Works LP

Marty Murphy, President

Alliance Geotechnical Group, Inc.

Robert P. Nance, President

MAP

Attached.

November 10, 2015

WHEREAS, Chalk Hill Road from West Davis Street to 800' south of I-30 was included in the 2006 Bond Program; and,

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for engineering services; and,

WHEREAS, on May 26, 2010, Resolution No. 10-1330 authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3076 authorized Supplemental Agreement No. 1 to the professional services contract for engineering; and,

WHEREAS, bids were received on September 4, 2015, for street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Pavecon Public Works LP	\$9,099,662.24
Tiseo Paving Co.	\$9,863,219.25

WHEREAS, on September 22, 2015, Resolution No. 15-1772 authorized street paving improvements and a benefit assessment hearing.

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 construction contract with Pavecon Public Works LP for the construction of street paving, storm drainage, street lighting, landscaping, water and wastewater main improvements for Chalk Hill Road from Davis Street to 800 feet south of I-30, in an amount not to exceed \$9,099,662.24, this being the lowest responsive 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:

Street and Transportation Improvements Fund	
Fund 2U22, Department PBW, Unit U781, Act. THRF	
Obj. 4510, Program# PB06U781, CT# PBW06U781B1	
Vendor # VS89455, in an amount not to exceed	\$3,261,506.88

November 10, 2015

Street and Transportation Improvements Fund Fund 3T22, Department PBW, Unit U781, Act. THRF Obj. 4510, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$4,415,166.54
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Obj. 3221, Program# 715369X, CT-PBW715369EN, Vendor# VS89455, in an amount not to exceed	\$53,829.98
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Obj. 3222, Program# 715370X, CT-PBW715370EN, Vendor #VS89455, in an amount not to exceed	\$10,541.70
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Obj. 4560, Program# 715370, CT-PBW715370CP, Vendor #VS89455, in an amount not to exceed	\$124,637.04
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42, Obj. 4550, Program# 715369, CT-PBW715369CP, Vendor #VS89455, in an amount not to exceed	\$587,295.64
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4560, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$24,597.30
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4560, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$290,819.76
Economic & S. Area of City Transit-Oriented Development Fund 2U52, Department ECO, Unit S801, Act. ECNR Obj. 4550, Program# PB06U781, CT# PBW06U781B1 Vendor # VS89455, in an amount not to exceed	\$27,869.52

November 10, 2015

Economic & S. Area of City Transit-Oriented Development
Fund 2U52, Department ECO, Unit S801, Act. ECNR
Obj. 4550, Program# PB06U781, CT# PBW06U781B1
Vendor # VS89455, in an amount not to exceed

\$303,397.88

Total in an amount not to exceed

\$9,099,662.24

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.

November 10, 2015

WHEREAS, Chalk Hill Road from West Davis Street to 800' south of I-30 was included in the 2006 Bond Program; and,

WHEREAS, on January 23, 2008, Resolution No. 08-0324 authorized a professional services contract for engineering services; and,

WHEREAS, on May 26, 2010, Resolution No. 10-1330 authorized approval of the proposed alignment for Chalk Hill Road from West Davis Street to 800' south of I-30; and,

WHEREAS, on December 8, 2010, Resolution No. 10-3076 authorized Supplemental Agreement No. 1 to the professional services contract for engineering; and,

WHEREAS, on September 22, 2015, Resolution No. 15-1772 authorized street paving improvements and a benefit assessment hearing; and,

WHEREAS, it is now necessary to authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 in the amount of \$90,924.50.

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 professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 in an amount of \$90,924.50, 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 1T22, Department PBW, Unit U781, Act. THRF
Object 4113, Program# PB06U781, CT PBW06U781A1,
Vendor 338366, in an amount not to exceed \$90,924.50

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.

November 10, 2015

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

Chalk Hill Road from Davis Street to 800 feet south of I-30; and

WHEREAS, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and,

WHEREAS, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and,

WHEREAS, the said hearing was duly held at said time and place; and,

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real Support Group LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and,

WHEREAS, the Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

Now, Therefore,

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

SECTION 1. That the said hearing held on the 10th day of November A.D. 2015 be and the same is hereby ordered closed.

November 10, 2015

SECTION 2. That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

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 a construction contract with Pavecon Public Works LP, lowest responsible bidder of two - Not to exceed \$9,099,663 - Financing: 2012 Bond Funds (\$3,908,191), General Obligation Commercial Paper Funds (\$4,415,167), Water Utilities Capital Construction Funds (\$64,372), and Water Utilities Capital Improvement Funds (\$711,933)

Pavecon Public Works LP, 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$78,000.00	0.86%
Total non-local contracts	\$9,021,662.24	99.14%
TOTAL CONTRACT	\$9,099,662.24	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
T&R Excavation	HMDB63869Y1215	\$78,000.00	100.00%
Total Minority - Local		\$78,000.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Camino Construction	HMDB53968Y1016	\$2,486,502.65	27.56%
Road Master Striping LLC	HMDB64683Y0316	\$74,032.50	0.82%
A&A Construction	HMDB23577Y0416	\$33,750.00	0.37%
Statewide Trucking Corporation	WFDB22783Y1016	\$95,740.50	1.06%
GJ Seeding LLC	WFWB85202N0417	\$73,210.00	0.81%
Buyers Barricades	WFDB24016Y0516	\$60,750.00	0.67%
Brock Environmental	WFWB61711Y0516	\$53,875.10	0.60%
Total Minority - Non-local		\$2,877,860.75	31.90%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$78,000.00	100.00%	\$2,672,285.15	29.37%
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%	\$283,575.60	3.12%
	-----	-----	-----	-----
Total	\$78,000.00	100.00%	\$2,955,860.75	32.48%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. to provide construction material testing services during the construction of Chalk Hill Road from Davis Street to 800 feet south of I-30 - Not to exceed \$90,925 - Financing: 2006 Bond Funds (\$90,925)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$68,193.37	75.00%
Total non-local contracts	\$22,731.13	25.00%
TOTAL CONTRACT	\$90,924.50	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
InTEC/Terradyne Engineering	IMDB39990Y0816	\$22,731.13	100.00%
Total Minority - Non-local		\$22,731.13	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$22,731.13	25.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$22,731.13	25.00%

ORDINANCE NO. _____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET IN THE CITY OF DALLAS, TEXAS, TO WIT:

Chalk Hill Road from Davis Street to 800 feet south of I-30

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of

Chalk Hill Road from Davis Street to 800 feet south of I-30

by filling, raising, grading, and paving same; and,

WHEREAS, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Public Works (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and,

WHEREAS, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and,

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and,

WHEREAS, the said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 22nd day of September, 2015; and,

WHEREAS, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 10th day of November, 2015; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and,

WHEREAS, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 10th day of November, 2015 at 1:00 o'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and,

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 10th day of November, 2015, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. That there shall be and is hereby levied and assessed against the parcels of property hereinbelow mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

Chalk Hill Road from Davis Street to 800 feet south of I-30

Grand Total Property Owners' Cost - Assessments	\$591,473.18	
Adjustments Per Enhancement Evaluation	\$245,086.42	
Net Due by Owners		\$346,386.76
Grand Total City of Dallas' Cost - Paving	\$7,330,286.66	
Grand Total Water Utilities Department Cost Water and Wastewater	\$1,422,988.82	
Grand Total City of Dallas' Cost		\$8,753,275.48
Grand Total Cost of Improvements		\$9,099,662.24

SECTION 3. That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block

SECTION 6. (Continued)

Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 8. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

SECTION 9. That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. That the City Manager, or their designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

SECTION 11. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly ordained.

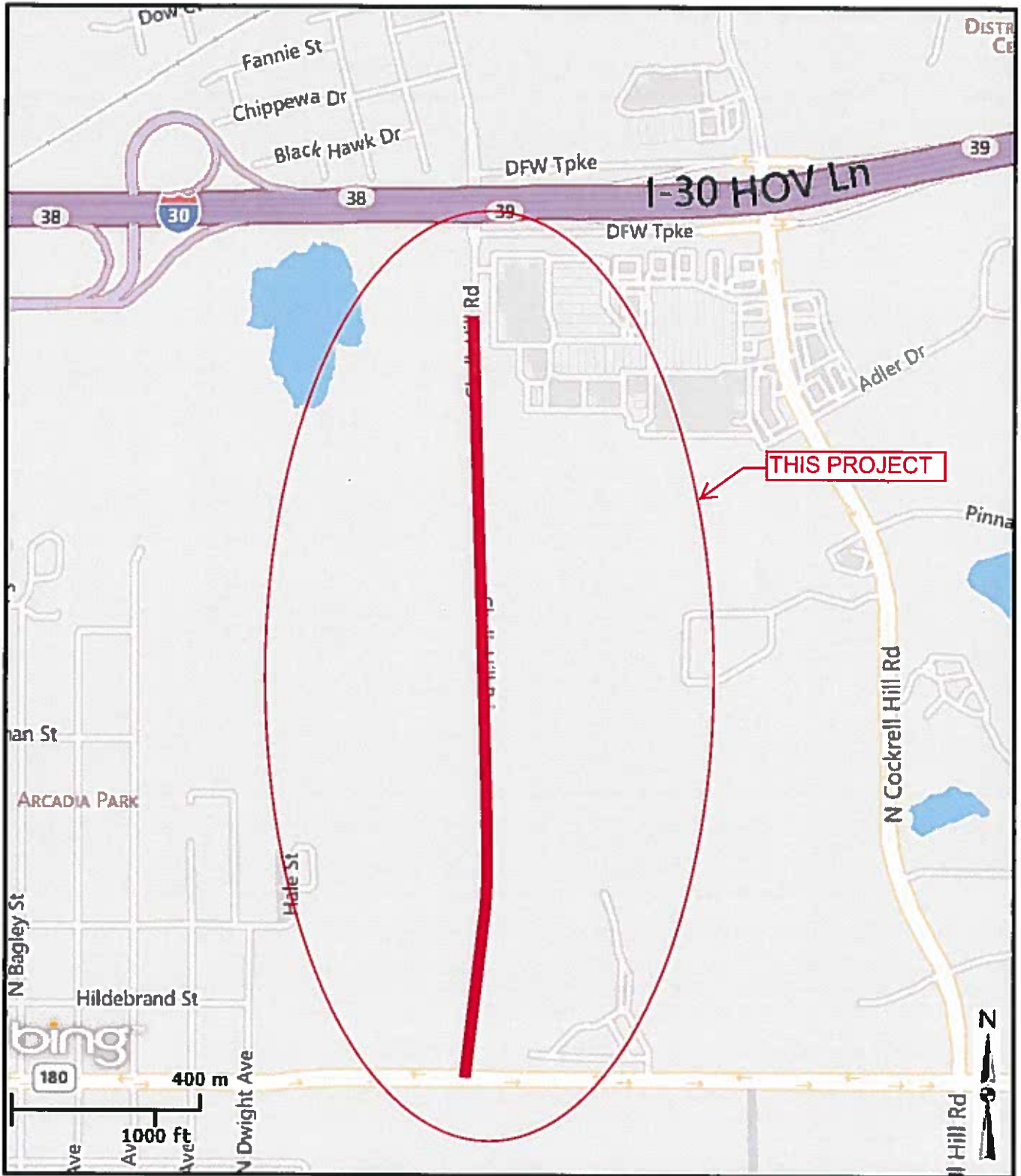
APPROVED AS TO FORM:
WARREN M. S. ERNST,
City Attorney

BY _____
Assistant City Attorney

Prepared by _____
Project Coordinator

Approved by _____
Director, Public Works Department

CHALK HILL ROAD FROM DAVIS STREET TO 800' SOUTH OF I-30



MAPSCO 42U, Y, Z, & 52C

Memorandum: Addendum Item: Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Sylvia Greer, et al., Cause No. CC-15-01386-C, pending in County Court at Law No. 1, for acquisition of an improved tract of land containing approximately 10,758 square feet located on Barber Avenue near 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 of the Special Commissioners - Not to exceed \$79,000 (\$75,000 being the amount of the award, plus closing costs and title expenses not to exceed \$3,000); an increase of \$30,000 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond

This item has been pulled by staff.