



CITY COUNCIL AGENDA

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DATE: 2/27/2024 **REFERENCE NO.:** **M&C 24-0180 **LOG NAME:** 60WSTAMUS-MCO
CODE: C **TYPE:** CONSENT **PUBLIC HEARING:** NO
SUBJECT: (CD 9) Approve Allocation from the American Rescue Plan Act State and Local Fiscal Recovery Funds in the Amount of \$596,275.00, Authorize Execution of a Contract with M-Co Construction, Inc. in the Amount of \$1,728,112.60 for Water and Sewer Infrastructure Associated with the Texas A&M Fort Worth Campus Project and Adopt Appropriation Ordinances to Effect a Portion of Water’s Contribution to the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended the City Council:

1. Authorize execution of a contract with M-Co Construction, Inc., in the amount of \$1,728,112.60 for Water and Sanitary Sewer Associated with the Texas A&M Fort Worth Campus project (TAMU);
2. Approve the allocation of \$596,275.00 from the American Rescue Plan Act State and Local Fiscal Recovery Funds for public water and sewer infrastructure construction costs associated with the Texas A&M Fort Worth Campus Project;
3. Adopt the attached Appropriation Ordinance increasing estimated receipts and appropriations in the Grants Cap Projects Federal Fund in the amount of \$596,275.00, transferred from the Grants Operating Federal Fund, for the purpose of the construction of public water and sewer infrastructure associated with the Texas A&M Fort Worth Campus Project (City Project No. 104855); and
4. Adopt the attached Appropriation Ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$1,366,434.00, from available funds, for the purpose of funding the ARPA W/SS A&M Fort Worth Campus (City Project No. 104855) to effect a portion of Water’s contribution to Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

On June 27, 2023, Mayor & Council Communication (M&C) 23-0518 authorized execution of an Interlocal Agreement (Agreement) with Texas A&M University System (TAMUS) to reimburse TAMUS for design costs associated with planned public water and sewer improvements, and waive the collection of temporary encroachment fees for long term street and sidewalk closures associated with construction of the new Law and Education building.

In January of 2023, TAMUS announced the selection of the design team and contractor for the construction of the new Law and Education building as part of the Texas A&M Fort Worth Campus with the intent on breaking ground on the project in June of 2023. A component of the project included the replacement of older existing undersized public water and sewer lines needed to support the development and surrounding area.

This Mayor & Council Communication is to authorize execution of a construction contract for the replacement of cast iron water and deteriorated sanitary sewer mains and the abandonment conflicting water and sanitary sewer to allow for construction of the new law and education building as indicated on the following streets and easements:

Street	From	To	Scope of Work
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Calhoun Street	E. 15 th Street	E. 17 th Street	Water/Sewer
Jones Street	E. 15 th Street	E. 17 th Street	Water
E. 16 th Street	Calhoun Street	Jones Street	Water
E. 17 th Street	Calhoun Street	West 100 feet	Sewer
E. 15 th Street	Calhoun Street	Jones Street	Water Main Abandonment
Easement between Calhoun Street and Jones Street	E. 16 th Street	E. 17 th Street	Sewer Main Abandonment

Additionally, asphalt pavement rehabilitation will be conducted on applicable streets subsequent to the water and sanitary sewer main replacement.

The Water Department's share of this contract is \$1,160,231.80, and TAMU's share of the contract is \$567,880.80.

The project was advertised for bids on November 30, 2023 and December 7, 2023, in the *Fort Worth Star-Telegram*. On January 11, 2024, the following bids were received:

Bidder	Amount	Time of Completion
M-Co Construction , Inc.	\$1,728,112.60	120 Calendar Days
Gra-Tex Utilities, Inc.	\$1,809,023.00	
Fort Worth Civil Constructors, LLC.	\$2,675,857.75	
Canary Construction, Inc.	\$3,326,730.00	

In addition to the contract amount, \$148,190.00 (Water: \$78,579.00; Sewer: \$69,611.00) is required for project management, material testing and inspection, and \$86,405.00 (Water: \$30,388.00; Sewer: \$27,623.00; TAMU: \$28,394.00 (Water: \$16,753.00; Sewer: \$11,641.00)) is provided for project contingencies. The sanitary sewer component of this project is part of the Water Department's Sanitary Sewer Overflow Initiative Program. Approximately 1,030 linear feet of cast iron water pipe will be removed and replaced as part of this project.

This project will have no impact on the Water Department's operating budgets when completed.

Allocation of ARPA Subtitle M Funding

Under the previously approved M&C 22-1076, it was indicated that both the City and Tarrant County would be utilizing American Rescue Plan Act (ARPA) dollars under Section 603(c)(1)(C) of Title VI of the Social Security Act (added by ARPA) to fund their respective participation in the Innovation Hub. On April 11, 2024, M&C 23-0284 amended M&C 22-1076 after Tarrant County elected to provide their \$2,000,000.00 allocation from another funding source rather than ARPA dollars.

The provision of government services impacted is a specifically identified use of ARPA dollars under Section 603(c)(1)(C) of Title VI of the Social Security Act (added by ARPA). Treasury Department guidance specifically notes that these State and Local Fiscal Recovery Funds can be deployed for the provision of government services in support of the economic recovery of the City and community.

Approval of this M&C will allocate \$596,275.00 for Fiscal Year 2024 in the American Rescue Plan Act project in the Grants Operating Federal Fund budget for transfer to the Grant Cap Projects Federal Fund. Necessary reporting and documentation requirements will be followed to ensure the City can comply with all reporting requirements of the ARPA legislation.

The following chart reflects the current status for allocation of the City's ARPA funding under Subtitle M and incorporates each ARPA M&C on the February 27, 2024 Council Agenda:

		M&C's
Total CFW ARPA Subtitle M Funding	\$173,745,090.00	21-0445 2021 AMERICAN RESCUE PLAN
Allocations Approved To- Date	6,000,000.00	21-0794 ARPA-VFW-TDG
Allocations Approved To- Date	1,000,000.00	21-0805 ARPA-ADMINISTRATION
Allocations Approved To- Date	4,245,533.42	21-0810 ARPA ALLOCATIONS EVANS & ROSEDALE REDEVELOPMENT
Allocations Approved To- Date	2,400,000.00	21-0811 ARPA ALLOCATIONS UNTHSC TECHSTARS
Allocations Approved To- Date	10,100,000.00	21-0814 ARPA ALLOCATIONS TO HOUSING AND HUMAN SERVICES PROJECTS
Allocations Approved To- Date	3,000,000.00	21-0809 ARPA ALLOCATION CDFI FRIENDLY AMERICA
Allocations Approved To- Date	300,000.00	21-0820 ARPA-WRMC MURAL PLAQUES
Allocations Approved To- Date	6,400,000.00	21-0935 ARPA-PEG FUNDING-FUTURE CITY HALL
Allocations Approved To- Date	8,000,000.00	21-0908 ARPA-VACCINATIONS AND TESTING
Allocations Approved To- Date	4,560,000.00	21-0913 ARPA-PED_CAPITAL_RESTORE
Allocations Approved To- Date	52,000,000.00	21-0934 ARPA-FWCC EXPANSION FUNDING & PROJECT MANAGEMENT
Allocations Approved To- Date	3,000,000.00	22-0268 ARPA CENTER FOR TRANSFORMING LIVES
Allocations Approved To- Date	5,000,000.00	22-0270 ARPA ALLOCATION FOR PERMANENT SUPPORTIVE HOUSING
Allocations Approved To- Date	7,091,047.00	22-0368 ARPANEIGHBORHOOD WIFI CARES RATIFICATION/ARPA ALLOCATION
Allocations Approved To- Date	3,595,000.00	22-0366 ARPA INFRASTRUCTURE PROGRAM

Allocations Approved To-Date	3,675,000.00	22-0367 ARPA CYBERSECURITY PROGRAM
Allocations Approved To-Date	16,000,000.00	22-0789 MMA INFRASTRUCTURE – STREETLIGHTS & PEDESTRIAN SAFETY
Allocations Approved To-Date	2,500,000.00	22-0789 MMA INFRASTRUCTURE – COBB & HIGHLAND HILLS PARKS
Allocations Approved To-Date	3,200,000.00	22-0789 TARRANT AREA FOOD BANK FACILITY
Allocations Approved To-Date	2,000,000.00	22-0789 POLICE AND FIRE COVID WORKER'S COMPENSATION CLAIMS
Allocations Approved To-Date	1,458,372.00	22-0789 POLICE COVID HEALTH EXPENDITURES
Allocations Approved To-Date	750,000.00	22-0789 VISIT FORT WORTH SPECIAL EVENT FUNDING
Allocations Approved To-Date	4,411,080.00	22-0789 UNITED WAY ONE SECOND COLLABORATIVE
Allocations Approved To-Date	8,000,000.00	22-0789 DEEPLY AFFORDABLE HOUSING INFRASTRUCTURE & DRAINAGE
Allocations Approved To-Date	1,500,000.00	22-0789 FORT WORTH ZOO ROAD REPAIR, EROSION CONTROL, BROADBAND
Allocations Approved To-Date	200,000.00	22-0789 TX WESLEYAN ON-CAMPUS PUBLIC UTILITY RELOCATION
Allocations Approved To-Date	1,925,000.00	22-0789 WILL ROGERS MC AIR HANDLER REPLACEMENT
Allocations Approved To-Date	5,950,000.00	22-0789 WILL ROGERS MC CONCOURSE, LOBBY AND RESTROOM UPDATES
Reallocations	0.00	23-0114 PED_CAP_PRJ_104227_WRMC_LOBBY&CON
Allocations Approved To-Date	2,000,000.00	23-0284 ARPA FWTC INNOVATION PARTNERSHIP
Allocations Approved To-Date	50,000.00	23-0518 WSTAMUS ILA
Allocations Approved To-	100,000.00	23-0609 ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB

Date		
Allocations Approved To-Date/Reclaimed Funds	(4,216,902.00)	23-0609 ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB
Reallocations	0.00	23-0646 PED/ARPACAPITALFUNDINGSWAP-104227
Allocations Approved To-Date	4,500,000.00	23-0925 RFP-22-0146 BROADBAND ENHANCEMENTS CH CITY
Pending Allocations	596,275.00	WSTAMUS-MCO (This M&C)
Remaining Unallocated Balance	\$2,454,685.58	

A breakdown of the Remaining Unallocated Balance of ARPA SLFRF funding is detailed below:

Amount	Project
\$2,353,725.00	Revenue Recovery Funds - Held for Texas A&M University System Research and Innovation Hub
65,682.00	Revenue Recovery Funds - Held in contingency for project shortfalls
35,278.58	Non-Revenue Recovery Funds - Held in contingency for project shortfalls
\$2,454,685.58	Total - Remaining Unallocated Balance

It is the practice of the Water Department to appropriate its CIP plan throughout the Fiscal Year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the M&C will appropriate funds in support of the Water’s portion of the City of Fort Worth’s Fiscal Years 2024-2028 Capital Improvement Program, as follows:

60WSTAMUS-MCO

Capital Fund Name	Project Name	FY2024 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2024 Budget
W&S Capital Projects - Fund 56002	ARPA W/SS A&M FortWorth Campus	\$0.00	This M&C	\$1,366,434.00	\$1,366,434.00

Funding is budgeted in the Unspecified-All Funds Project with in the Water & Sewer Capital Project Fund for the purpose of funding the ARPA W/SS A&M Fort Worth Campus project within the Water & Sewer Capital Projects Fund.

Appropriations for ARPA Water and Sanitary Sewer A&M Fort Worth Campus project, are as depicted below:

Fund	Existing Appropriations	Additional Appropriations	Project Total*
W&S Capital Projects - Fund 56002	\$65,000.00	\$1,366,434.00	\$1,431,434.00
Grants Cap Projects	50,000.00	596,275.00	646,275.00

Federal - Fund 31001			
Project Total	\$115,000.00	\$1,962,709.00	\$2,077,709.00

*Numbers rounded for presentation purposes.

Business Equity: M-Co Construction, Inc., is in compliance with the City's Business Equity Ordinance by committing to 32 percent MWBE participation on this project. The City's MWBE goal on this project is eight percent.

This project is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION/CERTIFICATION:

The Director of Finance certifies that funds are currently available in the Unspecified-All Funds project within the Water & Sewer Capital Projects Fund and in the Grants Operating Federal Fund, and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the W&S Capital Projects Fund and Grants Cap Projects Federal Fund for the ARPA W/SS A&M Fort Worth Campus project to support the approval of the above recommendations and execution of the engineering agreement. Prior to any expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds. This is a reimbursement grant.

TO

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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FROM

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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Submitted for City Manager's Office by: Fernando Costa (6122)

Originating Department Head: Chris Harder (5020)

Additional Information Contact: John Kasavich (8480)

ATTACHMENTS

- [104855 Signed Compliance Memo 1.26.24 AI.pdf](#) (CFW Internal)
- [60WSTAMUS-MCO FID Table \(WCF 01.19.24\).xlsx](#) (CFW Internal)
- [60WSTAMUS-MCO Form 1295.pdf](#) (CFW Internal)
- [60WSTAMUS-MCO Map.pdf](#) (Public)
- [ORD.APP_60WSTAMUS-MCO_21001_AO24\(r3\) Kate edits.docx](#) (Public)
- [ORD.APP_60WSTAMUS-MCO_56002_AO24\(r4\).docx](#) (Public)
- [PBS CPN 104855.pdf](#) (CFW Internal)
- [Project 103165 ARPA Funding Availability at 2.8.24.PNG](#) (CFW Internal)
- [SAM.gov_M-Co Construction, Inc..pdf](#) (CFW Internal)