



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Capital Projects
DCM: David Gaines, Deputy City Manager
DATE: June 28, 2022

SUBJECT

Consider adoption of an ordinance of the City of Denton, Texas, authorizing the approval of Change Order No. 1 to the existing Advance Funding Agreement between the City of Denton and the Texas Department of Transportation (TxDOT) for relocation of public utility facilities along FM 2181 from Lillian Miller Parkway to west of FM 2499 in City of Denton, Denton County, Texas; providing an effective date (2054-02-015) – Change Order No. 1 in an amount not to exceed the sum of \$56,907.78 for a total contract amount aggregated to (\$2,216,736.81); authorizing the expenditure of funds therefor; and providing an effective date.

BACKGROUND

The FM 2181 (Teasley Lane) road widening project requires the City of Denton to relocate several existing water and wastewater utility lines which are in conflict with the proposed roadway improvements. Through an Advanced Funding Agreement, the State provides a way for utility operators to have their relocation work incorporated into the scope of a State project so that the work is performed under the supervision and coordination of the State's construction contractor. The City has elected to utilize this type of agreement for the FM 2181 project so as to allow the State to bid the contract during the 2017 Fiscal Year.

The Agreement set out the terms and conditions for payment by the City to the State for the utility relocation portion of the work. The City paid the State a one-time lump sum based upon the non-reimbursable portion of the utility bid items received by the State through its bidding process. Percentages for reimbursable versus non-reimbursable work have already been established and agreed to by the City and the State. For the FM 2181 project, the reimbursement percentage for Water is 81% while the reimbursement percentage for Wastewater is 12%.

Change Order No. 1 to the AFA includes three change requests that were submitted by TxDOT for work beyond the original scope. TxDOT Change Request #13 added Air Release Valves to the wastewater force main that were missed in the original design. TxDOT Change Request #20 added casing to a water line that crossed under an existing wastewater line to comply with Texas Commission on Environmental Quality (TCEQ) separation requirements. TxDOT Change Request #21 changed the bends on the new force main from 90 degree bends to 45 degree bends per the request of Wastewater Collections due to maintenance concerns.

PRIOR ACTION/REVIEW (COUNCIL,BOARDS, COMMISSIONS)

On July 18, 2017, City Council approved an Agreement with Texas Department of Transportation (TxDOT), in the not-to-exceed amount of \$2,159,829.03 (Ordinance 2017-205).

RECOMMENDATION

Recommend adoption of an Ordinance approving the Change Order No. 1 of the AFA. The Agreement will allow the FM 2181 road widening project to proceed on schedule.

ESTIMATED SCHEDULE OF PROJECT

TxDOT's contractor is on schedule to achieve substantial completion by the end of 2022.

FISCAL INFORMATION

The amendment Agreement requires additional payment from the City. The total amount of the amended contract will be \$2,216,736.81. The total amount for the additional funding is \$56,907.78 The lump sum amount shall be drawn existing water and wastewater project funds.

- Water Portion: \$7,016.94 from account 630081517
- Wastewater Portion: \$49,890.84 from account 640052541

EXHIBITS

- Exhibit 1 – Agenda Information Sheet
- Exhibit 2 – Amendment Tabulation Sheet
- Exhibit 3 – Original Ordinance and Agreement
- Exhibit 4 – Ordinance

Respectfully submitted:
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Prepared by:
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