



City of Denton

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

AGENDA INFORMATION SHEET

DEPARTMENT: Procurement
ACM: Cassey Ogden
DATE: July 16, 2024

SUBJECT

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the approval of Change Order No. 5 to the Design-Build Agreement between the City of Denton and Beta Engineering, LLC, for the design and construction of the Hickory Gas Insulated Substation for Denton Municipal Electric; providing for the expenditure of funds therefor; and providing an effective date (RFQ 7670 – Change Order No. 5 in the not-to-exceed amount of \$248,569.09, for a total contract award aggregated to \$41,551,141.48). [The Public Utilities Board recommends approval \(6 - 0\).](#)

INFORMATION/BACKGROUND

The work to be provided under this change order to contract 7670 includes redesigning and rerouting underground distribution lines; a 48-foot conduit addition; and anti-graffiti treatment for the screen wall.

- The scope of work for the Hickory GIS Substation project includes relocating overhead distribution lines underground. The underground distribution lines were planned to utilize the right of way (ROW) obtained for the Bonnie Brae Phase 4 road widening project. Since the Bonnie Brae Phase 4 project has been delayed, ROW was not acquired; resulting in no place to route the underground distribution lines. The engineering firm responsible for the Hickory GIS project must redesign and reroute the underground distribution to a new location and requires additional funding to cover these costs. The additional work includes demolition and replacement of asphalt, sidewalk, curb, and time and material cost for trench excavation.
- To maintain compliance with City Council’s directive to remove all overhead facilities in the area around Hickory Substation, a 48’ underground conduit is needed between two transformers on Hickory Avenue. The cost for this change includes equipment and labor hours for installation.
- To ensure graffiti can be easily removed from the architectural screen wall, an Anti-Graffiti siloxane treatment will be applied over the entire exterior of the screen wall. The cost includes equipment.

Project Description	Contract Estimate
Reroute Distribution Feeders	\$157,193.52
48’ Conduit Run	16,691.07
Anti-Graffiti Covering	74,684.50
Total:	\$248,569.09

The Utility Extendable Commercial Paper program is being used as appropriation authority for this contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2021, City Council approved a contract with Beta Engineering, LLC, in the not-to-exceed amount of \$40,469,000 (Ordinance 21-2701).

On August 16, 2022, City Council approved Change Order #1 with Beta Engineering, LLC, in the not-to-exceed amount of \$811,000, for a total contract amount of \$41,280,000 (Ordinance 22-1540).

On May 12, 2023, Purchasing approved Change Order #2 with Beta Engineering, LLC, in the not-to-exceed amount of \$37,000, for a total contract amount of \$41,317,000.

On September 14, 2023, Purchasing approved Change Order #3 with Beta Engineering, LLC, to reduce the contract in the amount of \$1,325.61, for a total contract amount of \$41,315,674.39.

On March 7, 2024, Purchasing approved Change Order #4 with Beta Engineering, LLC, to reduce the contract in the amount of \$13,102, for a total contract amount of \$41,302,572.39.

On July 8, 2024, the Public Utilities Board (PUB) recommended this item to the City Council for consideration.

RECOMMENDATION

Award Change Order No. 5 with Beta Engineering, LLC, for the design and construction of the Hickory Gas Insulated Substation for Denton Municipal Electric, in a not-to-exceed amount of \$248,569.09, for a total amended contract amount of \$41,551,141.48.

PRINCIPAL PLACE OF BUSINESS

Beta Engineering, LLC
Pineville, LA

ESTIMATED SCHEDULE OF PROJECT

Design and construction will begin (or continue) immediately upon approval by the City Council.

FISCAL INFORMATION

This contract will be funded using DME’s Capital Improvement Plan budget account 603234500. The Utility Extendable Commercial Paper program is being used as appropriation authority for this contract. The third-year Purchase Order will include Change Order 5 amount of \$248,569.09. The total amended amount of this contract is \$41,551,141.48.

EXHIBITS

- Exhibit 1: Agenda Information Sheet
- Exhibit 2: Original Ordinance, Contract, Ordinances, and Change Orders 1-4
- Exhibit 3: Ordinance and Amendment 5

Respectfully submitted:
Lori Hewell, 940-349-7100
Purchasing Manager

For information concerning this acquisition, contact: Mark Zimmerer, 940-349-7169.

Legal point of contact: Marcella Lunn at 940-349-8333.