

June 28, 2023

WHEREAS, on June 12, 2019, the City Council authorized a professional services contract with Freese and Nichols, Inc., to provide construction management services for construction contracts related to improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and the Walnut Hill Pump Station, in an amount not to exceed \$7,042,700.00, by Resolution No. 19-0908; and

WHEREAS, on March 24, 2021, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. to provide additional construction management services for improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, and several pumping facilities by Resolution No. 21-0526; and

WHEREAS, on May 11, 2022, the City Council authorized Supplemental Agreement No. 2 to the professional services contract with Freese and Nichols, Inc. to provide additional construction management services for improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, and several pumping facilities by Resolution No. 22-0738; and

WHEREAS, ongoing and new construction activities at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, several pumping facilities and an elevated water tank require that the existing contract be supplemented to extend services and ensure these projects are managed and constructed with the utmost regard to cost, schedule, and quality control; and

WHEREAS, Freese and Nichols, Inc., 2711 North Haskell Avenue, Suite 3300, Dallas, Texas 75204, has submitted an acceptable proposal to provide these construction management services; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 19-007E be increased by \$4,880,099.00, from \$15,897,607.00 to \$20,777,706.00.

Now, Therefore,

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

SECTION 1. That the proposed Supplemental Agreement No. 3 to the professional services contract be accepted and that Contract No. 19-007E with Freese and Nichols, Inc., be revised accordingly.

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SECTION 2. That the City Manager is hereby authorized to execute Supplemental Agreement No. 3 with Freese and Nichols, Inc., approved as to form by the City Attorney, to provide additional construction management services for improvements at the Elm Fork Water Treatment Plant, the East Side Water Treatment Plant, the Bachman Water Treatment Plant, several pumping facilities and an elevated water tank, in an amount not to exceed \$4,880,099.00, increasing the contract amount from \$15,897,607.00 to \$20,777,706.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$4,880,099.00 to Freese and Nichols, Inc. from the Water Capital Improvement F Fund, Fund 4115, Department DWU, Unit PW31, Object 4111, Program 719007, Encumbrance/Contract No. DWU-2019-00009329, Vendor 347200.

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.