

November 13, 2024

WHEREAS, the City of Dallas commissioned a Water Quality Study in 2006 to evaluate the finished water quality at each of its water treatment plants and the recommendations included the implementation of biologically active filtration at each plant; and

WHEREAS, Dallas Water Utilities has successfully executed the implementation of these improvements at the East Side and Bachman Water Treatment Plants and is working to implement improvements at the Elm Fork Water Treatment Plant; and

WHEREAS, Dallas Water Utilities desires to complete the remaining Water Quality Improvements Program at the Elm Fork Water Treatment Plant, including completion of a new filter complex and sedimentation basins, yard piping and elevated storage tanks, pre-sedimentation basins and plant influent improvements, electrical improvements, chemical improvements, and decommissioning of phased out facilities; and

WHEREAS, Dallas Water Utilities determined that utilizing Construction Manager-at-Risk (CMAR) project delivery to be the best approach based on budget, schedule, operational benefit and flexibility, and better management and mitigation of project risks; and

WHEREAS, pre-construction services are required to provide project management and planning, risk reviews, value engineering, constructability and biddability reviews and recommendations, and prepare Guaranteed Maximum Price (GMP) proposals for each improvement component; and

WHEREAS, on May 31, 2024, three proposals were received and ranked by a selection committee for pre-construction and construction services for the Elm Fork Water Treatment Plant Water Quality Improvements Program, as follows:

<u>Proposers</u>	<u>Amount</u>	<u>Rank</u>
Archer Western Construction, LLC	\$4,087,120.00	1
McCarthy Building Companies, Inc.	\$6,999,117.00	2
Oscar Renda Contracting	\$5,826,434.00	3

WHEREAS, Archer Western Construction, LLC, 1411 Greenway Drive, Irving, Texas 75038, received the highest ranking, making them the best value CMAR proposer of the three respondents; and

WHEREAS, it is now desirable and in the best interest of the City of Dallas to authorize a Construction Manager at Risk agreement (CMAR agreement) with Archer Western Construction, LLC, to provide pre-construction and construction services for the Elm Fork Water Treatment Plant Water Quality Improvements Program with a preconstruction services fee in the amount of \$4,087,120.00 and a construction management services rate of nine and twenty-five hundredths percent (9.25%) of the cost of construction within the total estimated project construction budget of \$550,000,000; and

November 13, 2024

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 Manager at Risk Agreement with Archer Western, LLC, approved as to form by the City Attorney, to provide pre-construction and construction services for the Elm Fork Water Treatment Plant Water Quality Improvements Program, in an amount not to exceed \$4,087,120.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$4,087,120.00 to Archer Western Construction, LLC in accordance with the terms and conditions of the contract, as follows:

Water Capital Improvement G Fund Fund 5115, Department DWU, Unit PW31, Object 4320, Program 724049, Encumbrance No. DWU-2024-00024225 Vendor VS00000064407	\$4,000,000.00
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Water Capital Improvement F Fund Fund 4115, Department DWU, Unit PW20, Object 4320, Program 724049, Encumbrance No. DWU-2024-00024225 Vendor VS00000064407	<u>\$ 87,120.00</u>
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Total amount not to exceed	\$4,087,120.00
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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.