

June 28, 2023

WHEREAS, on November 11, 2020, the City Council authorized a construction services contract with Stoic Civil Construction, Inc. for erosion control and storm drainage improvements at eight locations, in an amount not to exceed \$4,522,689.50, by Resolution No. 20-1815; and

WHEREAS, on October 13, 2021, the City Council authorized Change Order No. 1 to the construction services contract with Stoic Civil Construction, Inc. for emergency work at the pedestrian bridge over White Rock Creek in R.P. Brooks Park, in an amount not to exceed \$170,064.00, increasing the contract from \$4,522,689.50 to \$4,692,753.50, by Resolution No. 21-1692; and

WHEREAS, on November 2, 2022, Administrative Change Order No. 22-1318 authorized Change Order No. 2 to the construction services contract with Stoic Civil Construction, Inc. to return the remaining balance at 5 locations, add additional funding for the R.P. Brooks project and pay overruns for Pentagon and Coombs Creek Drainage improvements in an amount not to exceed \$80,683.14, increasing the contract from \$4,692,735.50 to \$4,773,436.64; and

WHEREAS, on February 17, 2023, Administrative Change Order No. 23-0083 authorized Change Order No. 3 to the construction contract with Stoic Civil Construction, Inc. to extend the contract by an additional 365 days until January 31, 2024; and

WHEREAS, it is necessary to remove the 10720, 10726 Meadowcliff Lane erosion control project from the construction contract and reprogram the 2017 Bond Program Funds to the 10732 Haven Creek Court erosion control project to be designed and constructed under a future contract; and

WHEREAS, it is necessary to complete emergency erosion control improvements at 1501 Brookhaven Drive to ensure public safety; and

WHEREAS, Stoic Civil Construction, Inc., 223 West Sycamore Street, Denton, Texas 76201, has submitted an acceptable proposal for the additional work at 1501 Brookhaven Drive; and

WHEREAS, Dallas Water Utilities recommends that Contract No. 20-235 be reduced by \$688,810.00, from \$4,773,436.64 to \$4,084,626.64.

Now, Therefore,

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

June 28, 2023

SECTION 1. That the City Manager is hereby authorized to cancel the 10720, 10726 Meadowcliff Lane Erosion Control Project and reprogram 2017 General Obligation Bond Funds in an amount not to exceed \$719,037.00 originally planned for the 10720, 10726 Meadowcliff Lane Erosion Control Project to the 10732 Haven Creek Court erosion control project.

SECTION 2. That a decrease in the construction services contract with Stoic Civil Construction, Inc. (Change Order No. 4) is authorized for the cancellation of the 10720, 10726 Meadowcliff Lane Erosion Control Project and the addition of emergency erosion control improvements at 1501 Brookhaven Drive, in an amount not to exceed (\$688,810.00), decreasing the contract amount from \$4,773,436.64 to \$4,084,626.64.

SECTION 3. That the proposed Change Order No. 4 with Stoic Civil Construction, Inc., be accepted, and that Contract No. 20-235 be revised accordingly.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$428,410.00 to Stoic Civil Construction, Inc., in accordance with the terms and conditions of the contract from Storm Drainage Management Capital Construction Fund, Fund 0063, Department SDM, Unit W937, Activity ERCT, Object 4599, Program SD22W937, Encumbrance/Contract No. SDM-2020-00014571, Vendor VS92564.

SECTION 5. That the Chief Financial Officer is hereby authorized to redistribute funds in the construction contract for a reduction in the contract amount not to exceed (\$688,810.00) to Stoic Civil Construction, Inc. in accordance with the terms and conditions of the contract, as follows:

Storm Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W937, Activity ERCT Object 4599, Program SD22W937 Encumbrance/Contract No. SDM-2020-00014571 Vendor VS92564	\$ 428,410.00
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Flood Protection and Storm Drainage Facilities Fund Fund 3T23, Department SDM, Unit VD13, Activity ERCT Object 4599, Program TW17VD13 Encumbrance/Contract No. SDM-2020-00014571 Vendor VS92564	\$ (398,183.00)
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Flood Control (D) Fund Fund 1V23, Department SDM, Unit VD13, Activity ERCT Object 4599, Program TW17VD13 Encumbrance/Contract No. SDM-2020-00014571 Vendor VS92564	<u>\$ (719,037.00)</u>
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Total amount not to exceed	\$ (688,810.00)
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June 28, 2023

SECTION 6. 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.