

January 25, 2023

**WHEREAS**, on June 24, 2020, City Council authorized a contract with The Fain Group, Inc., for the construction of a regional aquatic facility including a bathhouse, four lane lap pool, kids play pool, lazy river, two slides, shade structures and landscaping of the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive, in an amount not to exceed \$7,158,650.00, by Resolution No. 20-1021; and

**WHEREAS**, on December 20, 2021, Administrative Action No. 22-0071 authorized Change Order No. 1 to the construction services contract with The Fain Group, Inc., for the construction of a regional aquatic facility including a bathhouse, four lane lap pool, kids play pool, lazy river, two slides, shade structures and landscaping of the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive for the boring of a water line, relocation of a gas line and dewatering of the lap pool excavation due to ground water, in an amount not to exceed \$99,981.00, from \$7,158,650.00 to \$7,258,631.00; and

**WHEREAS**, on December 20, 2021, Administrative Action No. 22-0065 authorized Change Order No. 2 to the construction services contract with The Fain Group, Inc., for the construction of a regional aquatic facility including a bathhouse, four lane lap pool, kids play pool, lazy river, two slides, shade structures and landscaping of the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive for increased costs of steel, added steel in the administration area due to plan changes and air spade pruning for tree roots, in an amount not to exceed \$98,322.55, from \$7,258,631.00 to \$7,356,953.55; and

**WHEREAS**, on April 6, 2022, Administrative Action No. 22-0345 authorized Change Order No. 3 to the construction services contract with The Fain Group, Inc., for the construction of a regional aquatic facility including a bathhouse, four lane lap pool, kids play pool, lazy river, two slides, shade structures and landscaping of the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive for increased material costs of aquatic components, in an amount not to exceed \$97,350.00 from \$7,356,953.55 to \$7,454,303.55; and

**WHEREAS**, it is now necessary to authorize Change Order No. 4 to the construction services contract with The Fain Group, Inc., for additional work at the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive, in an amount not to exceed \$622,654.90, increasing the contract amount from \$7,454,303.55 to \$8,076,958.45, including an increase of 315 calendar days to the contract time.

January 25, 2023

**Now, Therefore,**

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

**SECTION 1.** That an increase to the construction services contract with The Fain Group Inc., (Change Order No. 4), is authorized for additional work at the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive, in an amount not to exceed \$622,654.90, increasing the contract amount from \$7,454,303.55 to \$8,076,958.45, including an increase of 315 calendar days to the contract time.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$622,654.90 to The Fain Group, Inc. from the Capital Gifts, Donations and Development Fund, Fund 0530, Department PKR, Unit P516, Object 4599, Activity AQFC, Program PK17VB48, Encumbrance/Contract No. PKR-2020-00013756, Commodity 90900, Vendor VS0000040276.

**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.