



## Legislation Text

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**File #:** 24-60, **Version:** 1

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**STRATEGIC PRIORITY:** Transportation & Infrastructure

**AGENDA DATE:** February 28, 2024

**COUNCIL DISTRICT(S):** 2, 7, 14

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Kimberly Bizer Tolbert

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### **SUBJECT**

Authorize Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation for additional construction management services associated with the construction of the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$5,507,000.00, from \$26,794,000.00 to \$32,301,000.00 - Financing: Flood Protection and Storm Drainage Facilities Fund (2006 General Obligation Bond Funds)

### **BACKGROUND**

On June 15, 2016, the City Council authorized a professional services contract with Black & Veatch Corporation for support services associated with construction document updates and construction management services for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The project was awarded for construction on February 14, 2018 and is currently under construction with an anticipated completion in 2026. This project includes a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), East Peaks Branch watershed (around Fair Park area), and the Woodall Rodgers and State-Thomas area.

The drainage relief project consists of approximately five miles of 30 and 35-foot diameter storm drainage tunnel that is between 75 and 150 feet deep. It also includes an outfall structure near White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events as well as street and surface drainage improvements at the intake and outfall sites. Construction of the tunnel utilized a boring machine and includes concrete for the finished tunnel that requires specialized construction management services due to the complexity and sophistication of construction. The construction manager and support staff minimize project risks and serve as an extension of City staff to provide professional supervision and experienced inspection of the construction.

The construction management contract was set up based on assumptions for level of effort and completion timeframes prior to award of the construction contract and available details from the contractor on planned shifts and working hours. Supplement Agreement No. 1 was awarded on January 12, 2022, and authorized additional construction management, contract administration and construction inspection required for the excavation of the five-mile-long tunnel and five tunnel laterals. The construction contractor typically worked two 12-hour shifts per day for six days per week during the tunnel excavation and is planning to work a similar schedule during the concrete lining of the tunnel which is currently underway. This approach involves more hours and requires more supervision than was included in the original construction management contract.

This action authorizes Supplemental Agreement No. 2 to the professional services contract with Black & Veatch Corporation to provide additional services for construction management, contract administration and construction inspection through the planned completion schedule of the project. Additional surface drainage improvements related to the project and an additional site have been included for batching and placement of concrete into the tunnel. This additional work and site along with the time to complete the project will require additional inspection hours and construction administration services.

Black & Veatch Corporation has submitted an acceptable proposal to provide continued supervision, inspection, and construction management services based on the current schedule and shifts employed by the contractor. This supplemental agreement will ensure that these important services are provided throughout the scheduled completion of the project.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction            March 2018  
Complete Construction        March 2026

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 15, 2016, the City Council authorized a professional services contract with Black & Veatch Corporation for support services associated with construction document updates and construction management services for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project by Resolution No. 16-1033.

On January 12, 2022, the City Council authorized Supplemental Agreement No. 1 to the professional services contract with Black & Veatch Corporation for additional construction management services associated with the construction of the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project by Resolution No. 22-0163.

**FISCAL INFORMATION**

Fund	FY 2024	FY 2025	Future Years
Flood Protection and Storm Drainage Facilities Fund (2006 General Obligation Bond Funds)	\$5,507,000.00	\$0.00	\$0.00

Professional Services	\$19,800,000.00
Supplemental Agreement No. 1	\$ 6,994,000.00
Supplemental Agreement No. 2 (this action)	<u>\$ 5,507,000.00</u>
 Project Total	 \$32,301,000.00

<u>Council District</u>	<u>Amount</u>
2	\$1,486,918.00
7	\$2,478,016.00
14	<u>\$1,542,066.00</u>
 Total	 \$5,507,000.00

**M/WBE INFORMATION**

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

<b>Contract Amount</b>	<b>Procurement Category</b>	<b>M/WBE Goal</b>
\$5,507,000.00	Architecture & Engineering	25.66%*
<b>M/WBE Subcontracting %</b>	<b>M/WBE Overall %</b>	<b>M/WBE Overall Participation \$</b>
<del>28.39</del> <u>21.93</u> %	<del>28.39</del> <u>21.93</u> %	<del>\$1,563,287.00</del> <u>\$1,207,685.00</u>
<ul style="list-style-type: none"> <li>• This item identifies with the previous Business Inclusion Development Policy</li> <li>• <del>This contract meets the M/WBE goal.</del> <u>This contract does not meet the M/WBE Goal.</u></li> <li>• Supplemental Agreement No. 2 - 26.91% Overall MWBE Participation</li> <li>• Black &amp; Veatch Corporation - Local; Workforce - 33.00% Local</li> </ul>		

**OWNER**

**Black & Veatch Corporation**

Donnie H. Ginn, Vice President

**MAP**

Attached