



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

May 5, 2022

AGENDA TOPIC: Consideration and possible action authorizing the City Manager to sign a Construction Agreement with Aetos Construction, LLC for the Chartwell and Dietz Intersection Project; and approval of the first reading of an Ordinance amending the budget in support of said project

DATE: May 5, 2022

DEPARTMENT: Public Works

PRESENTED BY: Clayton Hoelscher, Procurement Manager
Grant Watanabe, Director of Public Works & Engineering Services

INTRODUCTION/BACKGROUND:

As part of the FY21-22 budget, the need for safety enhancements on Dietz Elkhorn Rd. was identified which included improvements to the Dietz/Chartwell intersection. On January 20, 2022, two options for the intersection were discussed as part of an update to Council. The preferred option, considered the permanent solution, was to realign Chartwell Lane to create a 4-leg standard intersection with stop signs and crosswalks in each direction to improve pedestrian safety and traffic flow in the vicinity of Fair Oaks Ranch Elementary School. The existing mid-block sidewalk would be demolished and a new sidewalk constructed to bring pedestrians to the new crosswalks at the intersection. Several sheets from the design plans are attached for reference. These options were also presented by staff to BISD and the Chartwell HOA and both gave their full endorsement to the permanent solution.

The project will take place during the BISD summer break (May 27th – Aug 9th) to avoid disruptions to school operations. Construction activities will also be phased to provide one lane in each direction for the duration of the project. Liquidated damages will be included in the awarded contract to help achieve timely completion. Lastly, coordination with utility providers to relocate utilities within the project limits is currently on-going to avoid delaying the construction timeframe.

To support this effort, our General Engineering Consultant completed all design documents and the City advertised an Invitation for Bids on April 13th. Bids were received on April 29th, 2022. Aetos Construction, LLC was the lowest responsible bidder for this project. The following bids were received:

Bidder	Amount
Aetos Construction, LLC	\$403,164.13
South Texas Integrity, LLC	\$746,386.00

The City budgeted \$175,000 under Governmental SAP (02-504-106) for this project this fiscal year. Additional funds in the amount of \$298,322 from unassigned fund balance can be used to cover the cost of this construction agreement, 5% contingency, radar feedback signs (est \$25k) and pedestrian-activated crosswalks (est \$25k) at other locations on Dietz Elkhorn Rd. The budget amendment ordinance and supporting documents are attached as part of this agenda item.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

- Supports Strategic Action Plan items for Responsible Growth Management and Reliable and Sustainable Infrastructure.
- Improves traffic and pedestrian safety within the Dietz Elkhorn corridor
- Complies with Competitive Procurement Requirements

LONGTERM FINANCIAL & BUDGETARY IMPACT:

Additional funds of \$298,322 from unassigned fund balance, *inclusive of America Rescue Funds*, can be used to cover the cost of this construction agreement, 5% contingency, radar feedback signs (est \$25k) and pedestrian-activated crosswalks (est \$25k) at other locations on Dietz Elkhorn Rd.

LEGAL ANALYSIS:

The Contractor will be required to sign and adhere to the City's Standard Construction Agreement prior to the commencement of work. A copy is attached.

RECOMMENDATION/PROPOSED MOTION:

I move to authorize the City Manager to sign a Construction Agreement with Aetos Construction, LLC in the amount of \$403,164.13 with a 5% contingency in the amount of \$20,158.21, for a total value not to exceed \$423,322.34 and to approve the first reading of an Ordinance amending the FY21-22 Budget.