



# City of Killeen

## Legislation Text

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**File #:** RS-23-025, **Version:** 1

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Consider a memorandum/resolution authorizing Contract Amendment No. 1 with Freese and Nichols, Inc. for changes to the original scope of the South Water Supply Project in the amount of \$312,543.

**DATE:** February 7, 2023

**TO:** Kent Cagle, City Manager

**FROM:** Jeffery Reynolds, Executive Director of Public Works

**SUBJECT:** Authorize the Contract Amendment No. 1 with Freese and Nichols, Inc. for changes to the original scope of the South Water Supply Project

### **BACKGROUND AND FINDINGS:**

On February 14, 2017, City Council approved a Professional Services Agreement (PSA) with Freese and Nichols, Inc. (FNI) for the design and contract administration of the South Water Supply Project in the amount of \$1,863,179 (CCM/R 17-012R). The South Water Supply Project, from the 2012 Water & Wastewater Masterplan, consisted of four (4) design projects that were to be bid as one construction project: 3 MG Ground Storage Tank (GST), 8 MGD Pump Station, and 32,100 LF of 20-inch and 30-inch pipeline.

As of January 2023, the following progress has been made on these projects. The 3 MG GST was changed to 1.5 MG Elevated Storage Tank of which design and construction have been completed. Installation of 3,000 LF of 20-inch pipeline along the south side of Chaparral Road has been completed. Design of the 8 MGD Pump Station has been completed and the construction bid will be advertised within the next month. Lastly, 9,200 LF of 24-inch pipeline, changed from 30-inch, is under design.

Since the approval of this project, the original scope of work has changed considerably. Major revisions include separating the project into four construction projects, extending the project duration from 25 months to an estimated 96 months, and adding the acquisition of 15 rights-of-way (ROW), which will also be necessary for the Chaparral Road Expansion Project. The amount for Amendment No. 1 for the revised scope of work is \$312,543.

### **THE ALTERNATIVES CONSIDERED:**

- (1) Do not authorize the Contract Amendment No. 1 with FNI; this will delay the design and construction of these critical water distribution projects.
- (2) Authorize the Contract Amendment No. 1 with FNI, in the amount of \$312,543 for the South Water Supply Project.

**Which alternative is recommended? Why?**

Alternative two (2) is recommended due to City staff negotiating a fair and reasonable proposal with FNI for engineering service changes needed to complete this multifaceted project. The added ROW acquisitions also benefit a section of the Chaparral Road Expansion Project.

**CONFORMITY TO CITY POLICY:**

This item conforms to state and local policies. Texas Government Code, Chapter 2254, states that contracts for the procurement of defined professional services may not be awarded on the basis of competitive bids. Instead, they must be awarded on the basis of demonstrated competence and qualifications.

**FINANCIAL IMPACT:**

**What is the amount of the expenditure in the current fiscal year? For future years?**

Total amount of \$312,543 will be encumbered in FY 2023

**Is this a one-time or recurring expenditure?**

One-time

**Is this expenditure budgeted?**

Yes, \$183,488 is available in Governmental CIP account 349-8934-493.69-01 for the ROW acquisitions and \$129,055 is available in the Water & Sewer Bonds CIP account 363-8934-493.69-01 for the remaining professional service changes.

**If not, where will the money come from?**

N/A

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

Yes

**RECOMMENDATION:**

City Council authorize the City Manager or designee to execute Contract Amendment No. 1 with Freese and Nichols, Inc. in the amount of \$312,543 for changes to the original scope of work for the South Water Supply Project.

**DEPARTMENTAL CLEARANCES:**

Public Works  
Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Agreement

Amendment  
Certificate of Interested Parties