



6/15/2023

To: Mayor and City Council
Update on the Smith Ranch Road widening project, which is an 80/20 cost share project. After many delays involving H-GAC, TxDOT, and land acquisition we are nearing bidding and construction phases. In preparation, we have two upcoming Council actions: 1) additional engineering contract work; and 2) the construction management contract. -Trent

Memo

To: Trent Epperson, City Manager
From: Jennifer Lee, Sr. Project Manager
CC: Ron Fraser, Asst. City Manager
Lorenzo Wingate, P.E., Director of Engineering & Public Works
Rajendra Shrestha, P.E., City Engineer
Jameson Appel, Assistant Director of Capital Projects
Date: June 15, 2023
Re: Smith Ranch Rd. Widening (Hughes Ranch Rd to 2,040 LF north of FM518)

Executive Summary

This memo provides information about the progress on Smith Ranch Road and the proposed design contract amendment for DEC Corp (formally Dannenbaum) and the proposed contract for Construction Management/Construction Inspection (CMCI) services to HDR Engineering, Inc., scheduled for presentation to Council on June 26, 2023, meeting agenda.

Background

The Smith Ranch, Rd Widening project encompasses the expansion of approximately 3,250 LF of a two-lane asphalt roadway to a four-lane concrete curb and gutter-divided roadway with raised medians, including storm sewers, sidewalks, and landscaping. The project replaces the last remaining section of 2 lane road between FM518 and Hughes Ranch Rd. The project begins 2,040 LF north of FM 518 and extends to the intersection of Hughes Ranch Rd. Additionally, approximately 5,713 LF of fiber will be installed from FM 518 to the West Pearland Community Center. The project is partially funded through TxDOT's Local Government Participation Project (LGPP) program. It provides citizens improved access to the 288 Toll Lanes and north/south access between Broadway and McHard Rd., outside the 288 Corridor, and will place the West Pearland Community Center on a major thoroughfare.

In October 2016, Council awarded the design contract for Smith Ranch Road Widening to DEC via Resolution R2016-169. The contract scope included right-of-way (ROW) acquisition, parcel appraisal and 3rd party appraisal review, abstracting services, and title preparation. The notice to proceed was issued in early November 2016, with the design starting immediately.

Parcel maps were approved in November 2018 at the TxDOT district office level, clearing the way for the appraisal process to begin. However, right-of-way purchases were delayed until the project was environmentally cleared. By mid-January 2019, parcel mapping and title work was complete, and the appraisers began contacting property owners to conduct site evaluation inspections for appraisal reports. The project received environmental clearance on February 26, 2019.

In early April 2019, TxDOT informed City Staff that there was an issue with the funding for ROW and that all ROW activity should stop immediately. The designated funding source, Texas Mobility Funds (TMF), could not be used to purchase off-system ROW. TxDOT asked the City to request a Transportation Improvement Program (TIP) amendment from Houston-Galveston Area Council (H-GAC) to change the funding source. Staff requested the required actions on April 10, 2019, to be on the Transportation Policy Council's (TPC's) May 2019 agenda.

On May 30, the City was informed that the May Administrative Amendment had been prepared incorrectly by H-GAC staff and would have to go through the process again to correct it. After several iterations, the corrected amendment was approved on October 31, 2019. The City was able to request the amendment to the Advanced Funding Agreement (AFA) from TxDOT, which was received from TxDOT on February 13, 2020, and approved by Pearland City Council at the first meeting in March 2020, via Resolution 2020-46.

Staff forwarded the partially executed agreements to TxDOT immediately and, after several inquiries, discovered that TxDOT had misplaced the AFA and that no action had been taken. The documents were resubmitted to TxDOT electronically, and the fully executed AFA was received on May 1, 2020. Due to the confusion regarding the status of the approved right-of-way maps after a year-long delay, TxDOT would not release the Letter of Authority to restart the ROW acquisition. The time delay associated with the correction of the project funding and the revised AFA from TxDOT caused the accuracy of prior work done on the appraisals and title searches to expire.

Staff worked with DEC to utilize unused funds remaining in the right-of-way line items of the contract to start ownership verification for the title commitments created in January 2019. After close coordination with TxDOT's office, the City finally received a Letter of Authority to proceed with the ROW acquisition of approved parcels on September 3, 2020, approximately 15 months after the initial funding issue was discovered. On February 22, 2021, the Council approved a contract amendment for DEC to cover the additional design services associated with the right-of-way acquisition via Resolution R2021-32.

Upcoming Contract Amendment

The current amendment for DEC covers the additional effort to complete the remaining work to finalize the acquisition and design. It includes the design of a temporary driveway for JC Penney shopping center to allow for access during construction and the design of Wooten Rd. intersection, Brazoria Drainage District 4 access driveway and Hickory Slough crossing, revisions to Argovitz pond, and revisions to the Drainage Impact and Mitigation Report. It also includes bid and construction phase services not previously provided in the original contract.

DEC drafted a proposed amendment to cover the additional level of effort in the amount of \$165,335.00 for a revised contract amount of \$1,614,057.65. The Projects Staff reviewed the proposal and determined that the proposal is complete and reasonable and will provide the effort necessary to complete this project through the final design, bid, and construction phase.

Upcoming Contract for CMCI

Also being presented for Council consideration is a Professional Services Agreement with HDR Engineering, Inc. in the amount of \$938,797.20. The agreement is based on the City's Standard Scope of Services for Construction Management. The scope of services includes day-to-day construction management, scheduling, and inspection. HDR, Inc. will provide on-site technical observation of the Contractor's activities and project oversight consistent with TxDOT LGPP standards and guidelines, chair pre-construction meetings, coordinate materials testing and review materials tests, prepare daily reports, review invoices, and prepare monthly reimbursement requests to TxDOT, and assist in project closeout.

Current Status

Since February 2021, DEC has been working on completing the design and acquisitions. The 95% design was submitted to the City and TxDOT in December 2022, but there remained unacquired parcels and revisions to the final design. The only outstanding parcel is the AT&T parcel, which includes an access manhole for utility maintenance. The staff has initiated condemnation of this parcel through our legal counsel. The hearing for this matter is scheduled for the end of June 2023.

In an effort to meet the urgent needs of communities around the country, the House Appropriations Committee invites Members of Congress to request funding for various types of projects in their communities (Community Project Funding - CPF). In FY 2021, staff submitted a request to U.S. Congressman Troy Nehls for legislatively appropriated CPF funding from the House and Congressionally-Directed Spending on the part of the Senate. The request was approved and the City's proposed \$2 million allocation for the use in the completion of the TxDOT-funded expansion of Smith Ranch Road will assist in meeting the Local Share of that federally funded project.

Next Steps

Upon approval of the amendment and CMCI contract, the design will be reviewed by the CMCI firm for constructability prior to bidding. After comments are addressed, and the plans and specifications are updated to reflect the review, staff will move to the bid phase of the project. The construction phase will utilize the Lowest Responsible and Responsive Bidder (Local Gov't Code Chapter 252.43) procurement process.

Budget Info

Funding Sources	Series	To Date	Future	Total Budget
General Revenue - Cash				-
Certificates of Obligation	2022A	774,400		774,400
Certificates of Obligation	TBS 2024		2,430,385	2,430,385
General Obligation Bonds	2015	114,700		114,700
General Obligation Bonds	2017	609,628		609,628
General Obligation Bonds	2018	716,000		716,000
General Obligation Bonds	TBS 2024		2,340,000	2,340,000
Other Funding Sources (Community Project Funds)		2,000,000		2,000,000
Other Funding Sources (Hughes Ranch Rd)		201,505		201,505
Other Funding Sources (Old Alvin)		609,700		609,700
Other Funding Sources (Traffic Improv)		91		91
Other Funding Sources (TIP)		3,899,591		3,899,591
Total Funding Sources		8,925,615	4,770,385	13,696,000

Expenditures	To Date	Future	Total
PER			-
Land	1,180,144	1,019,856	2,200,000
Design	1,397,398	231,160	1,628,558
Construction	45,369	7,500,277	7,545,645
Construction Management/Inspection		984,000	984,000
Construction Materials Testing		75,000	75,000
FF&E			-
Total Expenditures	2,622,911	9,810,293	12,433,203

Project Contingency	9%	1,262,797
Project Balance		(0)

Schedule Info

	Base Line	Current
Design Start	November-16	November-16
Bid Start	November-18	October-23
Construction Start	March-23	January-24
Construction Completion	March-24	January-25

Rain Days: N/A

Recommendation

Staff will recommend to Council, at the June 26, 2023 meeting, to amend the with DECorp in the amount of \$165,335.00 and to award a Professional Services Contract for CMCI services to HDR Engineering, Inc in the amount of \$983,797.20.

Previous Memos: 09/02/16, 01/26/17, 07/27/17, 02/15/18, 05/31/18, 01/10/19, 02/04/21, 03/24/22

Project Location Map:

