

WHEREAS, on April 28, 1999, Resolution No. 99-1459 authorized TEA-21's First Call for Projects; and,

WHEREAS, on May 23, 2001, Resolution No. 01-1667 authorized STEP's Call for Projects; and,

WHEREAS, on October 10, 2001, Resolution No. 01-3024 authorized a Professional Services Contract with Washington Infrastructure Services, Inc.; and,

WHEREAS, on October 10, 2001, Resolution No. 01-3025 authorized an Interlocal Agreement with TxDOT; and,

WHEREAS, on April 24, 2002, Resolution No. 02-1346 authorized Supplemental Agreement No. 1 to the contract with Washington Infrastructure Services, Inc.; and,

WHEREAS, on December 11, 2002, Resolution No. 02-3488 authorized Supplemental Agreement No. 2 to the contract with Washington Infrastructure Services, Inc.; and,

WHEREAS, on May 8, 2003, Administrative Action No. 03-1284 authorized Supplemental Agreement No. 3 to the contract with Washington Infrastructure Services, Inc.; and,

WHEREAS, on March 2, 2004, Administrative Action No. 04-0924 authorized Supplemental Agreement No. 4 to the contract with Washington Infrastructure Services, Inc.; and,

WHEREAS, on June 8, 2005, Resolution No. 05-1721 authorized Supplemental Agreement No. 5 to the contract with Washington Group International, Inc. (formerly Washington Infrastructure Services, Inc.); and,

WHEREAS, it was determined to be in the best interest of the City and the project to terminate Washington Group International, Inc. (formerly Washington Infrastructure Services, Inc.) and contract with HNTB Corporation for the design of Phase IV of the Katy Trail extension project; and,

WHEREAS, on February 27, 2008, Resolution No. 08-0683-02 authorized a professional services contract with HNTB Corporation for the design of Phase IV of the Katy Trail extension project; and,

WHEREAS, on December 18, 2008, Administrative Action No. 08-3514 authorized Supplemental Agreement No. 1 to the contract with HNTB Corporation to provide additional engineering and surveying services for Phase IV of the Katy Trail extension project; and,

WHEREAS, on September 8, 2010, Resolution No. 10-2297 authorized Supplemental Agreement No. 2 to the design contract with HNTB Corporation on Phase IV of the Katy Trail extension project; and,

WHEREAS, on September 22, 2010, Resolution No. 10-2451 authorized rejection of bids received and re-advertisement of new bids for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station; and,

WHEREAS, the Phase IV of the Katy Trail extension was re-advertised and bids were received on January 6, 2011, for the construction from Skillman Street to the Northwest Highway DART Station; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0931 authorized a construction contract with The Fain Group, Inc. for the construction of Phase IV of the Katy Trail from Skillman Street to the Northwest Highway DART Station in the amount of \$3,945,823.80; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0932 authorized payment to the Texas Department of Transportation in the amount of \$151,333 for the City's share of engineering and contingency costs for Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0933 authorized license agreements with Dallas Area Rapid Transit and Oncor for the use of their rights-of-way to construct and maintain the proposed Phase IV of the Katy Trail extension from Skillman Street to the Northwest Highway DART Station; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the contract with The Fain Group, Inc. for the construction of a modified retaining wall due to unforeseen water main conflict and escalation costs of three prefabricated steel pedestrian bridges for Phase IV of the Katy Trail from Skillman Street to the Northwest Highway DART Station in an amount not to exceed \$525,602.00, increasing the contract from \$3,945,823.80 to \$4,471,425.80.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with the Fain Group, Inc. for the construction of a modified retaining wall due to unforeseen water main conflict and escalation costs of three prefabricated steel pedestrian bridges for Phase IV of the Katy Trail from Skillman Street to the Northwest Highway DART Station in an amount not to exceed \$525,602.00, increasing the contract from \$3,945,823.80 to \$4,471,425.80, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund
Fund 1T22, Dept. PBW, Unit. R276, Act. INGV
Obj. 4510, Program #PB03R276, CT PBW03R276G1
Vendor #VS0000040276, in an amount not to exceed \$525,602.00

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.

APPROVED BY
CITY COUNCIL

DEC 12 2012


City Secretary