



RESOLUTION NO. 2025-126

A RESOLUTION OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION MANAGER AT RISK AGREEMENT WITH FELIX CONSTRUCTION COMPANY FOR A GUARANTEED MAXIMUM PRICE FOR THE CONSTRUCTION OF THE FARMERS BRANCH OFFICE PARK LIFT STATION REHABILITATION PROJECT (RFQ24-12) IN AN AMOUNT NOT TO EXCEED \$2,916,158.54; AUTHORIZING THE CITY MANAGER TO EXECUTE APPROPRIATE AGREEMENTS AND PROVIDE FOR PAYMENT ON THE CITY'S BEHALF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmers Branch, Texas, has determined that the Farmers Branch Office Park Lift Station is in need of rehabilitation to remedy unsafe conditions with underground utilities and to update aging infrastructure (the Project); and

WHEREAS, the City determined that the most cost-effective and efficient method of contracting for the Project was to execute a construction manager at risk contract for the Project under the provisions of Texas Government Code Chapter 2269, and the City put forth a request for qualifications (RFQ24-12) in 2024; and

WHEREAS, using the CMAR as the delivery method allows consultation with the City during the design and construction phases of the Farmers Branch Office Park Lift Station Project; and

WHEREAS, BGE, Inc. was selected as the Construction Manager at Risk for the design and project management of the Project; and

WHEREAS, pursuant to RFQ24-12, it was determined that Felix Construction Company was the most qualified applicant, and the City executed a contract for pre-construction services in the amount of \$46,913.00; and

WHEREAS, under the Construction Manager's Fee and General Conditions Fee for Construction Phase services, the pre-construction services are outside of the GMP Construction Phase of the Project; and

WHEREAS, on May 7, 2025, BGE, Inc., having received and reviewed two proposals for the Construction Phase of the Project responsive to RFQ-24-12 from Felix Construction Company and Avila Construction Group, LLC; and

WHEREAS, BGE, Inc. has recommended Felix Construction Company to be selected as the Construction Manager at Risk for the construction of the Project; and

WHEREAS, staff and BGE, Inc. have reviewed the guaranteed maximum price (GMP) proposal submitted by Felix Construction Company and recommended acceptance and approval in the amount of \$2,916,158.54; and

WHEREAS, the next step under RFQ-24-12 is to enter into a contract for the second phase of the CMAR process with Felix Construction Company for the construction of the Project for the GMP stated herein; and

WHEREAS, the City Council finds that accepting the GMP submitted by Felix Construction Company is in the best interest of the City and is an appropriate use of City funds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The City Council approves, and the City Manager is hereby authorized to accept and approve a Construction Manager at Risk Agreement with Felix Construction Company for a guaranteed maximum price (GMP) of \$2,916,158.54 for the construction of the Project, pursuant to the quote attached hereto as Exhibit "A", and is further authorized to provide for payment and to sign on the City's behalf any necessary or appropriate documents and accept and approve such contract amendments as the City Manager deems reasonable, necessary, in the public interest, in compliance with applicable law and City policy, and, in the case of an increase in contract price, subject to the availability of funds.

SECTION 2. This Resolution shall be effective immediately after final passage.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 19th DAY OF AUGUST, 2025.

ATTEST:

APPROVED:

Erin Flores, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

Nicole Corr, City Attorney
[vf.07.23.25}