

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon P.E., City Engineer

VIA: Eric Ferris, Deputy City Manager

DATE: July 25, 2018

SUBJECT: **Consideration of a Variance to the Lewisville City Code Section 6-91 Construction Standards, for the Garden Ridge Trail Project Located on Garden Ridge Blvd., Valley Parkway and Civic Circle, as Requested by City Staff**

BACKGROUND

In 2007, City Council approved an ordinance adopting the 2004 Edition NCTCOG Construction Specifications for Public Works Projects. All City capital public works projects are designed, bid and constructed based on these construction specifications. The Garden Ridge Trail Project was funded with a NCTCOG grant which covers 80% of the estimated cost of the trail at the time the grant was applied for with a required 20% minimum City participation. The grant funds equal \$1,619,403 including both federal and state funds and the minimum City participation is \$506,118 with the City responsible for cost overruns. The City entered into a professional services agreement with Halff Associates to provide design services for the trail. The trail design has been completed and staff is preparing bid documents which includes specifications provided by TXDOT. TXDOT requires the use of their specifications when there is State funding in the project. Bids for the project need to be opened no later than August 31, 2018 to meet the grant requirements. Staff is requesting a variance to allow the use of TXDOT specifications in lieu of the adopted 2004 NCTCOG specifications.

ANALYSIS

In preparing bid documents, staff noticed a difference in the amount of liquidated damages allowed per day with the NCTCOG Specifications limiting damages to \$500 per day while the TXDOT specifications allow up to \$785 per day. Due to the limited amount of time to bid the project, staff has not combed through the two sets of specifications to find every difference between the two. Staff is recommending that TXDOT specifications be used to bid the project. Staff has often referred to TXDOT specifications for capital projects in instances where the NCTCOG specs don't address a specific issue, so staff is confident the TXDOT specifications will result in a quality constructed project.

RECOMMENDATION

It is staff's recommendation that the City Council approve the variance as set forth in the caption above.