



BOARD OF SCHOOL TRUSTEES

## KELLER INDEPENDENT SCHOOL DISTRICT

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**3C.** **Action** **Date: November 14, 2005**

**SUBJECT:** (1) COMMUNITY FACILITIES AGREEMENT WITH CITY OF FORT WORTH  
(2) CHANGE ORDER #1 FOR KELLER HICKS MIDDLE / INTERMEDIATE SCHOOL SITE  
(3) LEASE AGREEMENT WITH THE CITY OF FORT WORTH FOR DISTRICT-FUNDED PUBLIC IMPROVEMENTS AT KELLER- HICKS SITES

**BOARD GOAL:** Keller Independent School District facilities and services will be operated in a safe manner so that all students and employees may thrive in a secure and nurturing environment.

All systems in the Keller Independent School District will be effective, efficient, and accountable in support of the district's mission.

**FISCAL NOTE:** Bond Funds

### Background Information:

#### Community Facilities Agreement

- A Community Facilities Agreement (CFA) is a document required by the City of Fort Worth to bind the development of a new construction site with required public improvements, such as water, sewer, drainage, and road improvements
- A CFA has been approved by the City of Fort Worth for public improvements including water and sewer extensions, off-site and on-site drainage systems, and new street sections on Keller Hicks Road, as part of the construction of the new middle and intermediate schools
- The improvements included as part of the CFA are to be completed by the "developer", which in this case is Keller ISD; KISD is allowed to do public work using our CM-at-Risk contractor in lieu of the City contracting the project, giving the district control over cost and timing

### **Change Order #1 for Keller Hicks Middle/Intermediate Site**

- A Change Order is required in order to amend an existing construction contract to include additional work not included in the original scope of work
- Change Order #1 will incorporate the water and sewer improvements required under the above-referenced CFA into the current Guaranteed Maximum Price for the Middle and Intermediate Schools

### **Lease Agreement with the City of Fort Worth for District-funded improvements**

- Recently enacted state legislation prohibits a public school district from spending its funds for improvements on property it does not own
- When the district develops a site for construction, it is typically required to make certain public improvements including water, sewer, drainage and road improvements
- These public improvements are usually made to property not owned by the district but by the municipality or county in which the district's property is located
- In order to comply with this new requirement, the district's counsel and legal representatives from the City of Fort Worth developed a standard lease agreement that could be used in situations where the school district is required to make public improvements in property owned by the City of Fort Worth

### **Administrative Consideration:**

- The proposed CFA for water, sewer, drainage, and road improvements along Keller Hicks Road is attached
- These improvements will be done in two packages, one for water and sewer extensions, and a second package for drainage and road improvements to Keller Hicks Road
- Change Order # 1 in the amount of \$694,812, a copy of which is attached, is for the water and sewer improvements at the Keller Hicks site; a second change order for the drainage and road improvements will be submitted for preview and action at later dates
- The amount of Change Order #1 and the current projected cost for the change order to include drainage and road improvements are within the budget allowed for public improvements
- Change Order #1 has been reviewed by the Facilities Committee

- A copy of the lease agreement between KISD and the City of Fort Worth for the temporary lease of a portion of Keller Hicks Road is attached
- The time period of the lease, once approved by both parties, will cover both change orders mentioned above
- The City of Fort Worth's legal staff has approved the lease and it is scheduled to be reviewed and approved by the City Council on Tuesday, November 15.

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**The administration recommends that the Board of Trustees approve each of the above items pertaining to the construction of public improvements at the New Middle School / Intermediate School site and included in Change Order #1 to the contract for a Guaranteed Maximum Price.**

Respectfully submitted,

Bill Stone  
Assistant Superintendent of Business Operations

Mark Canterbury  
District Architect