



## Legislation Details (With Text)

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**Title:** Resolution to Approve Amendment No. 4 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$67,500.00) for the West Park Stormwater Completion Project

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit B-4.pdf, 2. Exhibit A-4.pdf

Date	Ver.	Action By	Action	Result
6/4/2012	1	City Council	Approved	Pass

Resolution to Approve Amendment No. 4 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$67,500.00) for the West Park Stormwater Completion Project

This is to recommend approval of the attached resolution to amend the Professional Services Agreement (PSA) with Orchard, Hiltz & McCliment, Inc. (OHM) for additional engineering design services to be used on the West Park Stormwater Completion Project.

The original PSA with OHM, approved by Council on June 4, 2007, was to provide engineering support to the Project Management Services Unit during peak demand periods. The original PSA with OHM was established for an amount of \$85,000.00 and authorized the City Administrator to approve \$35,000.00 for additional engineering services (Amendment No. 1).

On December 15, 2008 the City Council approved amendment No. 2 for \$85,000.00 for additional general engineering services. This additional amount, as well as the remaining balance from Amendment No. 1 (\$11,820.00), was used to provide engineering services to the City for the West Park Storm System Modifications Project in order to review the design of the stormwater system and investigate the cause of the failures of the stormwater swirl concentrator units installed in 2010. OHM provided the City with a report dated August 30, 2011 outlining their recommendations.

On November 10, 2011, City Council approved Amendment No. 3 for \$119,000.00, which included additional stormwater modeling, engineering, and survey work that was performed in order to complete the investigation of the existing system and failure of the swirl concentrator units (\$25,000.00). It also included additional engineering services to provide design plans and contract documents for the replacement of the stormwater diversion structures; as well as engineering, inspection, and staking services during construction (\$94,000.00).

Amendment No. 4 will include additional engineering services that were found to be required as the project design developed. These services include:

- Additional design effort to provide an option of precast versus cast-in-place structures which

should help lower construction costs

- Additional assistance and presentation during the public involvement process
- Evaluating different types of treatment units, should it be found that full replacement of the units would be required
- Reviewing the structural analysis of the roof repairs proposed by the manufacturer of the swirl concentrator units, as well as field visits to confirm the quality of the repairs.

This amendment will bring the total Professional Services Agreement (PSA) with OHM to \$391,500.00. Of this amount, \$283,320.00 was used for the West Park Project.

OHM received updated Human Rights approval on October 7, 2011 and Living Wage Approval on April 23, 2012.

Amendment No. 4 will increase the value of the PSA by \$67,500.00. Sufficient funds are available in the approved Stormwater capital budget for the additional engineering and inspection services included in the proposed amendment to the Professional Services Agreement.

The City intends to pursue various means of recovering the costs associated with the work performed by OHM for the West Park project, including claims against the original designers of the project.

Prepared by: Homayoon Pirooz, P.E., Project Management Manager

Reviewed by: Craig Hupy, Interim Public Services Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, additional engineering consulting services are required for completing the redesign of the stormwater treatment system installed in West Park in 2010;

Whereas, On June 4, 2007, City Council approved an agreement with Orchard, Hiltz & McCliment, Inc. (OHM) in the amount of \$85,000.00 for general civil engineering design services;

Whereas, On January 5, 2008, the City Administrator approved Amendment No. 1 with OHM and expanded their scope of work by the amount of \$35,000.00;

Whereas, On December 15, 2008, the City Administrator approved Amendment No. 2 with OHM and expanded their scope of work by the amount of \$85,000.00;

Whereas, On November 10, 2011, the City Administrator approved Amendment No. 3 with OHM and expanded their scope of work by the amount of \$119,000.00;

Whereas, Amendment No. 4 to the existing Professional Services Agreement with OHM includes additional engineering design services, review of structural plans, evaluation of different treatment units, and participation in public presentations;

Whereas, Orchard, Hiltz & McCliment, Inc. received Human Rights approval on October 7, 2011 and Living Wage Approval on April 23, 2012; and

Whereas, Sufficient funds for this Amendment are available in the approved Stormwater capital budget;

RESOLVED, That City Council approves Amendment No. 4 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. in the amount of \$67,500.00;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator; and

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution.