



## Legislation Details (With Text)

**File #:** 14-0389      **Version:** 2      **Name:** 5/5/14 - Amendment #4 for PSA with CDM for FDD Program  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/5/2014      **In control:** City Council  
**On agenda:** 6/2/2014      **Final action:** 6/2/2014  
**Enactment date:** 6/2/2014      **Enactment #:** R-14-181

**Title:** Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. (Formerly CDM Michigan, Inc.) for the Footing Drain Disconnection Program (\$143,440.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CDM Amendment #4.pdf

Date	Ver.	Action By	Action	Result
6/2/2014	2	City Council	Approved	Pass
5/5/2014	1	City Council		
5/5/2014	1	City Council	Postponed	Pass

Resolution to Approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. (Formerly CDM Michigan, Inc.) for the Footing Drain Disconnection Program (\$143,440.00)

Attached for your review and approval is a resolution to approve Amendment No. 4 to the Professional Services Agreement with CDM Smith Michigan, Inc. (CDM) in the amount of \$143,440.00 for construction management services for the Footing Drain Disconnection (FDD) Program. This amendment will be funded by the approved sewer fund capital budget.

Since the inception of the FDD Program in October 2001, approximately 1,834 footing drains have been disconnected through the City program and approximately 848 footing have been disconnected through the Developer Offset Mitigation (DOM) program.

On December 4, 2006, City Council approved a Professional Services Agreement with CDM for construction management services for the Footing Drain Disconnection Program (R-502-12-06). CDM was selected through a competitive process and has consistently proven to be reliable, comprehensive, responsive, and able to complete the work efficiently.

On September 17, 2012, City Council passed a resolution temporarily suspending the City's Footing Drain Disconnection (FDD) Program efforts within the Glen Leven and Morehead (Lansdowne Neighborhood) areas (R-12-435). While this resolution suspended the City's FDD program in the Glen Leven and Morehead areas, it directed the continuation of the DOM Program.

On February 4, 2013, City Council authorized a Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (OHM) for the Sanitary Sewer Wet Weather Evaluation (SSWWE) Project. The

Sanitary Sewer Wet Weather Evaluation project will: measure how much the Footing Drain Disconnection program has reduced stormwater flow into the sanitary system; assess the risk of sewer backups in the City; research and evaluate new ways to control the impacts of stormwater on the sanitary system; and recommend the method(s) to further reduce wet weather impacts to the sanitary system.

Until the work of the SSWWE Project is completed, and a determination is made as to how the City will handle wet weather flows in the sanitary sewer system going forward, the services of CDM will be required to continue certain aspects of the existing FDD and DOM programs. It is estimated that the scope of services proposed with this amendment will extend CDM's services through January 2015.

The scope of services included in Amendment #4 covers the following tasks:

*DOM Support* - This work includes working with contractors, developers, and homeowners on developer offset mitigation requirements, program specifications, FDD location requirements. This task includes performing the post-construction inspection to verify that the work has been completed to program specifications, document the inspection, and maintain the database of completed work. The DOM program is necessary because of development site plan requirements for mitigating new flow added to the City's sanitary system prior to obtaining a Certificate of Occupancy. (\$106,722)

*Citizen Support* - This task includes responding to and investigating concerns from citizens that are or have been involved in the FDD or DOM program. These typically include concerns with sump pump performance or installation, reports of flooding or basement seepage, and other feedback issues. This effort is would be separate from and more in depth than the investigation currently being performed by OHM in follow-up to the survey conducted by the SSWWE Project, and geared toward resolving issues that arise. This task also includes providing information to property owners looking for more information on the program or looking to become part of the program. The consultant will maintain detailed correspondence records for all citizen support communications. (\$36,718)

This amendment would provide the services needed to bridge the gap until the SSWWE Project recommendations have been made. Presently, the anticipated timeline for completion of the SSWWE Project is in the autumn of 2014. That does not allow sufficient time to issue a new RFP, collect and review proposals, award a contract, and bring a new consultant up to speed to manage the remaining FDD and DOM work outlined above. Existing City staff does not currently have the available resources or expertise to perform the inspections required for the DOM program.

CDM has received Human Rights approval and complies with the Living Wage Ordinance. The funding for Amendment No. 4 is available in the approved sewer fund capital budget.

Prepared by: Nicholas Hutchinson, P.E., Chief Engineer  
Reviewed by: Craig Hupy, Public Services Area Administrator  
Approved by: Steven D. Powers, City Administrator

Whereas, On August 20, 2001, City Council approved Ordinance No. 32-01 to provide for implementation of a citywide footing drain disconnection process;

Whereas, Ongoing mitigation of new flows connecting to the system is required by R-362-8-03 and is essential to maintaining performance of the sanitary system;

Whereas, Continuation of the Developer Offset Mitigation Program is required by R-12-435;

Whereas, The City's approved sewer fund capital budget includes the project budget for the Footing Drain Disconnection Program in an amount of \$143,440.00; and

Whereas, CDM Smith Michigan, Inc. has received Human Rights approval and complies with the Living Wage Ordinance;

RESOLVED, That City Council approve Amendment No. 4 to the Professional Services Agreement with CDM Michigan, Inc. in the amount of \$143,440.00 with funds to be available until expended without regard to fiscal year;

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

RESOLVED, That the City make the following declaration for the purpose of complying with the reimbursement rules of Treasury Regulations 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, that the City reasonably expects to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds; and

RESOLVED, That City Council authorize the City Administrator to take necessary administrative actions to implement this resolution.