



## Legislation Details (With Text)

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**Type:** Resolution      **Status:** Passed  
**File created:** 5/5/2008      **In control:** City Council  
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**Title:** Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Midwestern Consulting, LLC (\$23,500.00) for the Mallets Creek Culvert Crossing at South State Street Project

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Malletts Creek Culvert Project Map.pdf

Date	Ver.	Action By	Action	Result
5/5/2008	1	City Council	Approved	Pass

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Midwestern Consulting, LLC (\$23,500.00) for the Mallets Creek Culvert Crossing at South State Street Project  
This is to recommend approval of the attached resolution to amend the Professional Services Agreement (PSA) with Midwestern Consulting, LLC for construction engineering and construction inspection services.

The purpose of this project is to replace the existing failing headwall at the downstream (east) end of the culvert under South State Street, and to align the new headwall with the direction of flow in the Creek. Currently, severe bank erosion is occurring around the side of the existing headwall and through a cracked storm pipe that discharges through the side of the culvert headwall. The erosion is currently threatening the integrity of the sidewalk adjacent to South State Street. Construction is currently planned for July 2008.

The Project Management Services Unit issued a Request for Proposal (RFP #650) in November of 2006 for a professional engineering firm to analyze and design repairs for multiple storm outlets and culverts at various locations throughout the City. In response to our request, the City received twenty-three (23) proposals. A review team composed of City staff evaluated the proposals and selected Midwestern Consulting, LLC for their proposed work plan, staff qualifications, past involvement with similar projects, and competitive fee schedule.

A PSA with Midwestern Consulting, LLC for \$18,457.00 was established in order to perform the design work for the Mallets Creek Culvert Crossing at South State Street Project. This PSA was amended by \$6,533.00 on November 1, 2007 (Amendment No. 1) to include additional design work for the headwall.

Amendment No. 2 to the existing PSA with Midwestern Consulting, LLC will include construction inspection services, construction engineering as needed, and some construction staking services.

Midwestern Consulting, LLC received Human Rights and Living Wage approval on April 1, 2008.

Sufficient funds will be available in the Mallets Creek Culvert Crossing at South State Street Project budget for the additional engineering and inspection services included in the proposed amendment to the Professional Services Agreement. Funding for the project is available in the previously established project budget.

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

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, The project is necessary to mitigate the severe erosion that is threatening the City's infrastructure, including the existing sidewalk running along South State Street;

Whereas, On February 26, 2007, the City entered into an agreement with Midwestern Consulting, LLC in the amount of \$18,457.00 for engineering design services for the project;

Whereas, On November 5, 2007, the City Administrator approved Amendment No. 1 with Midwestern Consulting, LLC and expanded their scope of work by the amount of \$6,533.00.

Whereas, The Amendment No. 2 to the existing Professional Services Agreement with Midwestern Consulting, LLC will include construction inspection services, construction engineering as needed, and some construction staking services;

Whereas, Midwestern Consulting, LLC received Human Rights and Living Wage approval on April 1, 2008;

Whereas, Sufficient funds for this Amendment are available in the previously established project budget;

RESOLVED, That City Council approves Amendment No. 2 to the Professional Services Agreement with Midwestern Consulting, LLC in the amount of \$23,500.00.

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;

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

RESOLVED, That a contingency amount of \$2,500.00 be established within the project budget and that the City Administrator be authorized to approve additional Amendments to the Professional Services Agreement with Midwestern Consulting, LLC, not to exceed \$2,500.00 in order to satisfactorily complete this project; and

RESOLVED, That the City makes 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.