



Legislation Text

File #: 09-0530, **Version:** 1

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with CDM Michigan, Inc. for the Footing Drain Disconnection Program (\$975,500.00)

Attached for your review and approval is a resolution to approve Amendment #2 to the Professional Services Agreement, in the amount of \$975,500.00 with CDM Michigan, Inc. (CDM) for professional engineering services for the Footing Drain Disconnection Program. The funding for this amendment will come from two sources. A portion of this amendment will be funded from the unspent portion of the FY09 Capital Budget that includes the approved project budget of \$2,600,000.00, which includes \$400,000.00 that will fund this amendment. In addition, the City's adopted FY10 Capital Budget includes a FDD project budget in the amount of \$1,450,000 of which \$575,500.00 will fund this amendment. Funds will be advanced from the Sewage Disposal System Operating Fund Balance pending the sale of Sewer Revenue Bonds.

On August 20, 2001, the City Council approved Ordinance No 32-01 for the implementation of a citywide footing drain disconnection (FDD) process. An Administrative Consent Order (ACO) was signed with the Michigan Department of Environmental Quality (MDEQ) to work toward the elimination of sanitary sewer overflow and compliance with Natural Resources and Environmental Protection Act, 1994 PA 451, Part 31. On July 3, 2006, the City Council approved the resolution to award a Construction Contract to Bidigare Contractors, Inc. for the installation of approximately 30,000 feet of curb drain to collect sump pump discharges from homes in Priority Phase 2A Areas of the Footing Drain Disconnection Program (R-321-7-06). On October 1, 2007, the City Council approved a change order with Bidigare Contractors, Inc. for installation of an additional 30,000 feet of HDPE curb drain (R-07-468). This additional work will provide discharge locations for approximately 600 residential homes in the Priority Phase 2A areas

On December 4, 2006, the 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 initially selected through a competitive process and has consistently proven to be reliable, comprehensive, responsive and able to complete the work efficiently. On October 1, 2007, CDM's Professional Services Agreement for construction management services for the Footing Drain Disconnection Program was amended to include the Additional Curb Drain Construction Support Tasks needed to manage the additional 30,000 feet of curb drain to be installed by Bidigare Contractors (R-07-472). It is recommended, that CDM's Professional Services Agreement for construction management services for the FDD Program be amended to include additional homeowner installation support, program documentation and developer off-set mitigation support in order to facilitate the disconnection work in approximately 500 homes within the next three years.

CDM received Human Rights approval on April 7, 2009, and complies with the living wage ordinance.

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, On August 20, 2001, the City Council approved Ordinance No. 32-01, to provide for

implementation of a citywide footing drain disconnection process;

Whereas, The City of Ann Arbor is required to remain in conformance with the Michigan Department of Environmental Quality, Natural Resources and Environmental Protection Act, 1994 PA 451, Part 31;

Whereas, The City's adopted FY09 Capital Budget includes the project budget in an amount of \$2,600,000.00;

Whereas, The City's adopted FY10 Capital Budget includes the project budget in an amount of \$1,450,000.00;

Whereas, The funds for the project will be advanced from the Sewage Disposal System Operating Fund Balance pending the sale of Sewer Revenue Bonds;

Whereas, It is necessary to retain the services of a professional engineering firm to assist the City with the engineering and construction management for the project;

Whereas, CDM Michigan, Inc. has demonstrated the required experience, qualified professionals, and competitive fee schedule for the required services; and

Whereas, CDM Michigan, Inc. received Human Rights approval on April 7, 2009, and complies with the Living Wage Ordinance;

RESOLVED, That the City Council approve Amendment No. 2 to the Professional Services Agreement with CDM Michigan, Inc. in the amount of \$975,500.00 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; 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; and

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