

CONTRACT ROUTING FORM

****NOTE: CITY ATTORNEY MUST REVIEW CONTRACTS BEFORE SUBMISSION TO CITY COUNCIL**

SUBMITTED BY: Glen Wiczorek DATE: 7/26/2017

SERVICE AREA/UNIT: Water Treatment Plant

CONTRACTOR: Tetra Tech

PURPOSE: WTP Professional Engineering Services RFP 963 Ammendment 1

CONTRACT TYPE:

SERVICES

MATERIALS/CONSTRUCTION

CHANGE ORDER/AMENDMENT

CHANGE AMOUNT: \$ 100,000

OTHER:

CONTRACT AMOUNT: \$ 300,000

RESOLUTION REQUIRED: YES NUMBER: R-17-275

NO PROJECT MEMO ATTACHED

SIGNATURES: **PLEASE MARK PAGES**
(IN ORDER)

	REQUIRED	SIGNED	DATE SIGNED
CONTRACTOR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>July 18, 2017</u>
SERVICE AREA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>7/27/17</u>
CITY ATTORNEY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8/1/17</u>
CITY ADMINISTRATOR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8-3-17</u>
MAYOR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8.4.17</u>
CITY CLERK	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>8/4/17</u>

RETURN CONTRACT TO: Glen Wiczorek, WTP PHONE: 4-3958

MEMORANDUM

TO: Mayor and Council

FROM: Craig Hupy, Public Services Area Administrator

DATE: July 17, 2017

SUBJECT: Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC, for Water Treatment Professional Engineering Services (\$100,000)

This memorandum and resolution requests approval of Amendment No. 1 to the professional services agreement for professional engineering services with Tetra Tech. Council approved a professional services agreement for \$200,000 with Tetra Tech in July 2016 as part of Resolution No. R-16-214.

The City is seeking to amend the professional services agreement with Tetra Tech to accommodate additional professional engineering service needs over the remaining duration of the contract. Tetra Tech is currently supporting Public Services on numerous projects within the Water Treatment Services Unit. The task-based contract is effective FY17 through FY19. As of the end of FY17, Tetra Tech has completed several projects, including East High Service Pump VFD Construction, South Industrial Tank Coating Design/Bid/Construction, Lime Sludge Lagoon Dredging Design and Northeast Pressure District Transient Modeling. Additional professional engineering services are required to support the Water Treatment Services Unit (WTSU) with capital, operation, and maintenance projects at the Water Treatment Plant and associated facilities, dams, and hydroelectric generating stations and maintain the aggressive capital improvement project schedule through FY19.

It is therefore, recommended that City Council approve Amendment No. 1 to the professional services agreement with Tetra Tech, to provide additional Professional Engineering Services for the remaining life of the contract, through FY19.

Tetra Tech complies with the requirements of the City's Non-Discrimination and Living Wage ordinance.

These engineering services are to be funded from the approved FY18 Water Supply System Operations and Maintenance budgets, Parks Maintenance and Capital Improvement Millage, the General Fund A (Hydroelectric) operating budgets and FY18 capital budget, for which services are rendered. Services for FY19 will be funded from the operating budgets or Capital Budgets for these fiscal years if so approved by Council. Tasks will be assigned on as-needed basis to the appropriate fund.

Prepared by: Brian Steglitz, P.E., Water Treatment Plant Manager
Reviewed by: Craig Hupy, Public Services Administrator
Approved by: Howard S. Lazarus, City Administrator

Whereas, The Water Treatment Services Unit is seeking to amend the Professional Engineering Services Professional Services Agreement with Tetra Tech because the contract balance is projected to be exhausted prior to June 30, 2019, the expiration of the Contract;

Whereas, Additional funds are necessary to maintain the Water Treatment Services Unit capital improvement project schedule;

Whereas, The Professional Engineering Services for FY19 will be funded the appropriate operating budgets for this fiscal year or approved capital budgets is so approved by Council; and

Whereas, Tetra Tech complies with the requirements of the City's Non-Discrimination and Living Wage ordinances;

RESOLVED, That the Amendment No. 1 to the Professional Services Agreement with Tetra Tech is approved in the amount of \$100,000;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute Amendment No.1 to the Professional Services Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney;

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

RESOLVED, That the funds be available for the life of the project(s) without regard to fiscal year until the Professional Service Agreement ends on June 30, 2019.

Submitted by: Public Services Area
Date: July 17, 2017

Approved: City Attorney

AMENDMENT NUMBER 1 TO
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
TETRA TECH OF MICHIGAN, PC
AND
THE CITY OF ANN ARBOR

The City of Ann Arbor, a municipal corporation, 301 E. Huron Street, Ann Arbor, Michigan 48104 (“City”) and Tetra Tech of Michigan, PC, a Michigan Corporation, having its offices at 710 Avis Drive, Ann Arbor, MI 48108 (“Consultant”) agree to amend the professional services agreement for the WTP Professional Engineering Services RFP963 executed by the parties dated June 9, 2016 as follows:

- 1) Article I, DEFINITIONS is amended to read as follows
 - A. Administering Service Areas/Units means Water Treatment Services Unit.
 - B. Contract Administrator means Water Treatment Services Manager or whomever the Contract Administrator may from time to time designate.
 - C. Deliverables means all Plans, Specifications, Reports, Recommendations, and other materials developed for or delivered to City by Consultant under this Agreement.
 - D. Project means WTP Professional Engineering Services RFP963.

- 2) Article III., SERVICES, is amended to read as follows:
 - A. The Consultant agrees to provide professional consulting engineering services ("Services") in connection with the Project as described in Exhibit A, and as amended for additional tasks by Amendment Number 1 (Exhibit A-1). The City retains the right to make changes to the quantities of service within the general scope of the agreement at any time by a written order. If the changes add to or deduct from the extent of the services, the contract sum shall be adjusted accordingly. All such changes shall be executed under the conditions of the original agreement.

- 3) Article IV, COMPENSATION OF CONSULTANT is amended to read as follows:
 - A. The Consultant shall be paid on the basis of time spent and materials used at the rates and prices specified in Exhibit B, and as amended for additional tasks by Amendment Number 1 (Exhibit B-1) for acceptable work performed and acceptable deliverables received. The total fee to be paid the Consultant for the Services shall not exceed \$300,00.00. The

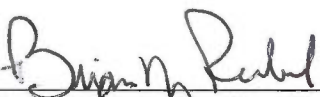
original contract amount was \$200,000.00. The Amendment No. 1 amount is \$100,000.00. Payment shall be made monthly following receipt of invoices submitted by the Consultant, and approved by the Contract Administrator.

All terms, conditions, and provisions of the original agreement between the parties executed June 9, 2016, unless specifically amended above, are to apply to this amendment and are made a part of this amendment as though expressly rewritten, incorporated, and included herein.

This amendment to the agreement between the parties shall be binding on the heirs, successors and assigns of the parties.

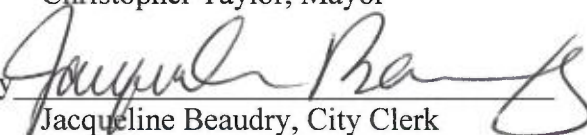
Dated this July 18, 2017.

For Consultant

By 
Brian Rubel, Vice President
Tetra Tech

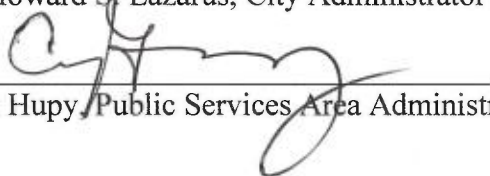
For City of Ann Arbor

By 
Christopher Taylor, Mayor

By 
Jacqueline Beaudry, City Clerk

Approved as to substance

By  8-3-2017
Howard S. Lazarus, City Administrator

By 
Craig Hupy, Public Services Area Administrator

Approved as to form and content

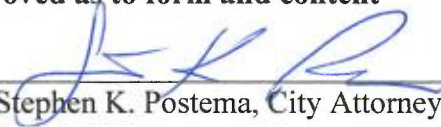
By 
 Stephen K. Postema, City Attorney

EXHIBIT A-1
SCOPE OF SERVICES

CONSTRUCTION CONTRACTING CHANGES

Additional time and materials consistent with detailed scope of services as described in the original Contract for the following:

1. Water Treatment Plant Design
2. Instrumentation
3. Dam Inspection and Design
4. Pump Station and Storage Tank Design
5. Permitting
6. Repairs of Existing Building and Other Structures
7. Construction Observation and Administration
8. Land Surveying
9. Operation & Maintenance Manuals and Staff Training
10. Public Engagement
11. Underground Utility Design
12. Storm Water Management
13. Feasibility Studies
14. Road Design and Construction
15. ADA Design

EXHIBIT B-1
FEE SCHEDULE

Additional fees are broken down as follows:

Contractor shall be paid for those Services performed pursuant to this Agreement inclusive of all reimbursable expenses (if applicable), in accordance with the terms and conditions as set in the original Contract. The Compensation Schedule in Exhibit B of the original Contract states natures and amount of compensation the Contractor may charge the City.

The fees for services shall be determined for each task, per RFP 963 and based upon the fee schedule provided in the Contractor's proposal. The total amount of fees to be paid under the amended Agreement shall not exceed \$300,000.00. The original contract amount was \$200,000.00. The Amendment No. 1 amount is \$100,000.00.