



Legislation Details (With Text)

File #:	23-1408	Version:	2	Name:	9/18/23 Amendment No. 1 with Geosyntec Consultants of Michigan, Inc.
Type:	Resolution	Status:		Status:	Passed
File created:	9/18/2023	In control:		In control:	City Council
On agenda:	9/18/2023	Final action:		Final action:	9/18/2023
Enactment date:	9/18/2023	Enactment #:		Enactment #:	R-23-342

Title: Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Geosyntec Consultants of Michigan, Inc. for Hydroelectric Dams - FERC Ninth Part 12D Inspections and Other Engineering Services pertaining to Barton Dam and Superior Dam 1 (\$115,700.00; total contract amount \$215,700.00) and to Appropriate \$21,125.00 from the Water Supply System Fund (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Amendment_No_1_PSA_Geosyntec_Aug 2023.pdf, 2. Geosyntec PSA - final_Executed.docx.pdf, 3. R-22-333.pdf

Date	Ver.	Action By	Action	Result
9/18/2023	2	City Council		

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Geosyntec Consultants of Michigan, Inc. for Hydroelectric Dams - FERC Ninth Part 12D Inspections and Other Engineering Services pertaining to Barton Dam and Superior Dam 1 (\$115,700.00; total contract amount \$215,700.00) and to Appropriate \$21,125.00 from the Water Supply System Fund (**8 Votes Required**)

This memorandum and resolution requests approval of Amendment No. 1 in the amount of \$115,700.00 to the professional services agreement for professional engineering services with Geosyntec Consultants of Michigan, Inc. (Geosyntec). Council approved a professional services agreement for \$100,000.00 with Geosyntec in December 2022 as part of Resolution No. 22-333.

The City is seeking to amend the professional services agreement with Geosyntec to accommodate additional professional engineering service needs required by the Federal Energy Regulatory Commission (FERC). FERC is requiring additional engineering efforts, including topographic and bathymetric surveys, dive inspections, a slope stability analysis for earthen embankment at Superior, and an audit of the owner’s dam safety program for the Barton and Superior dams. FERC is the federal regulator for these high hazard dams and the City is required to satisfy FERC requests in order to maintain licensure.

It was unknown at the time of bidding whether these items would be formally required by FERC, yet the City was aware that the potential existing. Consequently, the additional work items were competitively bid at the time of the original RFP, but not awarded. Geosyntec has held their pricing from their original proposal. Directives from FERC have since been provided and the additional items are now formally required.

Based upon the project needs and directives from FERC, it is recommended that City Council approve Amendment No. 1 to the professional services agreement with Geosyntec, to provide additional Professional Engineering Services for the remaining life of the contract.

Geosyntec complies with the requirements of the City's Conflict of Interest, Non-Discrimination, and Living Wage ordinance.

Budget/Fiscal Impact: The additional engineering services are to be funded from the Water Supply System Fund and General Fund Budgets for FY 24. Funding is available within the General Fund Operations and Maintenance Budget and Water Supply System Fund Balance.

Prepared by: Glen Wiczorek, PE, Senior Utilities Engineer

Reviewed by: Brian Steglitz, PE, Public Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, The Water Treatment Services Unit is seeking to amend Professional Services Agreement with Geosyntec Consultants of Michigan, Inc. due to additional project requirements from the regulators;

Whereas, Continuing professional engineering services are necessary to perform additional analyses as mandated by FERC to address the stability and safety of the dam's embankment and spillway;

Whereas, Additional funds are necessary to complete these surveys and analyses;

Whereas, Funding is available in the approved Water Supply System Capital Budget and General Fund Capital Budget; and

Whereas, Geosyntec Consultants of Michigan, Inc. complies with the requirements of the City's Conflict of Interest, Non-Discrimination, and Living Wage ordinances;

RESOLVED, That \$21,125.00 be appropriated from the Water Supply System Fund Balance thereby increasing the FY24 Operations and Maintenance revenue and expense budgets;

RESOLVED, That City Council approve Amendment No. 1 to the Professional Services Agreement with Geosyntec Consultants of Michigan, Inc. in the amount of \$115,700. 00 for Hydroelectric Dams - FERC Ninth Part 12D Inspections and Other Engineering Services pertaining to Barton Dam and Superior Dam;

RESOLVED, That a contingency in the amount of \$21,500.00 be approved to finance change orders to the Professional Services Agreement to be approved by the City Administrator;

RESOLVED, That the Professional Services are to be funded from the Water Supply System Capital Budget and the General Fund Capital Budget;

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 makes the following declaration for the purpose of complying with the reimbursement rules of Treas. Reg. 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;

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

RESOLVED, That the funds be available for the life of the project(s) without regard to fiscal year.