



Legislation Details (With Text)

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**Title:** Resolution to Approve a Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Right Embankment Remediation project (RFP 21-21) (\$589,405.30)

**Sponsors:**

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**Attachments:** 1. RFP\_21-21\_ProposalTab.pdf, 2. PSA\_Over\_25K\_AutoAI\_Barton\_Right\_Embankment\_20211116.pdf

Date	Ver.	Action By	Action	Result
12/20/2021	2	City Council	Approved	Pass

Resolution to Approve a Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Right Embankment Remediation project (RFP 21-21) (\$589,405.30)  
 This memorandum and resolution requests approval of a Professional Services Agreement with NTH Consultants, Ltd. (NTH) to provide professional services for the Barton Dam Right Embankment Remediation project for \$589,405.30.

The Water Treatment Services Unit (WTSU) operates Barton Dam, which impounds the Huron River to supply approximately 80% of the City’s drinking water. In addition, the dam generates electricity and the resulting pond provides recreational opportunities within the City park system. The dam is regulated by the Federal Energy Regulatory Commission (FERC) and is classified as a High hazard potential dam, meaning that an accidental uncontrolled release of water could result in loss of life and/or significant property damage.

The right embankment of the dam is a 1,500+ foot long x 23 foot high earthen structure that dates to the original construction of the dam in 1913. The embankment has a history of seepage, which is water migration through the earthen embankment, dating at least to the early 1970s. Several remediations have taken place on the embankment, including repairs in 1971, significant regrading in 1991 and installation of a reverse filter in 2013. In 2014, City installed additional monitoring equipment, and in 2017 the City commissioned NTH to perform a geotechnical study of the embankment which included taking earth samples from the embankment and testing them, installing more monitoring equipment, and performing sub-surface scanning of the embankment. The report recommended regrading the downstream slope and installing an improved seepage collection and drainage system.

The scope of this project includes professional engineering services for the detailed design and preparation of bid documents for the remediation of the Barton Embankment to improve it stability and safety. This project is being mandated by FERC. On August 12, 2021, the City accepted for

evaluation four (4) proposals for this work from teams led by Barr, GEI, NTH and Geosyntech. The bids were evaluated based on the following criteria:

- Professional Qualifications
- Past Involvement with Similar Projects
- Proposed Work Plan

After initial evaluation three firms were shortlisted (Barr, GEI and NTH) and their respective fee proposals were opened. After interviews of the short-listed respondents and consideration of the fee proposals, it was decided that the NTH team and plan were most qualified to execute the project and that they possess the expertise to address the issues facing the City. It is therefore recommended that City Council approve a Professional Services Agreement with NTH to perform the necessary services for the Barton Dam Right Embankment Remediation project.

Budget/Fiscal Impact: The project is included in the City's Capital Improvement Plan and funding was included in the FY 2021 approved budget as a result of the 2018 Resident Survey on County Millage Proceeds and includes funding from the Water Supply System Capital and County Mental Health proceeds.

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

Prepared by: Brian Steglitz, PE, Water Treatment Services Unit Manager

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Milton Dohoney Jr., Interim City Administrator

Whereas, Barton Dam and embankment provide drinking water for the City and is classified as a high hazard dam by the Federal Energy Regulatory Commission (FERC);

Whereas, the age of the right embankment and its history of seepage issues suggests need for remediation;

Whereas, the FERC has mandated improvements to address the stability and safety of the earthen embankment;

Whereas, The City issued Request for Proposal, RFP #21-21 for professional engineering services for the detailed design of the Barton Dam Right Embankment Remediation project;

Whereas, Of the four proposals accepted, the team led by NTH Consultants, Ltd. was the most qualified;

Whereas, This project is in the City's Capital Improvement Plan and was included in the FY 2021 approved Water Supply System Capital Budget and the County Mental Health Millage; and

Whereas, NTH Consultants, Ltd. complies with the City's Conflict of Interest, Living Wage and Non-Discrimination Ordinances;

RESOLVED, That Council approves a Professional Services Agreement with NTH Consultants, Ltd. in the amount of \$589,405.30 for the Barton Dam Right Embankment Remediation project (RFP 21-21);

RESOLVED; That a contingency in the amount of \$59,000.00 be approved to finance change orders to the Professional Services Agreement with NTH Consultants, Ltd. to be approved by the City Administrator;

RESOLVED, that the professional services are to be funded equally from the Water Supply System Capital Budget and the County Mental Health Millage;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute 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 City makes the following declaration for the purposes 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 expect to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds; and

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