



Legislation Details (With Text)

**File #:** 11-1307      **Version:** 1      **Name:** 11/10/11 - OHM PSA Amendment  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/10/2011      **In control:** City Council  
**On agenda:** 11/10/2011      **Final action:** 11/10/2011  
**Enactment date:** 11/10/2011      **Enactment #:** R-11-481

**Title:** Resolution to Approve Amendment No. 3 the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$119,000.00) for the West Park Storm System Modifications Project

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. OHM Am 3.PDF, 2. Exhibit A-3.pdf, 3. Exhibit B-3.pdf

Date	Ver.	Action By	Action	Result
11/10/2011	1	City Council	Approved	Pass

Resolution to Approve Amendment No. 3 the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$119,000.00) for the West Park Storm System Modifications Project  
This is to recommend approval of the attached resolution to amend the Professional Services Agreement (PSA) with Orchard, Hiltz & McCliment, Inc. (OHM) for additional engineering design and construction staking and inspection services to be used on the West Park Storm System Modifications Project.

The original PSA with OHM, approved by Council on June 4, 2007, was to provide engineering support to the Project Management Services Unit during peak demand periods. The original PSA with OHM was established for an amount of \$85,000.00 and authorized the City Administrator to approve \$35,000.00 for additional engineering services (amendment No. 1).

In December 15, 2008 the City Council approved amendment No. 2 for \$85,000.00 for additional general engineering services. The total PSA with OHM as amended to date stands at \$205,000.00. This remainder of this PSA was used to provide engineering services to the City for the West Park Storm System Modifications Project in order to review the design of the stormwater system and investigate the cause of the failures of the stormwater swirl concentrator units installed in 2010. OHM provided the City with a report dated August 30, 2011 outlining their recommendations.

In order to get the swirl concentrator units back on-line in the spring of 2012, the City needs to extend the PSA with OHM to include engineering design services to implement the recommendations from their report, and to design replacement structures for the failed swirl concentrator units.

Amendment No. 3 will include additional stormwater modeling, engineering, and survey work that was performed in order to complete the investigation of the existing system and failure of the swirl concentrator units (\$25,000.00) for the West Park Project. Amendment No. 3 will also include additional engineering services to provide design plans and contract documents for the replacement of the failed swirl concentrator units; as well as engineering, inspection, and staking services during

construction (\$94,000.00). This amendment will bring the total PSA with OHM to \$324,000.00

OHM received updated Human Rights and Living Wage approval on October 7, 2011.

Amendment No. 3 will increase the value of the PSA by \$119,000. 00. Sufficient funds are available in approved Stormwater Fund capital budget for the additional engineering and inspection services included in the proposed amendment to the Professional Services Agreement.

The City intends to pursue various means of recovering the costs associated with the work performed by OHM for the West Park project, including claims against the manufacturer of the failed swirl concentrator units, and the original designers of the project.

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

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, engineering consulting services are required for the redesign of the stormwater treatment system and replacement of the failed swirl concentrator units installed in West Park in 2010;

Whereas, On June 4, 2007, City Council approved an agreement with Orchard, Hiltz & McCliment, Inc. (OHM) in the amount of \$85,000.00 for general civil engineering services and authorized the City Administrator to approve an additional \$35,000.00 for more engineering services as needed;

Whereas, On December 15, 2008, the City Council approved Amendment No. 2 with OHM and expanded their scope of work by the amount of \$85,000.00;

Whereas, Amendment No. 3 to the Professional Services Agreement with OHM will include additional stormwater modeling, design and construction engineering, completion of construction plans and specifications, survey work, and construction inspection;

Whereas, Orchard, Hiltz & McCliment, Inc. received Human Rights and Living Wage approval on October 7, 2011;

Whereas, Sufficient funds for this Amendment are available in the approved Stormwater capital budget;

RESOLVED, That City Council approves Amendment No. 3 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. in the amount of \$119,000.00;

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; and

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