



Legislation Details (With Text)

File #: 11-0857 **Version:** 1 **Name:** 11/21/11 Amend scope of services for TSP Environmental
Type: Resolution **Status:** Passed
File created: 11/21/2011 **In control:** City Council
On agenda: 11/21/2011 **Final action:** 11/21/2011
Enactment date: 11/21/2011 **Enactment #:** R-11-493

Title: Resolution to Amend Project Scope with TSP Environmental for Work at Argo Dam Headrace

Sponsors:

Indexes:

Code sections:

Attachments: 1. Argo Map.pdf, 2. MOU with DTE - whitewater features.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|----------|--------|
| 11/21/2011 | 1 | City Council | Approved | Pass |

Resolution to Amend Project Scope with TSP Environmental for Work at Argo Dam Headrace Attached for your consideration is a resolution to amend the project scope of the contract with TSP Environmental to design and construct a by-pass channel in the Argo Dam headrace and install two whitewater features in the Huron River.

City Council approved a contract with TSP Environmental on November 15, 2010 to perform work in the Argo Dam headrace that addressed deficiencies with the headrace embankment as detailed in the Consent Agreement between the City and the Michigan Department of Natural Resources and Environment, improved the Border-to-Border trail connection, and added two whitewater features in the Huron River.

Since the contract was approved in November 2010, the City learned that DTE has performed sediment sampling at numerous locations adjacent to its property on the south side of the Huron River, between the Allen Creek Drain and the Broadway Bridge. Initial test results indicate the need for a remediation plan to be formulated between DTE and the Michigan Department Environmental Quality. DTE has indicated they are pursuing an aggressive timeline for remediation and would like to perform the work in 2012.

Construction plans for the whitewater features of the Argo reconstruction necessitate work be performed in the river bank on the south side of the Huron River that borders the DTE property. As such, at this time it is not prudent to build the whitewater features in an area that will, as part of remediation, likely require the removal and rebuilding of the features.

It is important to note that the remediation work DTE needs to perform will not impact work in the headrace as required by the Consent Agreement as separate permits were submitted for construction in the river and construction in the headrace and embankment. We are pleased to report that the headrace improvements are on schedule.

DTE recognizes that the whitewater features will likely need to be removed and rebuilt if the remediation plan includes these areas. They have asked to postpone the installation of the whitewater features until 2012 and have committed to pay for the construction of the whitewater features once remediation is successfully completed. Staff concurs with this approach. In July 2011, this development was shared with both PAC and Council. You may also recall there was an interest in modifying the headrace entrance to enhance its appearance and usability when the Argo Headrace Construction Project was shared with Council and PAC in 2010. Currently the entrance to Argo headrace is through a narrow concrete channel with very low clearance.

Staff recommends amending the scope of the contract with TSP Environmental to enhance the entry area to the Argo Headrace to provide a more attractive and functional entrance. The cost of this improvement will be offset by the cost savings realized from DTE's commitment to pay for the cost of constructing the whitewater features once remediation is accomplished.

At its August 16, 2011 meeting, PAC unanimously recommended amending the contract with TSP Environmental to design and construct an improved entrance to the Argo Dam headrace utilizing cost savings realized from DTE's commitment to funding the whitewater features approved as part of the original contract with TSP Environmental.

Prepared by: Colin Smith, Parks & Recreation Services Manager and Molly Wade, Water Treatment Services Manager

Reviewed by: Sumedh Bahl, Community Services Area Administrator and Sue McCormick, Public Services Area Administrator

Whereas, The City Council authorized a contract with TSP Environmental on November 15, 2010 for work including two whitewater features in the Huron River;

Whereas, Since the award of contract to TSP Environmental in November 2010, DTE performed sediment sampling in the construction area of the whitewater features that revealed the need for remediation;

Whereas, DTE has requested the City to postpone the installation of the whitewater features until 2012 when DTE will have completed the remediation in the area of planned whitewater features;

Whereas, DTE has agreed to fund the construction of the whitewater features once remediation is complete;

Whereas, The entrance to the Argo headrace is unattractive and functions poorly and interest has been expressed in improving it;

Whereas, Funding is available to renovate the entrance to the Argo headrace as a result of cost savings realized by DTE's commitment to the future funding of the whitewater features; and

Whereas, At its August 16, 2011 meeting, PAC unanimously recommended amending the contract with TSP Environmental to design and construct an improved entrance to the Argo Dam headrace utilizing cost savings realized from DTE's commitment to funding the construction of the whitewater features;

RESOLVED, That City Council approves amendment to the contract with TSP Environmental for the Argo Dam Headrace work to design and construct an improved entrance to the Argo Dam Headrace at no additional cost to the City, utilizing costs savings realized from DTE's commitment to funding

the whitewater features approved as part of the original contract with TSP;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract amendment after approval as to substance by the City Administrator and approval as to form by the City Attorney.