



Legislation Text

File #: 07-0212, **Version:** 1

Resolution to Approve Amendment No. II to the Professional Services Agreement with Parsons-Brinckerhoff Michigan, Inc., for the Broadway Bridges Reconstruction Project (\$152,858.40) Attached for your review and approval is a resolution that will approve an amendment to our Professional Services Agreement with Parsons-Brinckerhoff Michigan, Inc. (PBM) in the amount of \$152,858.40 for project management, professional engineering, and inspection services, performed in conjunction with the replacement of the Broadway Bridges.

During the final phase of the construction of the Broadway Bridges Reconstruction Project in May 2004 it was discovered that two of the decorative, pre-cast columns on the bridge were beginning to crack. Upon discovering this, we directed the contractor to repair the columns. At the time, the primary focus of the Contractor was on completing the original construction and opening the bridge structures and Depot Street to traffic. The Contractor submitted a proposed repair methodology that was rejected and re-submitted several times. The Contractor was not able to begin repairing the columns until Spring 2005. In Spring 2005 we discovered several more columns had begun to crack. When no obvious causes of the failure were observed, it was decided that it would be necessary to study the cause of the cracking in order to assure that any repair work performed would remedy the problem. After thoroughly discussing this issue with our Consultant, PBM, it was determined that it would be necessary to hire the services of an expert that had a background in material sciences and forensic investigation. PBM then subcontracted with the firm of Wiss, Jenny, Elsner, Inc. (WJE) to undertake this investigation. These services were contained in Amendment No. I to our Agreement with PBM that was approved by Council on July 3, 2006 (R-322-7-06).

WJE studied all aspects of the pre-cast columns design and construction. The results of the investigation of the pre-cast column cracking were finalized in April 2007. The results of the investigation revealed that the column cracking was caused by water intrusion into the columns through the mortar and/or caulked joints at the column caps. Upon studying all 101 columns that were originally installed, we have determined that 22 of the columns must be removed and replaced due to the level of cracking that has been sustained. The remaining 79 columns have either no or minor levels of distress such that they can be repaired and still perform as originally intended. It is our opinion that the 22 failures were the result of workmanship issues for which the Contractor was responsible. They disagree.

We have decided that the most prudent course of action in this matter is to direct the Contractor to remove and replace the columns. We are currently attempting to negotiate a settlement of this matter with them. If we are unsuccessful, then the work will be performed on a time and materials basis and the Contractor will file a claim for this work. The claim will be resolved using established MDOT claim resolution procedures as this project has been federally funded. MDOT will decide each party's share of the cost of the column repairs. This process will take at least a year to complete.

It is too late to fabricate and repair the columns this construction season. In our discussions with the Contractor we have informed them that it is imperative that this work be completed as soon as

possible. As a result, the columns will be repaired in Spring 2008. We expect the repair work to be completed by June 15, 2008. Currently, we are discussing with the Contractor the details of the column repair work and possible settlement options.

The work being requested in this amendment is for the needed design, construction inspection and documentation, material testing, and dispute resolution services regarding this matter. Because we believe that the cause of the pre-cast column problems are due to workmanship issues, we will attempt to recoup our costs associated with this issue.

Sufficient unobligated funds exist within the contingency line item of the project budget to cover the cost of the services being requested. We are confident that the overall project will be completed within, or less than, the established project budget as previously reported.

PBM has received the necessary human resources approval and pays its employees a living wage.

Project Update: We have been working with the Contractor to finalize the outstanding claims and accept all elements of the construction. Unfortunately, this has not been a simple or easy process. However, with the completion of the remedial work to the columns next spring, and settlement of all costs associated with that work, we will then be able to close the project.

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

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, Parsons Brinckerhoff Michigan, Inc., (PBM) was awarded a contract on September 17, 2002 (R-403-9-02) to provide essential professional construction engineering and project management services for the Broadway Bridges Reconstruction Project;

Whereas, Additional construction engineering and project management services associated with column repairs are needed to complete the project;

Whereas, It is necessary to amend PBM's existing professional services agreement to include the additional services in the amount of \$152,858.40 to complete the project in accordance with City of Ann Arbor and Michigan Department of Transportation standards;

Whereas, Funds for the services are available within the project budget approved by Council on December 16, 2002; and

Whereas, PBM has received Human Rights approval on March 23, 2007 and pays its employees a living wage;

RESOLVED, That Council approve Amendment No. II to the Professional Services Agreement with Parsons Brinckerhoff Michigan, Inc. in the amount of \$152,858.40 for the Broadway Bridges Reconstruction Project;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said amendment 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 all necessary administrative actions to

implement this resolution.