



Legislation Text

File #: 12-1480, **Version:** 1

Resolution to Approve Amendment No. 5 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$9,500.00) for the West Park Stormwater Completion 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 services to be used on the West Park Stormwater Completion Project.

Amendment No. 5 will increase the value of the PSA by \$9,500.00. This amount is due to additional construction inspection performed by OHM, which was made necessary when the Contractor exceeded their allotted time to complete the project.

This amendment will bring the total PSA with OHM to \$361,175.00. Of this amount, \$252,995.00 was used for the West Park 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).

On December 15, 2008 the City Council approved amendment No. 2 for \$85,000.00 for additional general engineering services. This additional amount, as well as the remaining balance from Amendment No. 1 (\$11,820.00), 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.

On November 10, 2011, City Council approved Amendment No. 3 for \$119,000.00, which included 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). It also included additional engineering services to provide design plans and contract documents for the replacement of the stormwater diversion structures; as well as engineering, inspection, and staking services during construction (\$94,000.00).

On May 21, 2012, City Council approved Amendment No. 4 for \$27,675.00, which included additional effort to provide a design option for precast structures, additional assistance during the public involvement process, evaluation of different types of treatment units, and review of the structural analysis of the roof repairs proposed by the manufacturer of the swirl concentrator units.

OHM received updated Human Rights approval on September 21, 2012 and Living Wage Approval on April 23, 2012.

This amount of Amendment No. 5 will be included in the damages charged to the contractor for exceeding their time of completion for the project.

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

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, Additional engineering and construction inspection services are required for completing the construction of the stormwater treatment system 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 design services;

Whereas, On January 5, 2008, the City Administrator approved Amendment No. 1 with OHM and expanded their scope of work by the amount of \$35,000.00;

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

Whereas, On November 10, 2011, the City Administrator approved Amendment No. 3 with OHM and expanded their scope of work by the amount of \$119,000.00;

Whereas, On May 21, 2012, the City Administrator approved Amendment No. 4 with OHM and expanded their scope of work by the amount of \$27,675.00;

Whereas, Amendment No. 5 to the existing Professional Services Agreement with OHM includes additional construction inspection performed by OHM, which was made necessary when the Contractor exceeded their allotted time to complete the project;

Whereas, OHM received updated Human Rights approval on September 21, 2012 and Living Wage Approval on April 23, 2012; and

Whereas, Sufficient funds for this Amendment are available within the West Park Stormwater Modifications project budget;

RESOLVED, That City Council approves Amendment No. 5 to the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. in the amount of \$9,500.00;

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