



Legislation Text

File #: 24-0822, **Version:** 1

Resolution to Approve Amendment No. 4 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for the Headworks Improvement Project at the Water Resource Recovery Facility, RFP No. 19-12 (\$230,000.00 Amendment; \$1,899,875.53 Total Contract)

Your approval is requested for Amendment No. 4 to the Professional Services Agreement with Hubbell, Roth & Clark, Inc. (HRC) in the amount of \$230,000.00 for professional engineering services during construction of the Headworks Improvements Project at the City's Water Resource Recovery Facility (WRRF).

The WRRF headworks systems provide initial treatment to remove debris (screenings) and grit from the water as the first stage of treatment, which prevents damage to downstream equipment and systems. The existing headworks consists of three mechanical bar screens, three screw compactors and two grit removal systems including pumps, swirl separator and grit washer. The bar screens were installed in 1989 and in 2000 and require frequent repair and rebuilding. The grit system was also installed in 2000 and has required pump replacement and rebuilding of the swirl concentrators and washers over time. The cost and frequency for maintenance of these systems have increased and parts for the screening systems are no longer available and must be custom fabricated. These systems are nearing the end of their useful life and are in need of replacement to ensure effective screenings and grit removal.

On December 16, 2019, City Council approved a Professional Services Agreement with HRC in the amount of \$477,420.53 to design the Headworks Improvements Project as specified in RFP No. 19-12 (Resolution R-19-564). Subsequently, an odor study in the area of the WRRF was performed by HDR Michigan, Inc. to address ongoing nuisance odor complaints from WRRF neighbors. As a result of this study, the design of an odor control system was added to HRC's contract via Amendment No.1. On May 3, 2021, Council approved Amendment No.1 with HRC in the amount of \$291,668.00 to design the odor control system (Resolution R-21-148).

In response to ITB No. 4706, Council awarded a construction contract to Spence Brothers, Inc.

RFP 19-12 also provided for requesting HRC services during construction of WRRF Headworks improvements. HRC submitted a scope and fee for those services in the amount of \$831,187.00. On April 4, 2022, Council approved Amendment No. 2 with HRC in the amount of \$831,187.00.00 to provide construction engineering and administrative services during construction of the Headworks Improvement Project.

On August 15, 2023, Amendment No. 3 was approved, which added ten new tasks to the Professional Service Agreement with HRC and increases the final contract amount by \$69,600.00 to \$1,669,875.53. These items were necessary to adequately complete the project design and bidding documents. This amendment was funded from the existing contingency of \$80,000.00 that was established by City Council.

Spence Brothers began construction of the Headworks Improvement Project in October of 2022 and was expected to be substantially complete by December of 2023.

Due to material shortages, the delivery of the WEMCO grit pumps were initially delayed by three months. Spence Brothers proposed altering the sequence of construction, which allowed construction to continue without a work stoppage. The new sequence of construction was not efficient but work on the project progressed. Unfortunately, the delivery of the grit pumps were later delayed an additional three months. This delay lengthened the Spence Brothers construction activities, which ultimately resulted in a six-month extension of the substantial completion date to June of 2024. HRC continued to provide construction engineering services and administration during the delay. HRC was asked to submit a cost estimate to complete the construction engineering and project administration thru project closeout. WRRF staff reviewed the proposed fee submitted by HRC and determined that it is reasonable.

WRRF staff is requesting your approval of Amendment No. 4 to the contract with HRC in the amount of \$230,000.00 and to re-establish a contingency of \$20,000.00, to provide engineering services related to construction of the Headworks Improvements Project, if needed.

HRC complies with the requirements of the City's Non-Discrimination and Living Wage ordinances.

Budget/Fiscal Impact: The City of Ann Arbor Capital Improvements Plan (CIP) includes the Headworks Improvement Project (UT-SN-20-06). Funds to finance this contract are included in the approved Sewage Disposal System Capital Budget.

Prepared by: Anne M. Warrow, P.E., WRRF Senior Engineer

Reviewed by: Sue F. McCormick Interim Public Services Area Administrator

Approved by: Milton Dohoney Jr., City Administrator

Whereas, The headworks of the City's WRRF provides initial treatment to remove debris (screenings) and grit from the wastewater to prevent damage to downstream equipment and systems;

Whereas, These treatment systems are nearing the end of their useful life and are in need of replacement to ensure effective screenings and grit removal;

Whereas, On December 16, 2020, Council approved a Professional Services Agreement with Hubbell, Roth & Clark, Inc. (HRC) in the amount of \$477,420.00 to complete the design of the Headworks Improvement Project;

Whereas, On May 3, 2021, Council approved Amendment No. 1 to the Professional Services Agreement with HRC in the amount of \$291,668.00 to design an odor control system for the headworks buildings based on the results of an odor study;

Whereas, On April 4, 2022, Council approved Amendment No. 2 to the Professional Services Agreement with HRC in the amount of \$831,187.00.00 to provide construction engineering and project administrative services during construction of the Headworks Improvement Project;

Whereas, Amendment No. 3 was approved and added new design tasks to the Professional Service Agreement with HRC, which resulted in an increase to the contract amount by \$69,600.00;

Whereas, Amendment No. 3 was funded from the existing contingency of \$80,000.00 that was

established by City Council;

Whereas, Spence Brothers, Inc. began construction of the Headworks Improvement Project in October of 2022 and was expected to be substantially complete by December of 2023;

Whereas, Material delays resulted in a significant alteration of the sequence of construction by Spence Brothers in order to continue construction activities, which ultimately resulted in a six-month extension of the substantial completion date to June of 2024;

Whereas, HRC was asked to submit a cost estimate to complete the construction engineering and project administration thru project closeout;

Whereas, HRC's proposed fee of \$230,000.00 is reasonable to perform the remainder of this work;

Whereas, WRRF staff are requesting a contingency of \$20,000.00 to fund additional necessary services as approved by the City Administrator;

Whereas, HRC complies with the requirements of the City's Non-Discrimination and Living Wage ordinances; and

Whereas, Funds to finance the work to be performed under this amendment are included in the approved Sewage Disposal System Capital budget (UT-SN-20-06);

RESOLVED, That City Council approve Amendment No. 4 to the Professional Services Agreement with Hubbel, Roth & Clark, Inc. in the amount of \$230,000.00 for construction engineering services for the Headworks Improvement Project at the Water Resource Recovery Facility (RFP 19-12);

RESOLVED, That City Council approves a contingency of \$20,000.00 to fund additional necessary services as approved by the City Administrator;

RESOLVED, That the Mayor and City Clerk be authorized to sign the amendment after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the City makes the following declaration for the purposes of complying with the reimbursement rules of Treasury Regulations 1.15-2 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 City Administrator be authorized to take all necessary actions to implement this resolution.