



Legislation Text

File #: 18-1775, **Version:** 5

Resolution to Approve Amendment No. 1 to Professional Services Agreement with CTI and Associates, Inc. to provide for additional construction material testing services for the Scio Church Road Improvements Project (\$32,779.00)

Attached, please find a resolution for the approval of Amendment No. 1 to the Professional Services Agreement with CTI and Associates, Inc. (CTI) to provide for additional construction material testing services for the Scio Church Road Improvements Project.

The Scio Church Road Improvements Project is a roadway rehabilitation project within the City with its limits from S. Main Street to S. Seventh Street. The work of the project consists of rehabilitating a segment of Scio Church Road and includes constructing a new concrete curb and gutter and sidewalk on the south side of the roadway, constructing new sidewalk along the north side of the roadway throughout the project limits, installing an infiltration trench to help reduce peak storm water flows within the project limits, narrowing portions of the roadway in order to help reduce unneeded impervious surfaces, and installing bump outs at the Scio Church Road/S. Seventh Street intersection to assist pedestrian crossings.

The recently suspended labor dispute between Operating Engineers Local 324 and the Michigan Infrastructure and Transportation Association (MITA) has added about one month to the project's schedule. Also, the Contractor for the project was about 3-1/2 weeks behind schedule before the labor dispute arose.

These delays have significantly impacted our material testing contract with CTI. As a result, CTI is expected to be about \$22,800.00 over the original contract value (including the approved contingency amount) for the construction material testing work due to the added duration of the project. CTI has no control over these delays and it performs its services as required by the City to independently test and certify that the material requirements of the project are met. Also contributing to the shortfall was the fact that the original contract did not contain sufficient monetary resources to perform all needed testing services for the project. Although, many of the laboratory tests and needed inspection time were included in the original contract, it became necessary for CTI to be on-site more days and perform more of these tests than originally anticipated in order to verify that the needed material requirements were met and properly documented. Consequently, it is necessary to amend the agreement with CTI so that work can continue and complete the roadway work this Fall.

In total, an additional \$32,779.00 of work needs to be added to the testing agreement with CTI to properly complete all needed testing services to complete the project. With Council's approval of the original material testing agreement (R-18-239, copy attached), a \$10,000.00 contingency fund was established for the work. Therefore, an additional \$22,800.00 will need to be authorized in order to pay for the remaining portion of the material testing work.

Given the nature of this project and the State and Federal requirements that must be followed to properly document the work, it was not possible to stop the work, as this would have led to more

expenses (construction delays, additional construction costs, roadway user delays, etc.) and additional needless delays to the work. As provided in City Code 1:316, Engineering sought and obtained an Emergency Authorization from the City Administrator on October 9, 2018 to continue the work of the project pending submittal to, and approval from, City Council of the needed amendment to the agreement with CTI for the needed additional services. Funds exist within the approved Capital Budget to pay for this work.

CTI is in compliance with the requirements of the City's Non-Discrimination and Living Wage ordinances.

Prepared by: Nicholas Hutchinson, City Engineer

Reviewed by: Craig Hupy, Public Services Area Administrator

Approved by: Howard S. Lazurus, City Administrator

Whereas, CTI and Associates, Inc., (CTI) was awarded a contract on June 18, 2018 (R-18-239) to provide material testing services for the Scio Church Road Improvements Project;

Whereas, additional material testing services were needed to complete the material testing component of the project in order to comply with state and federal requirements;

Whereas, It is now necessary to amend CTI's professional services agreement to include additional services in the amount of \$32,779.00 so that the project's construction can be properly completed in accordance with state and federal standards; and

Whereas, CTI is in compliance with the requirements of the City's Non-Discrimination and Living Wage ordinances;

RESOLVED, That Council approves Amendment No. 1 to the Professional Services Agreement with CTI and Associates, Inc. in the amount of \$32,779.00 for the Scio Church Road Improvements Project;

RESOLVED, Funding for this work exists with the approved Project Budget;

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.