



# City of Grand Island

Tuesday, June 09, 2009

Council Session

## Item G8

**#2009-131 - Approving Amendment No. 3 to the Agreement with Kirkham Michael for Engineering Consulting Services for Storm Sewer Design Relative to the Wasmer Detention Cell**

Staff Contact: Steven P. Riehle, Public Works Director

# Council Agenda Memo

**From:** Steven P. Riehle, Public Works Director

**Meeting:** June 9, 2009

**Subject:** Approving Amendment No. 3 to the Agreement with Kirkham Michael for Engineering Consulting Services for Storm Sewer Design Relative to the Wasmer Detention Cell

**Item #'s:** G-8

**Presenter(s):** Steven P. Riehle, Public Works Director

## Background

Any amendments to an agreement must be approved by the city council. On July 25, 2006 the city council approved a resolution to enter into an agreement with Kirkham Michael for Engineering Consulting Services. The \$66,874.44 agreement provides for design of storm sewer from the Nebraska Department of Roads project to widen US HWY 30 to the Wasmer Detention Cell.

On January 9, 2007 City Council approved Amendment No. 1 for \$18,000.00 to the original agreement. Amendment No. 1 provided for additional survey and design work related to utility and drainage conflicts.

On April 14, 2009 City Council approved Amendment No. 2 for \$7,730.00 to the original agreement. Amendment No. 2 provided for grading permits, utility conflict details, updates to quantities and opinion of costs.

## Discussion

After Amendment No. 2 was approved and before work started under the amendment, Public Works Engineering Staff was notified that the Nebraska Department of Roads was going to require the project to go through their bid letting system.

No work was started on Amendment No. 2 so the work under the agreement is rolled into Amendment No. 3.

Amendment No. 3 will provide for completion of the National Environmental Policy Act (NEPA) Determination Form, Categorical Exclusion Documentation Form, draft of City Standard Plans for inclusion into the plans as Special Plan Sheets and other design work for the project to be bid by the Nebraska Department of Roads. The total cost of Amendment No. 3 is \$36,467.21, for a revised contract total of \$121,341.65.

Original Agreement	\$66,874.44
Amendment No. 1	\$18,000.00
Amendment No. 2	\$7,730.00
Work to be Performed Under Amendment No. 2	(\$7,730.00)
Amendment No. 3	\$36,467.21
<b>Total Revised Agreement</b>	<b>\$121,341.65</b>

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve Amendment No. 3 to the agreement.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

### **Recommendation**

Public Works Administration recommends that the Council approve the amendment to the agreement.

### **Sample Motion**

Move to approve the amendment.

**City of Grand Island, Nebraska**  
**Wasmer Drainage Design Storm Sewer Improvements**  
**Amendment No. 3**

**Description of Services**

The City of Grand Island (City) has requested Kirkham Michael (Consultant) to provide appropriate services for the completion of plans and construction documents suitable for delivery to the City for letting through the Nebraska Department of Roads (NDOR). The tasks identified in this amendment are required to complete the National Environmental Policy Act (NEPA) and Categorical Exclusion (CE) Process, Final Plans and Specifications for the subject project as required to assist the City who as the Local Public Agency (LPA) is responsible for meeting the requirements of applicable Federal and State laws and regulations that apply to the project and are necessary to let the project through the NDOR.

**Assumptions and Understandings**

The Consultant will provide the following tasks:

1. As per the LPA Guidelines Manual for Federal-Aid Project (Interim); the following documentation will be completed by the Consultant and submitted to the City for further handling:
  - NEPA Determination Form
  - Categorical Exclusion Documentation Form
2. The Consultant will draft City Standard Plates for inclusion into the plans as Special Plan Sheets.
3. City Standard Specifications will be identified by reference only for inclusion in the Special Provisions.
4. Preparation of the Storm Water Pollution Prevention Plan (SWPP), Notice of Intent (NOI), and the Notice of Termination (NOT) will be provided by the City.
5. The City will prepare all necessary applications and permits (i.e. 404, 401, NPDES).

**Summary of Tasks**

The following tasks are anticipated to complete the work identified in the Description of Services.

1. **NEPA Documentation** – This effort includes completing the necessary environmental forms as identified in the LPA Guidelines Manual for Federal-Aid Project (Interim). Documents include; NEPA Determination Form and Categorical Exclusion Documentation Form. Also included with this task is limited assistance to the LPA/NDOR with Resource Agency coordination. Agencies included in the coordination effort are; Federal Highway Administration (FHWA), United States Fish and Wildlife Service (USFWS), Nebraska Game and Parks Commission (NGPC), Nebraska Department of Environmental Quality (NDEQ), Nebraska State

Historical Preservation Office (SHPO), and the United States Army Corps of Engineers (USACE).

Kirkham Michael Estimated Task Effort 76 hrs

**2. Plan Preparation, Quantity Forms, Standard Specifications** – Included with effort are the following sub tasks:

- i. Plan set assembly
- ii. Build and Removal Notes (NDOR format and pay items)
- iii. Special Plans – includes applicable City Standard Plates (storm inlet, water main crossing, special junction/manhole, etc.)
- iv. Identify NDOR Standard Plans
- v. Review City Standard Specifications and covert to applicable NDOR Standard Specifications and or Special Provisions.
  1. JEO – Water and Sanitary Sewer Special Provisions
  2. KM – All other Special Provisions
    - a. Phasing
    - b. TV Inspection of newly installed storm sewer trunk
- vi. NDOR “Length Sheet” (DR Form 215, May 04)
- vii. NDOR “Grading Item Summary” (CC Form 59E, Apr 03/)
- viii. NDOR “Summary of Quantities” (DR Form 355, Mar 08)
- ix. NDOR Drainage Quantities “Horse blankets”
- x. Submittals will be made in accordance with LPA Manual Guidelines
- xi. Address City review comments and NDOR PS&E review comments

Kirkham Michael Estimated Task Effort 18 hrs

JEO Estimated Task Effort

(See attached detailed description) 269 hrs

**3. Project Management** – This task includes activities to initiate and monitor project schedules, manpower assignments and internal cost controls throughout this phase of the project. Also included are efforts to prepare and process invoices and monthly progress reports; monitor subconsultant activities; and prepare project correspondence with the City, and NDOR. This project management task is based on an expected duration for final design of eight months.

Kirkham Michael Estimated Task Effort 26 hrs

**4. Quality Control** – Included with this task are technical reviews for NEPA documentation, coordination and review of Subconsultant work, specifications and contract documents.

Kirkham Michael Estimated Task Effort 30 hrs

### Schedule

A schedule of approximately 8 months is anticipated to complete all required tasks necessary to take the project to a bid letting. This schedule is based upon timely reviews and comments from

the City, NDOR and other resource agencies. The schedule breakdown outlined below is based upon the LPA Guidelines Manual for Federal-Aid Project (Interim):

1. Three Months for NEPA Process, Submittal and Approval. Design updates, Project Plans and NDOR Specification Conversion.
2. Three Months PS&E Submittal and Approval
3. Two Months Project Advertising & Letting

### **Deliverables**

Deliverables include the following items:

1. NEPA Documentation (NEPA Determination Form and Categorical Exclusion Documentation Form)
2. Two sets of 1/2-size (11x17) final plans signed and sealed (includes Special Plan Sheets)
3. Two sets of Special Provisions
4. Final Engineers estimate, including:
  - i. NDOR "Length Sheet" (DR Form 215, May 04)
  - ii. NDOR "Grading Item Summary" (CC Form 59E, Apr 03/)
  - iii. NDOR "Summary of Quantities" (DR Form 355, Mar 08)
  - iv. NDOR Drainage Quantities "Horse blankets"

## Fee Breakdown

Original Contract

Kirkham Michael \$38,450.44

Subconsultant - JEO \$28,424.00

Original Contract Total \$66,874.44

Amendment No. 1 Amount

Kirkham Michael \$ 5,882.00

Subconsultant - JEO \$12,118.00Amendment No. 1 Total \$18,000.00Amendment No. 2 Amount

Kirkham Michael \$16,516.21

Subconsultant - JEO \$19,951.00Amendment No. 2 Total \$36,467.21

Amended Contract Total \$ 121,341.65

RESOLUTION 2009-131

WHEREAS, on July 25, 2006, by Resolution 2006-209, the City Council for the City of Grand Island awarded the \$66,874.44 proposal for engineering services for storm sewer design for the Wasmer Detention Cell to Kirkham Michael of Omaha, Nebraska; and

WHEREAS, on January 9, 2007, by Resolution 2007-12, the City Council for the City of Grand Island approved Amendment No. 1, in the amount of \$18,000.00, to the original agreement for consulting services to include additional surveys, utility research and water main design work; and

WHEREAS, on April 14, 2009, by Resolution 2009-88, the City Council for the City of Grand Island approved Amendment No. 2, in the amount of \$7,730.00, to the original agreement to include grading permits, utility conflict details, updates to quantities and opinion of costs; and

WHEREAS, no work was performed under Amendment No. 2 so the work was rolled into Amendment No. 3; and

WHEREAS, it is necessary to amend the agreement for consulting services to include NEPA Determination Form, Categorical Exclusion Documentation Form, drafting City Standard Plans for inclusion into the plans as Special Plan Sheets and other design work for the project to be bid by the Nebraska Department of Roads, for a total cost of \$36,467.21; and

WHEREAS, due to Kirkham Michael's knowledge and experience working on this project, it is recommended that they continue providing engineering work to final completion of the design and bid letting for the project; and

WHEREAS, the Nebraska Department of Roads must concur with the approval of Amendment No. 3 in order to move forward.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that Amendment No. 3, for the total amount of \$36,467.21, to the Agreement with Kirkham Michael for engineering consulting services for storm sewer design relative to the Wasmer Detention Cell is hereby approved, with a revised total agreement price of \$121,341.65.

BE IT FURTHER RESOLVED, that the Mayor be, and hereby is, authorized and directed to execute such agreement on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, June 9, 2009.

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Margaret Hornady, Mayor

Attest:

\_\_\_\_\_  
RaNae Edwards, City Clerk

Approved as to Form    ☐ \_\_\_\_\_  
June 4, 2009    ☐ City Attorney