



City of Grand Island

Tuesday, December 07, 2010

Council Session

Item G4

#2010-341 - Approving Amendment No. 4 to the Agreement with Kirkham Michael for Engineering Consulting Services for the Wasmer Detention Cell

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: December 7, 2010

Subject: Approving Amendment No. 4 to the Agreement with Kirkham Michael for Engineering Consulting Services for the Wasmer Detention Cell

Item #'s: G-4

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

Background

The US Highway 30 Widening Project was designed to outlet storm water to the City's storm sewer system. The City's system is being upgraded by the Wasmer Detention Cell Project to accommodate this increased storm water runoff. The Wasmer Detention Cell Project includes 3 connections between the US Highway 30 storm sewer and the detention cell. The connections begin at the highway on Logan Street, Broadwell Avenue & Madison Street. The project also involves 2 connections between the existing City storm sewer on Monroe Street and the detention cell. The northeast connection allows water in the storm sewer system to flow into the detention cell. The southeast connection allows water to be metered out of the detention cell to the existing Monroe Street storm sewer.

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 on the Wasmer Detention Cell Project. The \$66,874.44 agreement provided for design of storm sewer from the Nebraska Department of Roads project to widen US Highway 30 to the Wasmer Detention Cell.

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

The DR73a Programming Request for this project was approved by the Department of Roads and the Federal Highway Administration (FHWA) in February 2007.

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

On June 9, 2009 the City Council approved Amendment No. 3 for \$36,467.21. Since no work was started on Amendment No. 2, it was rolled into Amendment No. 3. In addition to the work under Amendment No. 2, Amendment No. 3 provided 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.

Discussion

The FHWA allows federal aid funds to be used for up to 80% of eligible project costs. The FHWA will not participate in drainage improvements to accommodate storm water runoff for more than one block away from a federal aid route. Additional civil engineering work is needed on this project to determine participation levels in the project based on this FHWA guidance.

It is necessary to amend the agreement for consulting services with Kirkham Michael so that justification can be provided to FHWA for Federal Aid participation in this project. The services associated with this amendment are as follow:

- Review and justify why three separate outlets are proposed to be constructed down Logan Street, Broadwell Avenue and Madison Street;
- Justify the use of 36" culvert pipe instead of smaller culvert pipe due to the flat grades;
- Verify the anticipated detention pond drainage rate;
- Provide history discussing reasons this work was not included in the Second Street project;
- Determine the percentages of participating and non-participating project waters based on participating contributions of storm water runoff; and
- Provide an overall summary report of all findings.

The report and supporting calculations for all items will be provided to the NDOR Local Projects Division for review, then to the Nebraska Division of the FHWA for their determination of the level of Federal Aid participation. Once the federal aid participation level is determined, the City will make a determination on whether the project is still viable to proceed as originally designed or if it should be reduced in scope. A reduced project could include portions or all of the 3 identified connections between the US Highway 30 storm sewer and the Wasmer Detention cell. A reduced project would include both of the connections into and out of the Wasmer Detention cell.

The work covered by Amendment No. 4 will be performed based on actual costs with a maximum of is \$16,292.01, for a revised contract total of \$137,633.66.

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
Amendment No. 4	\$16,292.01
Total Revised Agreement	\$137,633.66

Alternatives

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

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue – If the work proposed in the amendment is not performed, the project cannot move forward.

Recommendation

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

Sample Motion

Move to approve the amendment.

Amendment #4 Authorizing a Change in Scope of Services

In accordance with the Agreement Terms and Conditions between the **City of Grand Island, Nebraska** and **Kirkham Michael** dated July 25, 2006, this Amendment describes change(s) to the Scope of Services, Project Schedule and/or Engineering Fees for Kirkham Michael's services on the project known as:

Wasmer Detention Cell Storm Sewer Drainage

TOPIC: Engineering review of drainage to determine federal participation level in the project

SCOPE: See Exhibit "A"

ENGINEERING FEES: See Exhibit "A"

TOTAL CHANGE IN PROJECT'S ESTIMATED FEES: \$16,292.01

November 24, 2010

RE: Amendment No. 4
Grand Island Wasmer Drainage
KM-0906233

Mr. Steve Riehle, P.E.
City of Grand Island
100 East First Street
P.O. Box 1968
Grand Island, Nebraska 68802-1968

Dear Steve:

This proposal identifies the additional scope of services requested for the following items as shown below:

1. Review and justify US-30 drainage system and why there are three (3) separate outlets draining down Logan, Broadwell and Madison.
 - a. Provide an exhibit showing existing system and grades leading to Broadwell.
 - b. Provide an exhibit showing a box culvert system that would be required to provide only one outlet down Broadwell.
2. Review and compare a standard size pipe and slope in comparison to the 36" pipe on a new flat slope.
 - a. Capacity comparison.
 - b. Size comparison.
 - c. Slope comparison.
3. Verify detention pond drains within 72 hours of a storm event.
4. Provide project history discussing reasons why the project was split into two (2) separate projects.
5. Review project drainage area to determine what water goes into the existing system and what water goes into the new system to determine participating and non-participating project water. This shall include a field survey to determine the overall drainage boundary by surveying the gutter lines of the assumed boundary side streets. A field visit will verify the proposed survey scope prior to proceeding ahead with the survey. Once the drainage boundary limits have been established via the field survey, an analysis will be completed for each drainage subarea. Each drainage subarea will have an established boundary and corresponding runoff coefficient which will be shown in an exhibit with an aerial background. This information will be completed to help compare participating and non-participating project water. The exhibits aerial background will be provided by the City of Grand Island.
6. Provide overall summary report of all findings.
7. One (1) field visit for project manager and project engineer shall be included too.

The Terms and Conditions from the previous contract dated July 28, 2006 shall be considered incorporated and shall become an integral part of this Amendment. The total amendment fee is \$16,292.01 as shown on the attached Exhibit A.

Please contact me if you should have any questions or comments.

Sincerely,

KIRKHAM MICHAEL



Steven M. Irons, P.E.
Project Manager

smi/lrb
Enclosure

Kirkham Michael

Exhibit A

**Engineering Study Phase
Grand Island Wasmer Drainage Project
Grand Island, Nebraska
Grand Island Wasmer Drainage Justification Study
Project No. 0906233**

Item No. 1 - Direct Salary Costs

Title	Hours	Direct Salary Rate/Hour	Costs
Principal	2	\$72.00	\$ 144.00
Project Engineer	84	\$21.09	\$ 1,771.56
Project Manager	36	\$36.97	\$ 1,330.92
CADD Tech.	15	\$25.52	\$ 382.80
Project Surveyor	4	\$29.13	\$ 116.52
Party Chief	26	\$20.00	\$ 520.00
Survey Assistant	26	\$16.00	\$ 416.00
Land Surveyor	2	\$49.52	\$ 99.04
Clerical	11	\$16.76	\$ 184.36

Total Direct Salary \$ 4,965.20

Item No. 2 - Labor and General & Administrative Overhead

Percentage of Direct Salary Costs	181.7	\$ 9,021.77
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Item No. 3 - Direct Non-Salary Expenses

Travel	360	\$0.50	\$ 180.00
Meals			\$ -
Printing			\$ -
Telecommunications			\$ -

Total Non-Salary Expenses \$ 180.00

Item No. 4 - Subtotal of Items 1, 2, and 3 \$ 14,166.97

Item No. 5 - Fixed Fee: 15% Of Item 4 \$ 2,125.05

Item No. 6 - Subconsultants
\$ -

Item No. 7 - Total Lump Sum Amount
\$ 16,292.01

TERMS AND CONDITIONS: The terms and conditions of the Agreement referenced above shall apply to this Amendment except to the extent expressly modified by this Amendment. In the event of any such modification, the modification shall be set forth on pages attached to this Amendment and signed on the last page by the Authorized Representatives. The Article of the Agreement to be modified shall be specifically referenced in the modification, and the modification shall be precisely described.

The following signatures of the Authorized Representatives acknowledge acceptance of the terms of this Amendment.

APPROVAL AND ACCEPTANCE:

City of Grand Island, Nebraska

Kirkham Michael

MAYOR, JAY VAVRICEK

PRESIDENT, ROGER M. HELGOTH, P.E.

DATE

DATE

ATTEST:

CITY CLERK, RaNAE EDWARDS

Approved as to Form	☐ _____
December 3, 2010	☐ City Attorney

RESOLUTION 2010-341

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, on June 9, 2009, by Resolution 2009-131, the City Council for the City of Grand Island approved Amendment No. 3, which includes Amendment No. 2, in the amount of \$36,467.21, to the original agreement 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; and

WHEREAS, it is necessary to amend the agreement for consulting services to include the review and justification of three separate outlets to be constructed down Logan Street, Broadwell Avenue and Madison Street; justification for the use of 36" culvert pipe instead of smaller culvert pipe due to flat grades; verification of the anticipated detention pond drainage rate; an explanation of reasons this work was not included in the Second Street project; determination of the percentages of participating and non-participating project waters; and an overall summary report of all findings; and

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

WHEREAS, the Nebraska Department of Roads must concur with the approval of Amendment No. 4 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. 4, for the total amount of \$16,292.01, 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 \$137,633.66.

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, December 7, 2010.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk