



City of Grand Island

Tuesday, July 12, 2011

Council Session

Item G4

#2011-167 - Approving Supplemental Agreement No. 3 with Schemmer Associates for Engineering Consulting Services for the Walk to Walnut Project

Staff Contact: John Collins, Public Works Director

Council Agenda Memo

From: Scott Griepenstroh, Project Manager

Meeting: July 12, 2011

Subject: Approving Supplemental Agreement No. 3 with Schemmer Associates for Engineering Consulting Services for the Walk to Walnut Project

Item #'s: G-4

Presenter(s): Scott Griepenstroh, Project Manager

Background

The Walk to Walnut project will realign the main driveway to Walnut Middle School to match up with the intersection of 15th Street and Custer Avenue and install a traffic signal. The project is mostly funded with Safe Routes to School (SRTS) funds authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users Act (SAFETEA-LU) that are administered by the Nebraska Department of Roads (NDOR). The project will make it safer for children crossing Custer Avenue and encourage more walking and biking to school. The federal aid funding cap for individual SRTS projects is \$250,000.

On May 27, 2008, the City Council approved a Professional Services Agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell and Associates, L.L.C. of Grand Island, Nebraska as a Sub-consultant. The original agreement was for a total of \$33,388.05.

On December 2, 2008, the City Council approved Amendment No. 1 for \$11,135.46. Supplemental Agreement No. 1 provided for additional engineering services to address impacts to resources developed with Land and Water Conservation Fund (LWCF) funds, as per Section 6(f) of the Land and Water Conservation Fund Act of 1965. The detention cell land where the main driveway will be relocated was purchased and developed using LWCF funds, and the land that is being converted by the project has to be replaced.

On May 24, 2011, the City Council approved Amendment No. 2 for \$26,785.81. Supplemental Agreement No. 2 provided for additional environmental review services, coordination and review of Plans, Specifications and Estimate package submittal, and conversion to NDOR construction specifications necessary to complete the project.

Discussion

The following was stated in the Council Memorandum for Supplemental Agreement #2.

The original estimate for all costs for this project was \$271,944, with \$22,940 funded by in kind donations (landscaping and irrigation) and a cash match from Grand Island Public Schools. The maximum preliminary engineering expenses to be funded with SRTS funds, as per the Program Agreement, is \$21,756. All costs exceeding the \$21,756 limit are to be funded by the City of Grand Island.

The revised contract total for preliminary engineering services, as detailed in the Council Memorandum for Supplemental Agreement #2, is \$71,309.32.

Although the Program Agreement stipulates that the State would only reimburse \$21,756 for preliminary engineering services, NDOR officials intended for Supplemental Agreement No. 2 to explicitly state that the additional services would be funded only by the Local Public Agency and non-participating for Federal Aid. Supplemental Agreement No. 3 was developed to address this oversight.

Schemmer Associates resumed Preliminary Engineering and Environmental Clearance work June 21, 2011. Construction of this project is anticipated to be completed in 2012.

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

Recommendation

City Administration recommends that the Council approve Supplemental Agreement No. 3 to the Agreement for Preliminary Engineering Consulting Services for the Safe Routes To Schools Walk to Walnut Project.

Sample Motion

Move to approve Supplemental Agreement No. 3.

SUPPLEMENTAL AGREEMENT #3

CITY OF GRAND ISLAND
THE SCHEMMER ASSOCIATES, INC.
PROJECT NO. SRTS-40(57)
CONTROL NO. 42521
GRAND ISLAND WALNUT MIDDLE SCHOOL PROJECT
PRELIMINARY ENGINEERING SERVICES

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of Grand Island, Nebraska, hereinafter referred to as the Local Public Agency or "LPA," and The Schemmer Associates, Inc., hereinafter referred to as the "Consultant."

WHEREAS, the Consultant and the LPA entered into an Engineering Agreement executed by the Consultant on May 22, 2008 and executed by the LPA on June 2, 2008, hereinafter referred to as the "Original Agreement" providing for the preparation of plans and specifications, and a supplemental agreement executed by the Consultant on November 21, 2008 and executed by the LPA on December 2, 2008, hereinafter referred to as "Supplemental Agreement No. 1" providing for environmental services and a supplemental agreement executed by the Consultant on May 31, 2011 and by the LPA on May 24, 2011, hereinafter referred to as "Supplemental Agreement No. 2", providing for additional environmental review services, coordination and review of PSE submittal and conversion to NDOR construction specifications necessary to complete the work for Project No. SRTS-40(57), and

WHEREAS, it is necessary to provide for the work stipulated in Supplement No. 2 to be funded solely with LPA funds and will be non-participating for Federal-aid, and

WHEREAS, it is the desire of the LPA that the project be constructed under the designation of Project No. SRTS-40(57), as evidenced by the Resolution of the LPA dated the _____ day of _____, 2011, attached and identified as EXHIBIT "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the Consultant and LPA agree as follows:

SECTION 1. The LPA will fund the professional services totaling \$26,785.81 stipulated in Supplement No. 2 to the Original Agreement with LPA funds only. The LPA will not seek reimbursement for this work from Federal funds made available for this project.

SECTION 2. The Consultant will perform the additional work stipulated in the Professional Fee Summary which is attached as Exhibit "B" and hereby made a part of this supplemental agreement.

SECTION 3. The Consultant will be paid on the same terms stipulated in the Original Agreement and, except as specifically amended by this supplemental agreement, all terms and conditions of the Original Agreement on Project No. SRTS-40(57), executed by the LPA on June 2, 2008 and

executed by the Consultant on May 22, 2008 and Supplemental Agreement No. 1 executed by the Consultant on November 21, 2008 and executed by the LPA on December 2, 2008 and Supplemental Agreement No. 2 executed by the Consultant on May 31, 2011 and by the LPA on May 24, 2011, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

After being duly sworn on oath, I do hereby acknowledge the foregoing certification and state that I am authorized to sign this agreement for the firm.

EXECUTED by the Consultant this _____ day of _____, 2011.

THE SCHEMMER ASSOCIATES, INC.
Steve Kathol

Principal

STATE OF NEBRASKA)
)ss.
DOUGLAS COUNTY)

Subscribed and sworn to before me this _____ day of _____, 2011.

Notary Public

EXECUTED by the LPA this _____ day of _____, 2011.

CITY OF GRAND ISLAND
Jay Vavricek

Mayor

Subscribed and sworn to before me this _____ day of _____, 2011.

Clerk

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Form of Agreement Approved for
Federal Funding Eligibility:

Date

Professional Fee Summary Sheet

Project Name: Walk to Walnut-Safe Routes to School Project
Project Number: SRTS-40(57), C.N. 42521
Agreement Type: Actual Cost

Name & Title	Hours	Actual		Total
		Rate/Hr.	Cost	
Steve Kathol, Principal-in-Charge	4	\$54.47	\$217.88	
Doug Holle, Project Manager	69	\$45.16	\$3,116.04	
Doug Holle, Designer	28	\$45.16	\$1,264.48	
Mark Luijeharms, Traffic Engineer	6	\$45.68	\$274.08	
Marie Stamm, Environmental Specialist	56	\$35.14	\$1,967.84	
Terry Nocita, Engineering Technician	40	\$20.36	\$814.40	
Megan Stamer, Administration Support	11	\$14.25	\$156.75	
	214 Subtotal		\$7,811.47	

Direct Labor Subtotal \$7,811.47
 Overhead @ 180% \$14,060.65

Sub-Total Labor & Overhead \$21,872.12
 Profit: 12.75% of Subtotal \$2,788.69
Total Labor, Overhead & Profit \$24,660.81

Other Direct Costs

Sub-Consultants	\$0.00	
Surveying (Rockwell and Associates)	\$1,900.00	
Wetland Delineation (TBA)	\$1,900.00	\$1,900.00
Subtotal		\$1,900.00
Reimbursable Expenses		
Printing (11 x 17 sheets) @ \$ Each	\$0.00	
Printing (24 x 36 ¢) 30 @ 1.50 Each	\$45.00	
Postage 1 L.S. @ \$50	\$50.00	
Mileage 250 Mile @ \$0.52/Mile	\$130.00	
Subtotal	\$225.00	\$225.00

TOTAL ESTIMATED PROFESSIONAL FEES \$26,785.81

5/6/2011

Exhibit "B"

THE SCHEMMER ASSOCIATES INC.
LISTING OF HOURLY RATES

EMPLOYEE CLASSIFICATION		AVG. RATE
PRINCIPAL		
Steve Kathol	\$ 54.47	\$ 54.47
PROJECT MANAGER		
Doug Holle	\$ 45.16	\$ 45.16
DESIGNER		
Doug Holle	\$ 45.16	\$ 45.16
TRAFFIC ENGINEER		
Mark Lutjeharms	\$ 45.68	\$ 45.68
ENVIRONMENTAL SPECIALIST		
Marie Stamm	\$35.14	\$35.14
ENGINEERING TECHNICIAN		
Terry Noctia	\$20.36	\$20.36
ADMINISTRATION SUPPORT		
Megan Starner	\$14.25	\$14.25

RESOLUTION 2011-167

WHEREAS, on May 27, 2008, by Resolution 2008-147, the City Council of the City of Grand Island approved an agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell & Associates of Grand Island, Nebraska as a sub-consultant, in the amount of \$33,388.05, to perform design services for the Safe Routes to Schools Walk to Walnut Project; and

WHEREAS, on December 2, 2008, by Resolution 2008-340, the City Council for the City of Grand Island approved Supplemental Agreement No. 1, in the amount of \$11,135.46, to the original agreement for consulting services to address impacts to resources developed with Land and Water Conservation funds as per Section 6(f) of the Land and Water Conservation Fund Act of 1965; and

WHEREAS, on May 24, 2011, by Resolution 2011-128, the City Council for the City of Grand Island approved Supplemental Agreement No. 2, in the amount of \$26,785.81, to the original agreement for consulting services to address increased requirements for documenting and resolving environmental impacts and to convert existing plans to comply with Nebraska Department of Roads Construction Specifications; and

WHEREAS, it is necessary to provide for the work stipulated in Supplemental Agreement No.2 to be funded solely with LPA funds and to be non-participating for Federal Aid.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the amendment to the agreement with The Schemmer Associates, Inc. of Lincoln, Nebraska, with Rockwell & Associates of Grand Island, Nebraska as a sub-consultant is hereby approved.

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

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Adopted by the City Council of the City of Grand Island, Nebraska, July 12, 2011.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ☐ _____
July 8, 2011 ☐ City Attorney