

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 9052 authorizing execution of a professional services agreement with Louis Berger Group (Domestic), Inc. for Utilities Large On-Call Professional Services Storm Contract (2016-2018) – for engineering and other associated services related to storm utilities, in an amount not to exceed \$5,000,000.

FISCAL IMPACT

This contract authorizes the City to spend up to \$5,000,000 in accordance with authorized budgetary authority. This expenditure is included in the 2015-2021 Adopted CIP and will be fully funded through various Utility CIP projects and Storm Operating Funds in the bi-annual Council approved budgets. The use of on-call for engineering and other associated services related to storm utilities will be monitored to ensure compliance with authorized spending authority.

STAFF CONTACT

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Utilities Department

POLICY CONSIDERATION

Utility Department policies:

- The Utilities Department shall invest resources as necessary to further its mission, provided such investment is consistent with Utilities Department financial policies. Specifically, resources shall be invested for capital projects which:
 - protect property from flooding or other stream-related damage; or
 - protect or improve water quality; or
 - maintain or improve the reliability, effectiveness, and/or integrity of the storm drainage system infrastructure; or
 - promote fiscal stewardship by generating cost savings or reducing potential liability; or
 - promote resource stewardship by improving fish and/or riparian wildlife habitat; or
 - respond to regulatory requirements or legal obligations of the Storm and Surface Water Utility;**AND PROVIDED**
 - such investment has a public benefit, and if the cost is justified by that benefit.

Prioritization and implementation of capital projects shall be based on objective guidelines that are periodically reviewed and published as part of the City's adopted Capital Investment Program plan (CIP). The most recently adopted CIP budget reflects the most current Capital Investment Policy.

- The City shall develop and update surface water quality protection programs as needed and shall carry out those programs and best management practices (BMPs) in order to make progress toward meeting state and federal requirements and the City Comprehensive Plan water quality and related resource goals. City surface water quality programs may include (but not necessarily be limited to):
 - Water quality studies and investigations;

- A water quality response program, including enforcement;
- Education programs (including promoting source controls);
- Preservation of lakes, wetlands and streams;
- Stormwater quality controls on new development, redevelopment(including, but not limited to, temporary erosion and sedimentation controls during construction as well as permanent on-site storm water management, flow control and runoff treatment best management practices);
- An operation and maintenance program, including an inspection program to ensure private maintenance of private drainage systems.
- Capital projects to address identified water quality problems; and
- Participation in regional studies and in the development of regional, state, and federal surface water quality policy. There is a separate Storm and Surface Water System Plan policy regarding regional, state and federal policy involvement.

Utilities Department practice:

- It is the Utilities Department’s long-standing practice to use outside consulting services when existing Utility resources are not available or sufficient to complete a project. This contract is consistent with this practice.

City contracting policies:

- The City’s procurement policy, updated January 1, 2015, supports open, fair, and transparent procurement of services in accordance with the City Code and state law. Because the amount of this contract exceeds \$90,000, Council approval is required.

BACKGROUND

This professional services agreement with Louis Berger Group (Domestic), Inc. will provide on-call engineering services for Storm Drainage Utility projects from 2016 through 2018. The Louis Berger team includes 11 sub-consultants with a highly qualified and diverse pool of staff at our disposal over the next three years. This contract is one of two on-call contracts providing storm drainage professional services. This contract will cover all services for CIP projects including preliminary engineering, design, and construction support. In addition, the consulting team will be available for professional services such as hydraulic modeling, inspection services, or environmental permitting.

Process Improvement through On-Call Contracting

Future CIP budgets are programmed to increase each year due to aging infrastructure, as has been presented to Council through the bi-annual budget process. In response to the increasing CIP needs, Utilities has added resources and modified the annual budgets to be in better alignment with project construction schedules, however, additional process improvement is required. Improving our consultant contracting process will enable the Utility to better meet the projected CIP program needs.

Use of on-call contracts is a common practice across City Departments and many public agencies across the state (e.g., King County, City of Seattle, Pierce County, WSDOT and Sound Transit). By using the large on-call consultant contracting process, the total number of contracts executed between 2016 and 2018 will be reduced from 60 down to just 6. The selection process will result in two teams per utility discipline (i.e. water, sewer, storm drainage). The corresponding savings in staff time will be over 5,000 hours over the three years enabling Utilities to deliver a higher CIP workload without hiring new staff. The use of on-call contracts will enhance the level of consulting expertise available to the Utility and will encourage high quality service through competition.

Assignment of Work through On-Call Contracting

Through the on-call contracts for Storm Drainage, the City will have access to a total of 26 firms with expertise in storm drainage engineering. Work will be assigned to firms based on the City's evaluation of team capabilities, availability, and total assigned work. While not guaranteed, we expect a balance in work between the on-call teams over time. This on-call contract does not guarantee that the consultant will receive a specific volume of work or a specific total contract amount. It is structured as pricing agreements for the specific hourly rates, terms and conditions. Should future budget updates reduce or eliminate funding for these services, the City can cancel the contract.

Utilities will provide Council with quarterly reports of project work performed under this on-call contract, similar to a process Finance followed previously with Council. Reports will include description of work assigned, dollar amounts of each assignment, total contract commitments, and anticipated work to be assigned in the next quarter. Additional information concerning consultant work can be made available at any time through the progression of this contract. Council will have an opportunity to provide input that will be considered in future work assignments.

Competitive Selection Process

A request for qualifications for Storm Drainage On-Call Engineering Services was released on September 21, 2015. All engineering consultants on the City's roster were notified and advertisements were published in *Contract and Careers, Inc.*, *The Seattle Times*, and *The Daily Journal of Commerce* on September 21 and September 28, 2015.

The following 7 firms submitted Statement of Qualifications (SOQs) on October 9, 2015:

- CH2M HILL
- CHS Engineers, LLC
- HDR Engineering, Inc.
- Mead & Hunt, Inc.
- Otak, Inc.
- PACE Engineers, Inc.
- The Louis Berger Group (Domestic), Inc.

A selection team consisting of 8 individuals from Utilities Director's Office, Design Division, Inspection Division, and Maintenance and Operations Division reviewed the SOQs and short listed the top consulting teams for interviews during the week of October 28, 2015. Following the interviews, the selection team met on November 10, 2015, and selected the two most qualified consulting teams (CH2M Hill and The Louis Berger Group (Domestic), Inc.) based on team consensus using SOQ and interview results. Primary areas of evaluation were:

- The consulting team's use of project management best practices as prescribed by the Project Management Institute, or an acceptable alternative.
- The project management experience and credentials of key consultant staff.
- Technical expertise and depth of experience of key consultant staff in 28 primary disciplines and 30 ancillary disciplines.
- The consulting team's pertinent project background highlighting its qualifications. This included relevant information about the listed projects, such as scale/scope of highlighted projects,

challenges, and notable successes. The consultants provided documentation demonstrating preparation of clear and complete contract documents: adherence to original scope, schedule and budget, and reasons for changes if any; and minimal design-related issues and change orders during construction. The projects were categorized into 4 major work areas; Conveyance System Design, Natural System Design, Fish Passage Design and System Planning.

Based on the above information presented in the SOQs and interviews, Louis Berger Group demonstrated that their team possessed great depth of staff expertise, and that they had a history of exceptional performance on projects similar to the work expected to take place under the large on-call contract. The Louis Berger Group team included support from a total of 12 firms, including Tetra Tech, GeoEngineers, Inc., and Northwest Hydraulic Consultants.

As required by state law relating to contracts for architectural and engineering services, the City selects the consultant deemed to be the most highly qualified for a given project. State law precludes using cost as a basis for selection of engineering firms.

EFFECTIVE DATE

If adopted, this Resolution will become effective immediately.

OPTIONS

1. Adopt the Resolution authorizing execution of a professional services agreement with Louis Berger Group (Domestic), Inc. for Utilities Large On-Call Professional Services Storm Contract (2016-2018) – for engineering and other associated services related to storm utilities, in an amount not to exceed \$5,000,000.
2. Do not adopt the Resolution and provide alternative direction to staff.

RECOMMENDATION

Option No. 1.

MOTION

Move to adopt Resolution No. 9052 authorizing execution of a professional services agreement with Louis Berger Group (Domestic), Inc. for Utilities Large On-Call Professional Services Storm Contract (2016-2018) – for engineering and other associated services related to storm utilities, in an amount not to exceed \$5,000,000.

ATTACHMENTS

FAQ Responses
Proposed Resolution No. 9052

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Consultant Contract