

February 13, 2017

## CITY COUNCIL AGENDA MEMORANDUM

### **SUBJECT**

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with McMillen Jacobs Associates in the amount of \$210,000, increasing the total contract amount to \$300,000, to provide additional construction management and claims support needed during the construction of 120th Avenue NE, Stage 2, from NE 7th Street to NE 12th Street (CIP Plan No. PW-R-164).

### **FISCAL IMPACT**

Construction Contract:

Amending the construction management and claims support contract with McMillen Jacobs Associates to increase the amount by \$210,000 for a total contract amount of \$300,000, reflects the additional work needed to recover costs associated with the replacement of three soldier pile retaining walls on the west side of 120<sup>th</sup> Avenue NE.

<b>Professional Services Agreement with McMillen Jacobs Associates</b>	
Original Contract (No. 1650056)	\$90,000.00
Proposed Contract Amendment No. 1	210,000.00
<b>Amended Contract</b>	<b>\$300,000.00</b>

This amount is fully funded through the 2017-2023 Capital Investment Program (CIP Plan No. PW-R-164). The following table provides the financial status of the project.

	(\$000)					
	Current Budget	LTD Expenditures	Total Projected Expenditures	Projected Balance	<b><i>This Action</i></b>	Actual / Projected Completion Date
Phase I (Design)	\$4,344	\$4,344	\$4,344	\$0	<b><i>\$0</i></b>	Q2-2016
Phase II (Right-of-Way)	18,299	14,085	18,299	0	<b><i>0</i></b>	Q2-2016
Phase III (Construction)	22,752	14,883	22,752	0	<b><i>210</i></b>	Q4-2017
Total	\$45,395	\$33,311	\$45,395	\$0	<b><i>\$210</i></b>	

The total project cost of \$45,395,000 (including this action) assumes full expenditure of the original project contingency budgeted for this project to settle outstanding project change orders and establishes a 10-percent construction contingency for the retaining wall work.

### **STAFF CONTACTS**

Dave Berg, Director, 452-6468

Ron Kessack, Assistant Director, 452-4631

Dave Cieri, Construction Manager, 452-2753

Paul Krawczyk, Project Manager, 452-4586

*Transportation Department*

## **POLICY CONSIDERATION**

Comprehensive Plan

City Contracting policies:

- BCC 4.28 provides for the fair and equitable treatment in the purchasing process. Because the amount of the contract exceeds \$90,000, Council approval is required.

Mobility Management:

- TR-25: Provide adequate roadway, pedestrian and bicycling connections in newly developing and redeveloping areas of the City, promoting both internal access and linkage with the rest of the City.
- TR-28: Involve affected neighborhoods and other interested citizens in the planning and design of transportation system improvements.

Circulation:

- S-BR-62: Include pedestrian and bicycle facilities in the design of arterial and local streets.
- S-WI-28: Improve arterial streets to provide enhanced pedestrian and bicycle access, safety and comfort throughout the non-residential areas of the subarea.

## **BACKGROUND**

Construction Management and claim cost increase:

The City hired McMillen Jacobs Associates, to provide support for construction claims and third party structural engineering review. This is to assist the City in negotiations, and claim resolution, with the Contractor and the Engineer of Record in the replacement of three soldier pile retaining walls constructed as part of the 120<sup>th</sup> Avenue NE, Stage 2 project. Hiring subject matter experts in this field allows the City to be in the best position to fully recover all claims and damages as a result of the repair of the walls. The contract increase with McMillen Jacobs Associates reflect the additional work and time needed to arrive at settlement agreement(s) with associated parties. It is anticipated that this cost and all additional claim costs will be recoverable as part of such agreements.

Project Scope:

The 120<sup>th</sup> Avenue NE Stage 2 improvements will widen 120<sup>th</sup> Avenue NE to a five-lane arterial between NE 7<sup>th</sup> Street and NE 12<sup>th</sup> Street. This project continues the recently completed widening of 120<sup>th</sup> Avenue NE, between NE 3<sup>rd</sup> and NE 7<sup>th</sup> Streets. The new roadway will have two travel lanes in each direction and a center turn lane where necessary. It will have bike lanes and sidewalks on both sides of the road, illumination, landscaping, removal of contaminated material, ground stabilization of soft soils, and installation of new stormwater detention and treatment. The project will also include a new signalized intersection at Lake Bellevue Drive/Old BelRed Road and will modify two existing signals at NE 8<sup>th</sup> and NE 12<sup>th</sup> Streets.

In collaboration with the Utilities Department, this project will install 15-inch and 18-inch sewer mains to accommodate future development in the area. This project will also construct a portion of a 120<sup>th</sup> Avenue NE corridor joint utility trench to provide for future underground facilities utilities in the Wilburton/BelRed area.

Relevant Past Council Actions:

On August 4, 2014, Bid No. 14018, 120<sup>th</sup> Avenue NE Improvement Project, NE 7<sup>th</sup> Street to NE 12<sup>th</sup> Street NE, Stage 2 (CIP Plan No. PW-R-164); Utility Facilities for 120<sup>th</sup> Avenue NE Improvements (CIP Plan No. S-63); Sewer System Pipeline Replacement (CIP Plan No. S-66); and Small Diameter

Water Main Replacement (CIP Plan No. W-16) was awarded to Goodfellow Bros., Inc. as the lowest responsible and responsive bidder, in the amount of \$14,948,961.04.

On October 17, 2016, Council approved Ordinance No. 6312 amending the construction contract with Goodfellow Bros., Inc. (Bid No. 14018) by \$5,323,122, for a total contract amount of \$20,272,083, for the 120<sup>th</sup> Avenue NE (Stage 2) – NE 8<sup>th</sup> to NE 12<sup>th</sup> Street project (CIP Plan No. PW-R-164); and, amending of the 2015-2021 Capital Investment Program (CIP) Plan to increase the project budget for the 120<sup>th</sup> Avenue NE (Stage 2) – NE 8<sup>th</sup> to NE 12<sup>th</sup> Street project by \$5,603,486 for a total amended project budget of \$45,394,554 by recognizing additional revenue restricted to the project, additional general tax revenue, and a budget transfer from the NE Spring Boulevard Zone 1 project (CIP Plan No. PW-R-172).

### **EFFECTIVE DATE**

If approved, this Resolution becomes effective immediately upon Council adoption.

### **OPTIONS**

1. Adopt Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with McMillen Jacobs Associates in the amount of \$210,000, increasing the total contract amount to \$300,000, to provide additional construction management and claims support needed during the construction of 120th Avenue NE, Stage 2, from NE 7th Street to NE 12th Street (CIP Plan No. PW-R-164).
2. Do not approve and provide alternative direction to staff.

### **RECOMMENDATION**

Option 1

### **MOTION**

Move to adopt Resolution No. 9222 authorizing execution of Amendment #1 to the Professional Services Agreement with McMillen Jacobs Associates in the amount of \$210,000, increasing the total contract amount to \$300,000, to provide additional construction management and claims support needed during the construction of 120<sup>th</sup> Avenue NE, Stage 2, from NE 7<sup>th</sup> Street to NE 12<sup>th</sup> Street (CIP Plan No. PW-R-164).

### **ATTACHMENTS**

CIP Project Descriptions (PW-R-164)

Vicinity Map

Proposed Resolution No. 9222

### **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A