

July 10, 2017

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Resolution authorizing execution of Amendment No. 1 to the existing Professional Services Agreement with Hayre McElroy & Associates, LLC, in the amount of \$59,667, plus all applicable taxes, for additional third party testing, monitoring and reporting services to support construction of the Complete the Circle and Inspiration Playground projects at the Bellevue Downtown Park.

### **FISCAL IMPACT**

This agreement obligates the City to an additional \$59,667, increasing the total contract amount from \$176,096 to \$235,763. This amendment will be funded from Parks Capital Investment Program (CIP) Project P-AD-87, Downtown Park Development. There are sufficient funds budgeted in the 2017-2023 Capital Investment Program (P-AD-87) to complete this project.

### **STAFF CONTACTS**

Patrick Foran, Director, 452-5377

Glenn Kost, Planning Manager, 452-5258

Ken Kroeger, Project Manager, 452-4624

*Parks & Community Services Department*

### **POLICY CONSIDERATION**

#### **City Contracting Policies**

City policy requires amendments that increase the total value of a Council-approved contract more than ten percent of the original contract be approved by Council.

### **BACKGROUND**

A Professional Services Agreement with Hayre McElroy & Associates, LLC (HMA) was approved by Council on June 20, 2016 (Resolution 9109) for \$176,096 for third party engineering testing, monitoring and reporting services to support the construction of Complete the Circle and Inspiration Playground projects in Downtown Park (DTP) as required by International Building Codes, Department of Ecology and Bellevue City Code.

Between October of 2016 and March of 2017, Western Washington experienced the wettest conditions in recorded history. Over 45 inches of precipitation fell, one-third above average. One hundred forty-four days of measurable precipitation were recorded during that time period, also breaking previous records. The contract with HMA contemplated average weather conditions. These extraordinary weather conditions and the project's time limitations (complete prior to July 4) forced the construction contractor to modify his work schedule and techniques to complete the job on-time, which in turn forced HMA to expand their time commitment to the project.

### **Summary of Contract Changes**

This amendment reflects the cost to provide the additional services required to complete the project on time in the face of historically wet weather conditions. Specific impacts include:

- the rain and snow conditions caused construction delays and changing schedules, which resulted in schedule changes for material testing, extended work durations and weekend work to maintain the project timeline;
- required re-testing of construction tasks due to weather conditions;
- significant increase in erosion and sediment control that required HMA oversight, turbidity monitoring, testing, analysis and reporting to Local, State and Federal agencies.

Staff has been pleased with the work to date of HMA. They have been professional and responsive throughout the duration of the contract, providing staffing and technical services to maintain the schedule necessary to complete the project by July 4th, and maintaining open lines of communication with staff, regulatory agencies, and our general contractor throughout the project.

Staff believes these to be fair and reasonable costs for the required work not included in the original contract, and recommends approval of this contract amendment. The cost summary is as follows:

Original Contract (No. 1450061)	\$176,096
<u>Proposed Contract Amendment No. 1</u>	<u>59,667</u>
<b>New Contract Amount</b>	<b>\$235,763</b>

### **EFFECTIVE DATE**

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

### **OPTIONS**

1. Adopt the Resolution authorizing execution of Amendment No. 1 to the existing Professional Services Agreement with Hayre McElroy & Associates, LLC, in the amount of \$59,667, plus all applicable taxes, for additional third party testing, monitoring, and reporting services to support construction of the Complete the Circle and Inspiration Playground projects at the Bellevue Downtown Park.
2. Do not adopt the Resolution and provide alternative direction to staff.

### **RECOMMENDATION**

Option 1

### **MOTION**

Move to adopt Resolution No. 9286 authorizing execution of Amendment No. 1 to the existing Professional Services Agreement with Hayre McElroy & Associates, LLC, in the amount of \$59,667, plus all applicable taxes, for additional third party testing, monitoring, and reporting services to support construction of the Complete the Circle and Inspiration Playground projects at the Bellevue Downtown Park.

### **ATTACHMENTS**

A. CIP Project Description  
Proposed Resolution No. 9286

**AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A