

## Legislation Details (With Text)

**File #:** BILL NO. 21-118  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 5/5/2021  
**In control:** City Council - Regular Session  
**On agenda:** 6/15/2021  
**Final action:** 6/15/2021  
**Title:** An Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same. (PWC 6/7/21)

**Sponsors:** Public Works Admin & Engineering

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Agreement (Exhibit 1 to Ordinance), 3. Project Map

Date	Ver.	Action By	Action	Result
6/15/2021	1	City Council - Regular Session	for second reading	Pass
6/15/2021	1	City Council - Regular Session	adopted and numbered	Pass
6/7/2021	1	Public Works Committee	recommended for approval	Pass

An Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same. (PWC 6/7/21)

Issue/Request:

An Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.

Key Issues:

Pursuant to Ordinance No. 8553, the City and Garver, LLC entered into an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) dated February 14, 2019 (hereinafter "Base Agreement").

The City and Garver, LLC (hereinafter "Engineer") modified the Base Agreement pursuant to Modifications Nos. 1, 2, 3 and 4, dated October 18, 2019, March 27, 2020, July 27, 2020, and September 10, 2020 respectively.

Relocating a sanitary sewer force main and additional regulatory requirements for historic preservation were recently added to the project.

The City desires to modify the Base Agreement, as amended, with Engineer to provide additional engineering services for elements of administration (e.g. reporting), sanitary sewer design, construction services, and time to the project (hereinafter "Modification No. 5").

Proposed Committee Motion:

I move to recommend to City Council approval of an Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading of an Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.

SECOND MOTION: I move for adoption of an Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.

Background:

Following the qualification based selection process, Garver (hereinafter "Engineer") was selected to perform the professional engineering services for the Colbern Road Improvements from M350 to Douglas Street project. The Base Agreement between the City and Engineer was executed on February 14, 2019 and modified four times between October 18, 2019 and September 10, 2020. These four modifications included additional surveying at Douglas and Main Street, developing and hosting a virtual online website to meet FHWA and MoDOT guidelines for public meetings, modifications to bridge and storm drainage pursuant to the UPRR permit request, and inclusion of 4(f) and MOA documentation as part of the State Historical Preservation process.

For projects with federal funding, as specified in the MoDOT LPA Manual Section 136.7.6.11 Transcripts, a Public Engagement Summary must be assembled and submitted detailing the public meeting. Due to COVID, Engineer developed and hosted a virtual online website which met FHWA and MoDOT guidelines for public meetings. Engineer possesses all the information from the virtual online website to assemble the Public Engagement Summary, therefore, the City is added this task to their agreement.

Engineer included the design of the relocated Unity Village limestone fence columns in the preliminary and ROW plans. Now that the State Historical Preservation process is concluding, the State Historic Preservation Office (SHPO) reversed previous directives so that the project can now remove the unwanted stone columns,

provided they are documented with pictures on Unity's historical website. The City has agreed to Unity's request to install 8" x 8" cedar post with red caps as boundary markers along the north side of Colbern Road. This will require Engineer to revise the final roadway and landscaping plans.

The Base Agreement included the relocation of the sanitary sewer force main when conflicts or depth issues were encountered with the new improvements. Engineer has provided approximately 400 ft. of force main relocation in the plans. It was discovered during the potholing of the existing line that the existing pipe is badly deteriorated and needs replacing. Based on the condition of the force main, Water Utilities department decided to replace the entire force main. This modification includes engineering services for the replacement of approximately 4,800 feet of existing force main. The new force main will be moved to the north side of Colbern Road and run along the back side of the new sidewalk.

Due to the unforeseen one year delay in the project caused by SHPO and the added and amended scope above, Modification No. 5 will add additional administration and project management time until the construction services commences.

Engineering support during construction from the Engineer is part of the current standards of practice to ensure the project is completed as intended. Typically, construction services are not included in the original design contract because the design, proposed construction, and schedule are unknown when design and data collection begins. Waiting until after the final plans are complete, except for the new force main replacement, allowed the construction services scope to be modeled on the actual work to be completed.

During construction, the Contractor awarded the Project will be required to submit shop drawings from fabricators and material certifications from suppliers which will be reviewed by the Engineer to ensure conformance with the project's plans and specifications. This project will remove the existing bridge over Little Cedar Creek and the UPRR and replace it with a new wider bridge. Engineer will also provide full-time resident inspection services of the new bridge during construction.

Timeline:

Construction estimated to begin April 2022 and be completed by June 2024

George Binger, Deputy Director of Public Works/City Engineer

Staff recommends approval of an Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.

Committee Recommendation: The Public Works Committee voted unanimously 3-0 (Councilmember Carlyle "Absent"), toto recommend to City Council approval of an Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas

Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same.