

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 23-133	<b>Name:</b>	
<b>Type:</b>	Ordinance - Committee	<b>Status:</b>	Passed
<b>File created:</b>	5/18/2023	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	6/20/2023	<b>Final action:</b>	6/20/2023
<b>Title:</b>	An Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)		
<b>Sponsors:</b>	Public Works Admin & Engineering		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Exhibit A: Agreement, 3. Supplemental Document: Map		

Date	Ver.	Action By	Action	Result
6/20/2023	1	City Council - Regular Session	for second reading	Pass
6/20/2023	1	City Council - Regular Session	adopted and numbered	Pass
6/12/2023	1	Public Works Committee	recommended for approval	

An Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)

### Issue/Request:

An Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, 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, 4, and 5 dated October 18, 2019, March 27, 2020, July 27, 2020, September 10, 2020, and June 16, 2021 respectively.
- The City desires to modify the Base Agreement, as amended, with Engineer to provide additional engineering services for elements of construction services and time to the project (hereinafter

"Modification No. 6").

Proposed Committee Motion:

I move to recommend to City Council approval of an Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, 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. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same.

SECOND MOTION: I move for adoption of an Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same.

Background:

Following the qualification-based selection process, Garver was selected to perform the professional engineering services for the Colbern Road Improvements project. The Base Agreement between the City and Garver was executed on February 14, 2019 and modified five times between October 18, 2019 and June 16, 2021. These five 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, inclusion of 4(f) and MOA documentation as part of the State Historical Preservation process, replacement of approximately 4,800 ft. of sanitary force main, additional administration and project management time, and construction services.

Construction services were included in Modification No. 5 with the thought that construction would start in April of 2022. Due to delays with State Historic Preservation Office approvals, MoDOT approvals (acquisitions, final plans, specs., & estimate, and bidding), and acquisition of Discovery Park property, Clarkson Construction (hereinafter "Clarkson") was not awarded the project until April 19, 2023 and will not start construction until September 1, 2023. Due to these delays, the Engineer and City have negotiated labor inflation into construction services for Modification No.6.

A typical project usually consists of one Pre-Construction meeting that the Engineer is required to attend. Since awarding the project, the Contractor, MoDOT, and utilities have required addition pre-

construction/progress meetings. The Engineer has accompanied the City in attending a meeting with MoDOT regarding tracking of federal funds, a meeting with Clarkson and utilities to discuss proposed construction phasing changes, and a meeting with Clarkson concerning their proposal to extend the two UPRR agreements in order to not build the bridge until the spring of 2024. These additional meetings will cause the total amount of engineering support required during construction to exceed the estimates in previous modifications.

The Engineer and their bridge inspectors will also attend future meetings required by UPRR for anyone involved in the construction of the bridge over their ROW and a future official Pre-Construction meeting for MoDOT's issuance of the Notice to Proceed. Four additional Pre-Construction/progress meetings have been included in Modification No. 6.

Modification No. 5 only included attendance of Construction Progress meetings by the Engineer's resident inspector during construction of the bridge. After discussions between the City's Construction Management team and Clarkson, it was determined that Construction Progress meetings will be held bi-weekly throughout construction of the project and a design engineer from Garver, that worked on the project, should be in attendance. The initial engineering support during construction had estimated monthly meetings. The scope and fee for (40) Construction Progress meetings have been included in Modification No. 6.

The previous contract modifications, plus this modification, will ensure engineering support throughout construction. This support will include structural inspection of the bridge of the UPRR bridge, construction submittal reviews, design plan modifications as needed during construction, responding to Contractor RFI's (requests for information), completing as-built drawing after construction, and other services as needed.

Timeline:

Construction start date August-September of 2023

Construction completion date is Winter of 2024-25

Estimated Project completion/closeout: Spring 2025

Craig Kohler, Senior Staff Engineer

Staff recommends approval of an Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same.

Committee Recommendation:

The Public Works Committee voted unanimously 3-0 (Councilmember Lovell "Absent"), to recommend to City Council approval of an Ordinance approving Modification No. 6 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 \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)