



**PURCHASING ITEM
FOR
COUNCIL AGENDA**

MEMO NO. CP13-163

1. Agenda Item Number:

32

2. Council Meeting Date:

June 13, 2013

TO: MAYOR AND COUNCIL

THROUGH: CITY MANAGER

3. Date Prepared: May 21, 2013

4. Requesting Department: Transportation & Development

5. SUBJECT: Amendment to CDM Smith, Inc. for Engineering Services for the Pump Station at Thude Park in the amount of \$25,010.

6. RECOMMENDATION: Staff recommends City Council approval of Contract Amendment No. 3 to CDM Smith, Inc. for Engineering Services for the Pump Station at Thude Park, Project No. ST0708-201, in the amount of \$25,010, for a revised Contract total of \$146,985.

7. BACKGROUND/DISCUSSION: Thude Park is located in the Arizona Department of Transportation's (ADOT's) retention Basin G for the Price Freeway on the southeast corner of Galveston Road and the Price Frontage Road. The western area of the park does not drain well and constantly holds water from irrigation runoff. Over the past several years a number of complaints have been filed with Maricopa County for rats, bees, and mosquitos within the area surrounding Thude Park. Currently City Staff pumps the nuisance water, daily as time permits, but cannot keep pace with the daily flow into the basin without taking away from other areas of the city that need attention. A pump station is needed to address these issues.

In April 2007 a contract for the design of a pump station was entered into between the City and CDM Smith, Inc., for a simple prefabricated submersible pump and piping system to ADOT's drainage system and was to be fully funded by the City of Chandler. Later, ADOT and City Staff determined a more advanced pump station would be needed to pump the drainage water to the adjacent Salt River Project canal. This required additional design for electrical and instrumentation through Contract Amendment No. 1. When completed the construction estimate was over \$1.0 million so Contract Amendment No. 2 was executed to revise the design to ensure that it remained within the available budget. In July 2010, construction documents were finalized and approved by the City's plan review groups.

Since Thude Park serves as an ADOT drainage basin, City Staff pursued ADOT for assistance in funding the project. Through an Intergovernmental Agreement (IGA) entered into in August 2012, ADOT will provide a lump sum contribution totaling \$224,000 for the project construction costs and the federal environmental documentation. With ADOT funding now associated with the project, the previously approved plans and specifications must be modified in accordance with ADOT and Federal Highway Administration standards. Contract Amendment No. 3 will allow for the necessary modifications.

The total project costs, including design and construction, are estimated to be \$560,000 with ADOT providing \$224,000 lump sum in federal funds. Once complete the pump station will keep the basin dry and reduce issues with vector control in the area. Staff time and equipment needed for manual pumping will also be reduced.

8. EVALUATION PROCESS: On March 22, 2007, City Council awarded the original Contract for Engineering Services to Camp Dresser & McKee, now known as CDM Smith, Inc. City Council approved Contract Amendment No. 1 on April 10, 2008, and Contract Amendment No. 2 on November 19, 2009. This consultant was selected in accordance with the City's selection procedures. Staff reviewed the scope of work, billing rates, and total fee for this project, compared them to historical costs, and determined them to be reasonable.

9. FINANCIAL IMPLICATIONS:

Original Contract: \$ 43,865
Amendment No. 1: \$ 43,400 99% of original
Amendment No. 2: \$ 34,710 79% of original, 39% of Amend. No. 1 revised total
Amendment No. 3: \$ 25,010 57% of original, 21% of Amend. No. 2 revised total
Revised Total Contract Cost: \$146,985
Savings: N/A
Long Term Costs: N/A
Fund Source:

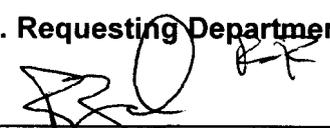
<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Amount:</u>
412.3310.6511.0.6ST291	GO Bonds - Stormwater	Misc. Storm Drain Imp.	Yes	\$25,010

10. PROPOSED MOTION: Move that City Council approve Contract Amendment No. 3 to CDM Smith, Inc. for Engineering Services for the Pump Station at Thude Park, Project No. ST0708-201, in the amount of \$25,010, for a revised Contract total of \$146,985; and authorize the Mayor to sign the Amendment.

ATTACHMENTS: Location Map and Pictures, Amendment

APPROVALS

11. Requesting Department



Daniel W. Cook, Transportation Manager

13. Department Head



R.J. Zeder, Transportation & Development Director

12. Transportation & Development



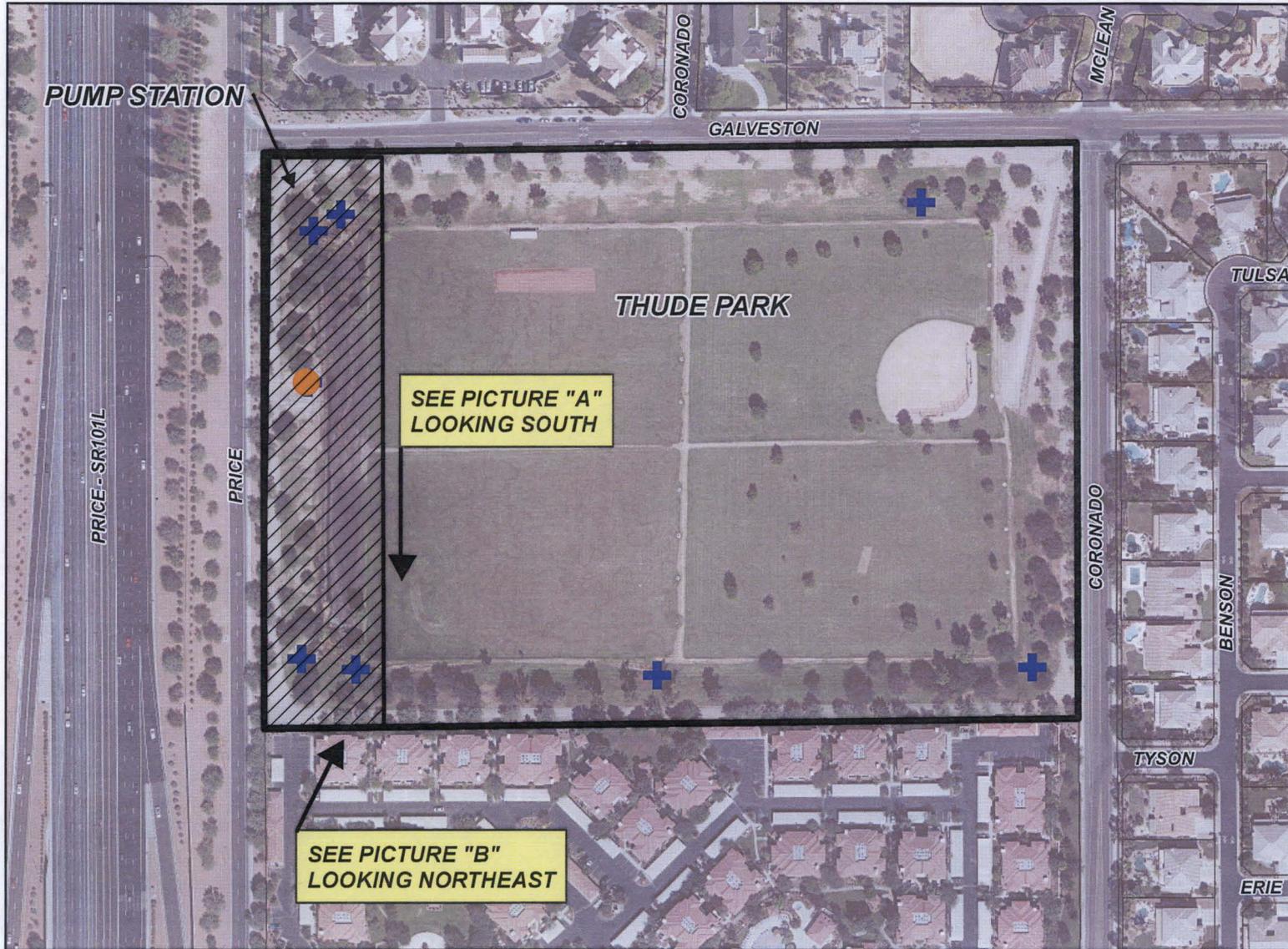
Bob Fortier, Capital Projects Manager

15. City Manager



Rich Dlugas

PUMP STATION AT THUDE PARK PROJECT NO. ST0708-201



MEMO NO. CP13-163

-  THUDE PARK
-  PROJECT AREA
-  BASIN OUTLET
-  BASIN INLET



Chandler Arizona

AMENDMENT NUMBER 3

Project Name: Pump Station at Thude Park
Project No.: ST0708-201

This Amendment No. 3 to that certain Agreement between the City Of Chandler (CITY) and CDM Smith previously known as Camp, Dresser & McKee, Inc., incorporated in the State of Massachusetts, licensed to do business in Arizona dated April 18, 2007 for Pump Station at Thude Park is entered into this _____ day of _____, 2013.

WHEREAS the parties have determined that it is necessary and desirable for ENGINEER to perform additional services for CITY;

NOW THEREFORE, the parties agree as follows:

1. **Section 2**, of the above referenced Agreement, is hereby; amended by adding additional scope of work described in more detail in Exhibit A attached hereto and incorporated herein by reference.
2. **Section 3**, of the above referenced Agreement, is hereby; amended by increasing the total contract price by an amount not to exceed the sum of **Twenty Five Thousand Ten Dollars (\$25,010)** for a total Contract Price not to exceed the sum of **One Hundred Forty Six Thousand Nine Hundred Eighty-Five Dollars (\$146,985)** of all payable in accordance with Exhibit B, attached hereto and incorporated herein by reference.
3. **Section 4**, of the above referenced Agreement is hereby amended by increasing the Contract Time by **One Thousand Five Hundred (1,500) Days** for a total Contract Time of **Two Thousand Five Hundred Five (2,505) Days** from the original Notice to Proceed.
4. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names this _____ day of _____, 2013.

CITY OF CHANDLER:

By: _____
MAYOR Date

APPROVED AS TO FORM:

City Attorney by _____

ATTEST:

City Clerk

ENGINEER:

By: Hampik Dekermenjian
Title: S.R. VICE PRESIDENT

ATTEST: (If corporation)
David Jensen
Secretary DAVID JENSEN

WITNESS: (If Individual or Partnership)

SEAL

Amendment No.3 cont.

Project No. ST0708-201

THESE CHANGES RESULT IN THE FOLLOWING ADJUSTMENTS OF CONTRACT PRICE AND TIME

ORIGINAL CONTRACT AMOUNT	\$ 43,865
CURRENT CONTRACT PRICE PRIOR TO THIS AMENDMENT (Including previous amendments)	\$ 121,975
NET INCREASE / DECREASE (Resulting from this amendment)	\$ 25,010
REVISED CONTRACT PRICE (Including this amendment)	\$ 146,985
AMENDMENT PERCENTAGE (Of original contract price)	<u>57.0%</u>
CONTRACT TIME PRIOR TO THIS AMENDMENT (Including previous amendments).	1005 (Days or Date)
NET INCREASE/DECREASE (Resulting from this amendment)	1500 (Days or Date)
REVISED CONTRACT TIME (Including this amendment)	2505 (Days or Date)
THIS AMENDMENT No. _____	Does not Require Council Approval: Less than \$30,000* _____
	More than \$30,000 but less than 10% of Contract* _____
THIS AMENDMENT No. <u>3</u>	Requires Council Approval Greater than \$30,000* _____
	Greater than 10% of Contract * X
*Including City Manager approved Amendments	
ORIGINAL CONTRACT COUNCIL DATE: <u>3/22/2007</u> ITEM NO.:<u>31</u>, if applicable	
COUNCIL APPROVAL: _____ ITEM NO: _____, if applicable	
CITY OF CHANDLER (Date & Name of Owner Dept. verbal approval): <u>Dave Verhelst</u>	

CC: City Clerk User Dept Project Mgr Consultant Project Analyst File

EXHIBIT A SCOPE OF WORK

Background

In July 2010, ENGINEER completed plans, specifications, and construction estimate, and other project related documentation in anticipation of the City advertising for hard bid construction. Given that the entire project area is owned by Arizona Department of Transportation (ADOT) but maintained by the City thru an Intergovernmental Agreement (IGA), the City approached ADOT to help pay or contribute to the costs of construction. In October 2012, the City and ADOT entered into a new IGA. However, ADOT's share of funding is derived from a federal source. Thus, the construction documents including plans and specifications must be updated to be compliant with all current code requirements as well as all federal construction requirements.

Scope of Services

ENGINEER shall perform the following Tasks:

Task 1 – Final Design

ENGINEER shall develop the final Construction Documents for each discipline: Civil, Structural, Process Mechanical, and Electrical.

Activities:

- As the site conditions are assumed to be unchanged from the original design efforts, a full survey will not be performed. A surveyor will verify that benchmarks and control points are still accurate.
- Coordinate with utilities to obtain updated clearance letters from the utilities in the area, as identified in topographic survey, including ADOT.
- Provide an updated load list for the City to use when coordinating with Salt River Project (SRP) on their power utilities in the area.
- Update drawings and specifications to meet the latest applicable City standards, as listed below:
 - 2009 International Building Code
 - 2008 National Electrical Code
 - 2009 International Mechanical Code
 - 2009 International Fire Code
 - 2009 International Existing Building Code
 - City of Chandler Standard Details and Specifications
 - City of Chandler Technical Design Manual #3: Storm Drainage System Design
 - The Code of the City of Chandler
 - City of Chandler supplement to Maricopa Association of Governments (MAG) Uniform Standard Details and Specifications
 - MAG Uniform Standard Specifications and Details
- Specifications shall be updated to comply with Federal Highway Administration (FHWA) bidding requirements and include applicable ADOT stored Specifications/Special Provisions.
- Specification for the pumps shall be updated to include a minimum of two listed manufacturers or modified to a performance specification.
- Submittal of final stamped and sealed design documents (drawings and specifications) to the City for code review.

Key Assumptions:

- This Contract Amendment No. 3 approved by Council May 9, 2013
- ENGINEER Submission of Final Construction Documents June 17, 2013

- A new geotechnical report shall not be required.
- Drawing files shall be performed using AutoCAD 2012.
- City shall provide an updated cover sheet in AutoCAD to be used for the project.
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- The existing plans, specifications, and estimate shall be used as the base line for preparation of final submittal
- City shall update applicable contract section to meet FHWA requirements, including Davis-Bacon wage requirements.
- Comments from the building department and/or ADOT will be addressed during the bidding phase. It is assumed the City shall have one designated person responsible for reviewing all City comments and providing one set of consistent comments to ENGINEER to be addressed.
- The City shall submit the final set to FHWA thru ADOT for obligation.
- SRP new Point of Delivery plans shall be prepared by SRP and provided to CDM Smith for attachment by the City. No modifications to the design are anticipated to incorporate potential changes from SRP.
- Plans and specifications shall incorporate any information conveyed in the Categorical Exclusion, prepared by Del Sol Group, provided by the City, necessary for construction documents to be complete and acceptable.

Deliverables:

- Updated utility clearance letters.
- Final Submittal Documents: Drawings and Specifications (signed and sealed).

Task 2 – Permitting

CDM Smith shall assist the City with permitting for this project. The scope includes up to 2 hours for this item.

- Prepare the encroachment permit (and associated documentation) for ADOT.
- Prepare City encroachment permit, including certificate of area and quantity certification.
- Prepare City building permit.

Key Assumptions:

- The City shall submit the permit applications and pay associated permitting fees. The City representative shall lead the preparation of permits. ENGINEER shall provide information, as defined in the permit document, for one submittal of each permit type.

Deliverables:

- Final permit applications for the ADOT encroachment permit, City encroachment permit, and City building permit.

Task 3 – Engineer's Estimate of Construction Cost

ENGINEER shall develop an opinion of probable construction cost. Purchased equipment pricing shall be developed using vendor estimates or costs from similar projects. Construction capital cost estimates shall be based on the final submittal.

Deliverables:

- Final Opinion of Probable construction cost
- Construction Contract Bid Schedule

Key Assumptions:

- Final Opinion of Probable cost and bid schedule shall use descriptions consistent with ADOT typical bid item descriptions, units of measure, and item numbers, except were specifically directed otherwise by City.
- Final Opinion of Probable cost shall be used to obtain DBE goal requirements from ADOT

Task 4 – Bidding Services

Activities:

ENGINEER shall assist the City during bidding the project as follows:

- Attendance of the ENGINEER’s project manager at the pre-bid meeting.
- Prepare responses to pre-bid questions from contractors and providing revisions to be used in addenda. The scope includes up to 24 hours for this item.

Key Assumptions:

- The City shall advertise the bid.
- The pre-bid meeting is not anticipated to last more than 1 hour.
- The City shall prepare the addenda and distribute to potential bidders.
- The City shall evaluate the bid results.

Deliverables:

- Revisions (text and/or figures) to be included in addenda, as needed.

Task 5 - Project Management

This task includes various project management, administration and quality control activities that are performed to ensure delivery of high quality results. Specific tasks for this project include:

- Project coordination and communication
- Calculation review
- Schedule and budget administration and controls
- Quality assurance and controls
- Two (2) project coordination meetings for design coordination and review with the City representatives. It’s anticipated that two (2) ENGINEER staff shall attend, meeting shall not exceed 2 hours and meetings shall be held at the City’s offices. A separate meeting with ADOT is not anticipated.

Exclusions

The following items are not included as part of this proposal or overall project:

- Any task items that were not previously invoiced by July 2010, specifically Construction Phase Services or Bid Services, other than as noted in scope of services above.

- Stormwater pollution prevention plan (SWPPP) for ADOT. The selected contractor for the work shall prepare and submit the notice of intent and construction SWPPP for the project. The contractor shall be required to submit the erosion and sediment control plan.
- Construction phase services (i.e. Submittal and Shop Drawing Review, Operation and Maintenance (O&M) Manual Review, Evaluation of Change Orders, Requests for Information, Inspections).
- Utility pot-holing;
- Drainage reports;
- Geotechnical Investigations, analyses, recommendations, materials/compaction recommendations, pavement designs, etc;
- Submittals other than as noted in scope of services above;
- Utility relocations and/or design services except as specifically enumerated in this scope of services;
- Architectural aesthetics design;
- Structural design services except as specifically enumerated in this scope of services;
- As-built plans certification;
- Landscape architecture design/plans;
- Traffic control plans; pavement marking and signage plans; or traffic analysis
- Archeological study;
- Any environmental work/studies;
- Coordination/meetings other than as noted in the scope of services above
- Agency review/submittal fees
- Other services not identified in this scope of services.

**EXHIBIT B
FEE SCHEDULE**

Description	Subtotal
Task 1 - Final Design Update	\$ 29,295.00
Survey	\$ 4,575.00
Utility Clearance Letters	\$ 4,000.00
SRP Power Plan Coordination	\$ 420.00
Specifications Update	\$ 8,760.00
Final Submittal Documents	\$ 11,540.00
Task 2 - Permitting	\$ 200.00
Task 3 - Engineer's Opinion of Probable Construction Cost	\$ 1,300.00
Task 4 - Bidding Services	\$ 4,205.00
Pre-Bid Meeting	\$ 425.00
Answering Bidders' RFIs	\$ 3,780.00
Task 5 - Project Management	\$ 3,400.00
Allowance (Reproduction, delivery, etc.)	\$ 3,500.00
Subtotal	\$ 41,900.00
Credit (Amount Not Previously Invoiced)	\$ (16,890.00)
Total	\$ 25,010.00