



City of Grand Forks Staff Report

APPROVED & ACCEPTED
by City Council

05/06/2019

Maureen Storstad
Maureen Storstad
City Auditor

Committee of the Whole – April 22, 2019
City Council – May 6, 2019

Agenda Item: Amendment No. 1 to Engineering Services Agreement with CPS for City Project No. 7906, District No. 554 – Pond Expansion for Opportunity Park 1st Resubdivision

Submitted by: Engineering Department, David J. Kuharenko (Principal Civil Engineer)

Staff Recommended Action: **Approve Amendment No. 1 with CPS Engineering for Design, Bidding, and Construction Administration Services in the amount of \$159,531 and approve any necessary budget amendment for City Project No. 7906, District No. 554 – Pond Expansion for Opportunity Park 1st Resubdivision**

Committee Recommended Action: Moved to City Council with recommendation to approve.

Council Action:

BACKGROUND:

This project consists of expanding an existing stormwater pond to serve the recently platted area of Opportunity Park 1st Resubdivision and future land to be developed in the area. The existing pond was constructed privately and does not meet current North Dakota Department of Health requirements and does not have the capacity to serve additional development areas. The pond lot is large enough to cost effectively accommodate the capacity needs by expansion as opposed to the construction of another pond. An attached drawing depicts the location of the proposed pond.

The contract amendment now being considered for approval is for additional Design Engineering services associated with the expanded scope of the lift station as well as Construction Engineering services for Opportunity Park 1st Resubdivision. The firm of CPS Engineering was chosen as the most qualified firm for this project from the City's pre-qualified engineers list and a scope of work and fee was then negotiated.

This project has been considered at a number of previous Council/Committee/Public meetings, some of which are as follows:

- December 3, 2018 – Council approved the Engineer’s Report, created the Special Assessment District, directed the Engineering Department to prepare Plans & Specifications and advertise for the Construction Bids for this project.
- December 3, 2018 – Council approved an agreement with the firm of CPS Engineering in the amount of \$69,750 to provide Design Engineering and Bidding Services for this project

ANALYSIS AND FINDINGS OF FACT:

- The original Engineering Services Agreement was intended to include only design engineering services and did not include design of a new lift station or construction engineering services.
- The additional funds requested by this amendment are intended to pay for construction engineering and design engineering of the expanded scope of the project.
- The amount of the original contract agreement was \$69,750.
- The proposed amendment amount is \$159,531 bringing the new contract amount to \$229,281.
- The original Agreement and proposed Amendment are on an hourly not-to-exceed contract.
- The hourly rates of this Agreement are comparable to those charged by other local firms.
- Funding for the city share of this Agreement will come from Fund 5400: Stormwater.

SUPPORT MATERIALS:

- Relevant Pages of Proposed Amendment No. 1 (3 pages)
- Project Location Map (Assessment District Map – 1 page)
- Page 416 of the 2019 City Budget indicating funding source for this project (1 page)

This is **EXHIBIT K**, consisting of 9 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated March 7, 2016.

Amendment 1 To Task Order No. 7906

1. Background Data:

- a. Effective Date of Original Task Order: December 3, 2018
- b. Effective Date of this Amendment: May 6, 2019
- c. Owner: City of Grand Forks, North Dakota
- d. Engineer: CPS, Ltd.
- e. Specific Project: Stormwater Pond Expansion for Opportunity Park First Resubdivision, City Project No. 7906, District No. 554.

2. Description of Modifications

A. Engineer shall perform the following services.

- 1) Final Design Phase
 - a) Consult with Owner to define and clarify Owner’s requirements for the Project and available data.
 - b) Advise Owner as to the necessity of Owner providing data or services of the types described in Exhibit B, and, if requested, assist Owner in obtaining such data and services.
 - c) Prepare a Basis of Design Report (the “Report”) which will, as appropriate, contain schematic layouts, design parameters, and computer model outputs of the hydrologic and hydraulic design of the stormwater pond and pump station.
 - d) Delete section 2.02.B.1.a and change to:
 - 1. New Pump Station
 - a. Design new pump station with vertical turbine pumps, pump controls with telemetry and connection to the city SCADA system, new wet well with interior catwalk for maintenance access to check valves, and prefabricated building to house pump controls.
 - e) It is understood that all references to existing lift station upgrades are hereby amended to mean now pump station.
- 2) Engineer’s services under the Final Design Phase will be considered complete on the date when final copies of the Final Design Phase documents are delivered to the Owner.

B. Construction Phase Services

- 1) Prepare construction contract.
- 2) Review Contractor required submittals.
- 3) Respond to Contractor RFI’s and prepare plan revisions as necessary.
- 4) Attend and participate in preconstruction and other construction related meetings.
- 5) Resident Project Representative (Part Time)
 - a) Basis of Estimate
 - 1. Stormwater Pond Construction: 8 weeks of construction at 20 hours per week.
 - 2. Stormwater Pump Station and Controls: 8 weeks of construction at 20 hours per week.

- 6) Construction staking and as-built survey.
 - 7) Pump system startup and testing.
 - 8) Materials testing of aggregate and soil materials, including backfill of utilities.
 - 9) Review and process contractor pay requests and change orders.
- C. Post Construction Phase Services
- 1) Prepare project closeout documentation.
 - 2) Perform as-built survey and prepare record drawings.
 - 3) Warranty period review.

3. Payments to Engineer

Detailed estimate of hours and expenses and consultant rate schedule is provided in Exhibits A and B. Pump station consultant (Webster Foster & Weston) estimate of hour and expenses is provided as Exhibit C.

Description	Cost
Original Contract Amount	\$69,750
Amount Previous Amendment(s)	\$0
Amount This Amendment	\$159,531
New Contract Amount	\$229,281

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect.

OWNER: City of Grand Forks

ENGINEER: CPS, Ltd.

By: _____
Dr. Michael Brown

By: _____
Michael K. Korman

Title: _____
Mayor

Title: _____
President

Date
Signed: _____

Date
Signed: _____

Attest: _____

Attest: _____

Title: _____

Title: _____
Vice President of Engineering

Exhibit A - Estimate of Project Hours and Expenses for Amendment 1

Project: Stormwater Pond Expansion for Opportunity Park First Resubdivision, City Project No. 7906, District 554

Prepared By: Mike Korman

Date: April 16, 2019

City Project Nos.: 7906



Task	Hours By Employee Classification								Total
	Engineer 6	Engineer 5	Engineer 1	Engineering Technician 4	Land Surveyor 4	Land Surveyor 2	Surveyor Asst. 2	Admin. 2	
(Hourly Rates)	\$ 170	\$ 160	\$ 110	\$ 120	\$ 135	\$ 115	\$ 75	\$ 70	
100	0	0	0	0	0	0	0	0	\$ -
200	0	0	0	0	0	0	0	0	\$ -
300	12	0	32	0	0	0	0	0	\$ 5,560
400	0	0	0	0	0	0	0	0	\$ -
500	132	0	208	16	0	8	8	0	\$ 48,760
600	14	0	4	8	0	4	0	0	\$ 4,240
Subtotal Hours	158	0	244	24	0	12	8	0	446
Total Labor									\$ 58,560

Direct Expenses

506	Travel Vehicle	50	days @	\$ 20.00	per day =	\$ 1,000
507	GPS Equipment (Staking)	12	hours @	\$ 50.00	per hour =	\$ 600
507	Survey Vehicle	100	miles @	\$ 0.75	per mile =	\$ 75
509	Pump Station Consultant (WFW)	\$ 93,296	cost @	1.00	markup =	\$ 93,296
510	Materials Testing Consultant	\$ 6,000	cost @	1.00	markup =	\$ 6,000

Subtotal - Direct Expenses \$ 100,971

Total Project Estimated Fee (Labor + Direct Expenses) \$ 159,531

32ND AVE S

S 48TH ST

COLUMBIA

PARK

1 1

23RD

2
ADDITION

G

COLUMBIA

PARK

D

1

22nd

H

S 42ND ST

E

B

B

C
ADDITION

2

C

36TH AVE S

OPPORTUNITY

1

2

1

2

UNPLATTED

2
3
PARK

FIRST

5

RESUB.

3

4

40TH AVE S

3 1

700'

UNPLATTED

300'

S 42ND ST

87'

350'

POND EXPANSION FOR OPPORTUNITY PARK 1ST RESUBDIVISION

LEGEND

PROJECT # 7906

DISTRICT # 554



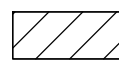
ASSESSMENT DISTRICT BOUNDARY



PROJECT LIMITS



CITY LIMITS



FUTURE ASSESSMENT DISTRICT



Stormwater

Budget Year 2019

G/L Account	Account Description	2016 Amended Budget	2016 Actual Amount	2017 Amended Budget	2017 Actual Amount	2018 Adopted Budget	2019 Adopted Budget		
Fund 5400 - Stormwater									
Department 000 - Revenues									
Intergovernmental									
5400.000 322.0152	Industrial Commission Grant for Red River Canoe & Kayak Access	125,250.00	100,000.00	.00	.00	.00	.00		
5400.000 322.0154	NDDOT-SRF Grant for Lincoln Park Road Reconstruction	.00	118,940.75	.00	.00	.00	.00		
5400.000 326.0054	Greenway Promotions Revenue	250.00	1,050.00	471.00	700.00	.00	.00		
<i>Intergovernmental Totals</i>		\$125,500.00	\$219,990.75	\$471.00	\$700.00	\$0.00	\$0.00		
Special Assessments									
5400.000 350.0010	Current Sp Assessments	65,000.00	.00	60,000.00	.00	50,000.00	50,000.00		
5400.000 350.0050	Interest Sp Assessments	16,000.00	13,551.87	15,000.00	10,678.96	15,000.00	15,000.00		
<i>Special Assessments Totals</i>		\$81,000.00	\$13,551.87	\$75,000.00	\$10,678.96	\$65,000.00	\$65,000.00		
Interest									
5400.000 356.0010	Interest-Investments	20,000.00	24,219.36	23,000.00	31,301.26	25,000.00	30,000.00		
<i>Interest Totals</i>		\$20,000.00	\$24,219.36	\$23,000.00	\$31,301.26	\$25,000.00	\$30,000.00		
Miscellaneous									
5400.000 357.0090	Rental Income	.00	937.27	.00	900.25	.00	.00		
5400.000 357.0092	Contributions	.00	400.00	.00	.00	.00	.00		
<i>Miscellaneous Totals</i>		\$0.00	\$1,337.27	\$0.00	\$900.25	\$0.00	\$0.00		
Operating Revenues									
5400.000 338.0010	User Utility Billing	1,755,420.00	1,781,719.07	1,790,000.00	1,794,732.10	1,800,000.00	1,940,889.00		
Budget Transactions									
Level		Transaction		Number of Units		Cost Per Unit		Total Amount	
Adopted Budget		2% Stormwater rate increase		1.0000		1,940,889.00		1,940,889.00	
							Adopted Budget Totals		\$1,940,889.00
5400.000 338.0015	Flood Protect/GreenwayMtc	733,380.00	763,085.26	760,000.00	770,914.08	770,000.00	825,869.00		
Budget Transactions									
Level		Transaction		Number of Units		Cost Per Unit		Total Amount	
Adopted Budget		1.5% Rate Increase Flood Protection/Greenway Maintenance		1.0000		825,869.00		825,869.00	
							Adopted Budget Totals		\$825,869.00
5400.000 338.0061	Tapping Mains-SEnd Drain	175,000.00	585,572.90	100,000.00	111,695.86	100,000.00	100,000.00		
5400.000 338.0230	Other N.O.C	.00	.00	.00	100.00	.00	.00		
<i>Operating Revenues Totals</i>		\$2,663,800.00	\$3,130,377.23	\$2,650,000.00	\$2,677,442.04	\$2,670,000.00	\$2,866,758.00		
Operating Transfers In									
5400.000 370.0010	Operating Transfers In	1,500.00	1,500.00	2,500.00	724,981.63	.00	.00		
<i>Operating Transfers In Totals</i>		\$1,500.00	\$1,500.00	\$2,500.00	\$724,981.63	\$0.00	\$0.00		
Cash Carryover-Budget									
5400.000 390.0010	Cash Carryover-Budget	1,028,861.00	.00	610,732.00	.00	600,000.00	1,100,000.00		
5400.000 390.0050	Use of Reserve Cash	.00	.00	50,000.00	.00	.00	.00		
<i>Cash Carryover-Budget Totals</i>		\$1,028,861.00	\$0.00	\$660,732.00	\$0.00	\$600,000.00	\$1,100,000.00		
REVENUE TOTALS		\$3,920,661.00	\$3,390,976.48	\$3,411,703.00	\$3,446,004.14	\$3,360,000.00	\$4,061,758.00		