



City of Grand Forks Staff Report

Committee of the Whole – April 8, 2019

City Council – April 15, 2019

Agenda Item: Amendment No. 2 to Engineering Services Agreement with CPS for City Project No. 8019, District No. 736 – Paving and Street Lights on Cherry St (11th Ave S to 17th Ave S)

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

Staff Recommended Action: **Approve Amendment No. 2 with CPS for Construction Administration Services in the amount of \$223,213 for City Project No. 8019, District No. 736 – Paving and Street Lights on Cherry St (11th Ave S to 17th Ave S)**

Committee Recommended Action: Refer to City Council with the recommendation to approve.

Council Action:

BACKGROUND:

The firm of CPS was chosen as the most qualified firm for this project from the City's pre-qualified engineers list. The original agreement was for topographic survey services for \$23,148 and was approved under the department head authority. The first amendment was for design engineering and bidding services in the amount of \$215,470 and was approved by City Council on December 3, 2018. This engineering amendment is for construction engineering and testing services in the amount of \$223,213. This amendment includes a \$35,000 credit for the reduction in the design engineering services from changing a portion of the project from a reconstruction project to an asphalt mill and overlay project.

The proposed project consists of three sub-projects. The first will consist of reconstructing Cherry St from 14th Ave S to 17th Ave S. The second will consist of an asphalt mill and overlay and other miscellaneous repair work on Cherry St from 11th Ave S to 14th Ave S. The third will consist of street lighting on Cherry St from 11th Ave S to 17th Ave S. The existing pavement was originally constructed with concrete in three phases between 1948 and 1951, milled and overlaid with asphalt in 1999, and seal coated in 2006.

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 creation of the special assessment district
- December 3, 2018 – Council approved an Engineering Amendment with the firm of CPS Engineering in the amount of \$215,470 to provide design engineering and bidding services for this project
- February 19, 2019 – Council approved the Engineer's Report, directed Engineering Department to prepare Plans & Specifications and advertise for Construction Bids for this project
- March 4, 2019 – Council approved the Plans & Specifications for the project
- March 12, 2019 – a public input meeting was held at Phoenix Elementary School
- April 1, 2019 – Council approved awarding the construction contract to Strata Corporation in the amount of \$1,097,677.43 and revised Engineer's Report.

ANALYSIS AND FINDINGS OF FACT:

- The original Agreement, previously approved engineering amendment 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 this Agreement will come from the Street & Infrastructure Fund 4815.
- The current estimated total project costs including testing, are as follows:

	City Share ²	Special Assessment ²
Construction Costs ¹	\$922,400	\$230,600
Topographic Survey Costs	\$23,200	\$0
Design Engineering Costs	\$172,400	\$42,100
<u>Construction Engineering Costs</u>	<u>\$178,600</u>	<u>\$44,600</u>
Total Project Costs	\$1,296,600	\$317,300

1. Construction Costs are based on the bid amount plus ~5% for contingencies.
 2. Numbers are rounded for simplicity and may not exactly reflect agreement amounts

SUPPORT MATERIALS:

- Proposed Task Order Amendment including Consultant Rate Sheets (4 pages)
- Project Location Map (1 page)
- Page 320 of the 2019 City Budget indicating funding source for this project (1 page)

This is **EXHIBIT K**, consisting of 5 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated March 7, 2016.

Amendment 2 To Task Order No. 8019

1. Background Data:

- a. Effective Date of Original Task Order: October 15, 2018
- b. Effective Date of this Amendment: April 15, 2019
- c. Owner: City of Grand Forks, North Dakota
- d. Engineer: CPS, Ltd.
- e. Specific Project: Paving and Street Lights for Cherry Street (11th Ave. S. to 17th Ave. S) | Project Number 8019 | District Number 736

2. Description of Modifications

- a. Engineer shall perform the following Services.
 - 1) Construction Phase Services
 - a) Project Coordination and Project Management.
 - b) Attend and Participate in Pre-Construction Conference.
 - c) Public Outreach
 - d) Review and Comment on Shop Drawings.
 - e) Respond to Contractor's RFI's.
 - f) Prepare Plan Revisions as Necessary.
 - g) Review and Coordinate Change Order Requests.
 - h) Review and Coordinate Contractor Pay Applications.
 - i) Site Visits.
 - j) Create and Distribute Machine Control Files, as requested.
 - k) Construction Staking
 - 1. Provide the following construction staking: construction limits, removals, subgrade excavation, line and grade for storm sewer, paving, curb and gutter, driveway, sidewalk, signing, pavement marking and street lighting.
 - 2. Restaking due to Contractor obliteration of stakes will be billed directly to Contractor.
 - l) Verification survey of contractor's work performed in accordance with contract.
 - m) Travel to and from project site from office.
 - 2) Post Construction Phase
 - a) Perform As-Built Survey
 - 1. Manholes, Catch Basins and Pipe Inverts at each structure. Light Pole and Pull Box locations.
 - b) Record Drawings to Client
 - 1. Shop Drawing Reviews
 - 2. As-Built Plans in Electronic Format
 - 3. CADD Drawing of completed project.
 - c) Warranty Period Review.

Exhibit K – Amendment to Task Order

EICDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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- d) Notice of Acceptability of Work.
- b. The services (and related terms and conditions) set forth in the following sections of Exhibit D, as attached to the Agreement referred to above, such sections being hereby incorporated by reference
 - 1) Resident Project Representative
 - a) Project Management: Weekly Coordination
 - b) Meetings and Conferences with Owner and/or Contractor.
 - c) Contractor RFI's and Change Orders: Provide construction documentation for clarification of RFI and justification of change order.
 - d) On-Site Observation and Project Diary: Perform full time on-site construction observation based on the following construction schedule.
 - 1. Contract: Estimated 90 working days with an average of 13.5 hrs/week for E6, 18 hrs/week for E2, 27 hrs/week for E1 and 41 hrs/week for EA1.
 - e) Contractor Pay Applications: Provide work complete to date quantities and input on contractor pay applications.
 - f) Records: Coordinate project data for final records. Lien Waiver(s) and Certificate of Completion.
 - g) Project Closeout: Prepare Contractor punch list, coordinate and follow-up with Contractor on outstanding issues.
 - h) Post-Construction: Preparation and Distribution of Construction Submittal.

3. Payments to Engineer

Detailed estimate of hours and expenses and consultant rate schedule is provided in Exhibits A and B.

Description	Cost
Original Contract Amount	\$23,148
Amount Previous Amendment(s)	\$215,470
Amount This Amendment	\$223,213
New Contract Amount	\$461,831

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
Michael K. Korman

Title: Mayor

Title: President

Date: _____

Date: 03/29/2019

Attest: _____

Attest: Jam Van

Title: Finance Director

Title: Administrative Assistant

Date: _____

Date: _____

Exhibit K – Amendment to Task Order

Exhibit A: Estimate of Project Hours and Costs (Construction Engineering - CE)

Project: Paving and Street Lights for Cherry Street (11th Ave S to 17th Ave South)

City Project Nos.: City Project Nos. 8019.1, 8019.2, & 8019.3, District 736.1, 736.2, & 736.4

Prepared By: Deon Wawrzyniak

Date: March 27, 2019



Task	Hours By Employee Classification										Total
	Engineer 5	Engineer 2	Engineer 1	Engineer Asst. 1	Engineering Technician 3	Land Surveyor 4	Land Surveyor 2	Surveyor Asst. 1	Admin. Asst. 1		
(Hourly Rate)	\$ 160	\$ 125	\$ 110	\$ 70	\$ 110	\$ 135	\$ 115	\$ 70	\$ 60		
500 Construction Phase	255	50	19	-	48	8	94	92	-		\$ 72,750.00
600 Post Construction Phase	4	16	6	-	24	-	22	-	-		\$ 8,470
700 Resident Project Representative	23	350	496	580	-	-	-	-	-		\$ 142,590
Total Hours	282	416	521	580	72	8	116	92	-		2,087
Total Labor Cost											\$ 223,810.00

Direct Expenses

501 Printing				1	cost @	\$ 50.00	per cost =		\$ 50.00
511 Survey Supplies (Construction Staking)				1	cost @	\$ 480.00	per cost =		\$ 480.00
511 GPS Equipment (Construction Staking)				50	hours @	\$ 50.00	per hour =		\$ 2,500.00
511 Survey Vehicle (Construction Staking)				100	miles @	\$ 0.75	per mile =		\$ 75.00
512 GPS Equipment (Verification Survey)				2	hours @	\$ 50.00	per hour =		\$ 100.00
513 Travel Vehicle (Construction Phase)				270	miles @	\$ 0.60	per mile =		\$ 162.00
601 GPS Equipment (Post-Construction)				6	hour @	\$ 50.00	per hour =		\$ 300.00
704 Travel Vehicle (Construction Observation)				810	miles @	\$ 0.60	per mile =		\$ 486.00
801 Geotechnical & Materials Testing Subconsultant (TERRACON)				25000	cost	\$ 1.10	markup =		\$ 27,500.00
802 Electrical Engineering Subconsultant (ONE)				2500	cost	\$ 1.10	markup =		\$ 2,750.00
Subtotal - Direct Expenses									\$ 34,403.00

Total Project Estimated CE Fee (Labor + Direct Expenses) \$ 258,213.00

Credit for Remaining Contract Balance \$ (35,000.00)

Adjusted Total Project Estimated CE Fee (Labor + Direct Expenses) \$ 223,213.00

**EXHIBIT B | CPS 2018 SCHEDULE OF RATES**

Period: January 1, 2019 to December 31, 2019

Hourly Rate for Various Employee Classifications**Administrative**

\$60 Administrative Asst. 1 (AA1)
 \$70 Administrative Asst. 2 (AA2)

Engineers

\$110 Engineer 1 (E1)
 \$125 Engineer 2 (E2)
 \$140 Engineer 3 (E3)
 \$150 Engineer 4 (E4)
 \$160 Engineer 5 (E5)
 \$170 Engineer 6 (E6)

Engineering Technicians

\$70 Engineering Asst. 1 (EA1)
 \$75 Engineering Asst. 2 (EA2)
 \$75 Engineering Tech 1 (ET1)
 \$90 Engineering Tech 2 (ET2)
 \$110 Engineering Tech 3 (ET3)
 \$120 Engineering Tech 4 (ET4)
 \$130 Engineering Tech 5 (ET5)
 \$135 Engineering Tech 6 (ET6)

Surveyors

\$70 Surveyor Asst. 1 (SA1)
 \$75 Surveyor Asst. 2 (SA2)
 \$110 Land Surveyor 1 (LS1)
 \$115 Land Surveyor 2 (LS2)
 \$125 Land Surveyor 3 (LS3)
 \$135 Land Surveyor 4 (LS4)

Environmental Scientist

\$160 Environmental Scientist 2

Reimbursable Expenses**Printing (Per Copy)**

\$0.10 B/W Letter
 \$0.25 Color Letter
 \$0.20 B/W 11"X17"
 \$0.50 Color 11"X17"
 \$0.50 BW Lg. Format (SF)
 \$4.00 Color Lg. Format (SF)

\$20/Day Travel Vehicle

\$0.75/Mile Heavy Duty Pickup

\$100/Day UTV

Equipment

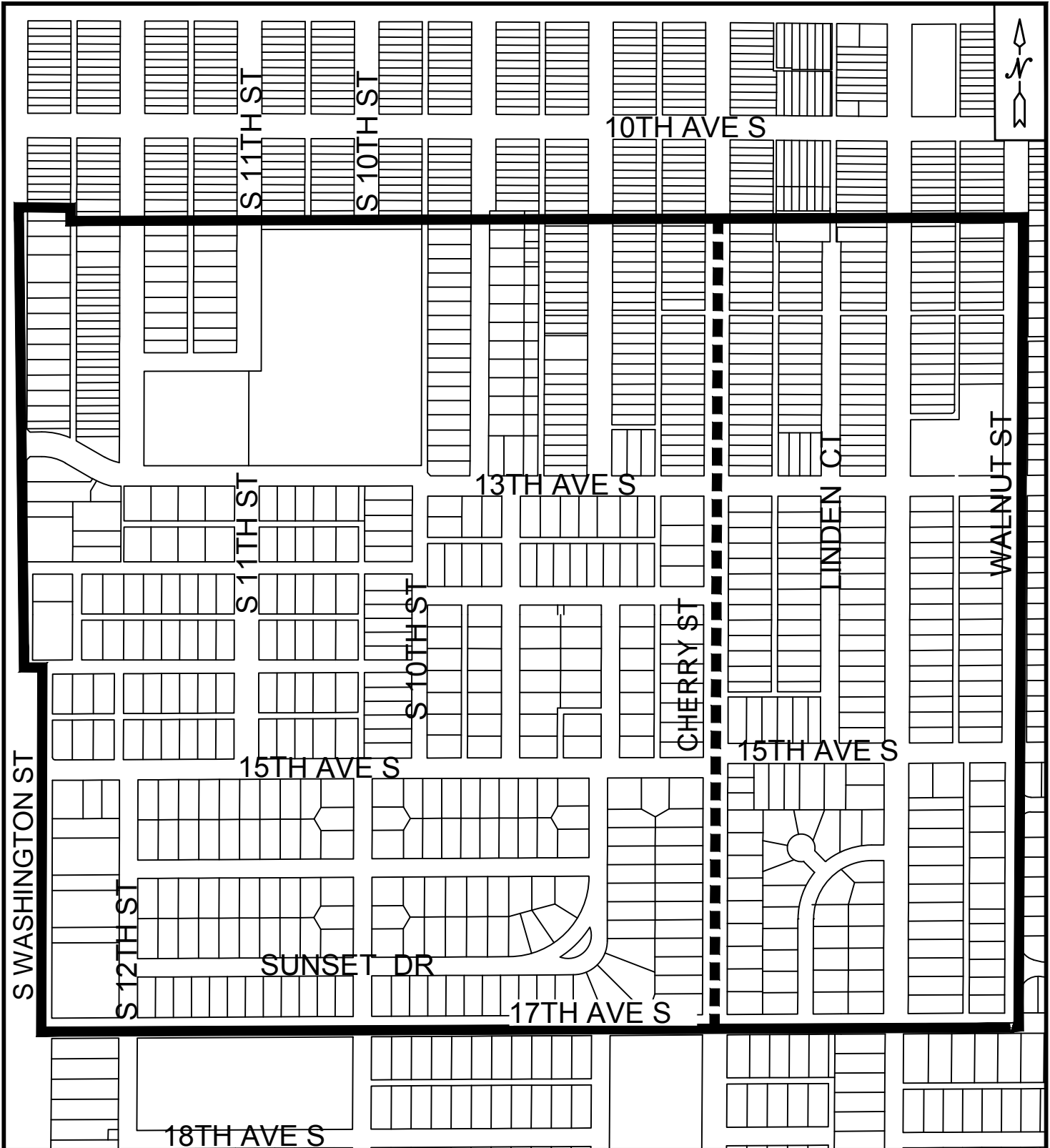
\$50/Hr. RTK GPS

\$60/Hr. Robotic TS

Survey Field Supplies

\$7/EA Property Monuments
 \$20/EA Fence Posts
 \$25/EA Carsonite Witness Post
 \$28/EA Carsonite Drainage Post
 \$45/100 Lath
 \$35/100 Hubs

Rates are Adjusted Each Year on January 1



PAVING & STREET LIGHTS FOR CHERRY STREET (11TH AVE S TO 17TH AVE S)

LEGEND

PROJECT # 8019
DISTRICT # 736

- ASSESSMENT DISTRICT BOUNDARY
- PROJECT LIMITS



Street & Infrastructure

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 4815 - Street/Infrastructure Fund							
	Adopted Budget					1.0000	300,000.00
	Minor Street Repair						300,000.00
	Adopted Budget					1.0000	2,385,000.00
	Street Mtce Program (3% Increase per Year)						2,385,000.00
	Adopted Budget					1.0000	80,000.00
	Intelligent Transportation System						80,000.00
	Adopted Budget					1.0000	60,000.00
	LED Street Light Replacement Program						60,000.00
	Adopted Budget					1.0000	20,000.00
	Diamond Grade Reflectivity of Signs						20,000.00
	Adopted Budget					1.0000	200,000.00
	N Washington CPR & Grind (8th Ave N to Gateway Dr)						200,000.00
	Adopted Budget					1.0000	11,000.00
	Advanced Ped Walk 42nd St. and Columbia Rd Corridors						11,000.00
	Adopted Budget					1.0000	50,000.00
	US Hwy 2 & N 55th St Traffic Signal						50,000.00
	Adopted Budget					1.0000	255.00
	Red Light Confirmation Indicators on Gateway						255.00
	Adopted Budget					1.0000	744,000.00
	N 62nd (10th to Gateway) (SIG Econ Devel)						744,000.00
	Adopted Budget					1.0000	100,000.00
	ADA/MPO/Other Consulting Services						100,000.00
	Adopted Budget					1.0000	369,000.00
	32nd Ave S Turn Lanes (Corridor Improvements)						369,000.00
	Adopted Budget					1.0000	20,000.00
	Washington Street Underpass Evaluation						20,000.00
	Adopted Budget					1.0000	47,600.00
	Washington St (Hammerling to 8th Ave N) ADA Ramps						47,600.00
	Adopted Budget					1.0000	150,000.00
	Point Bridge Rehabilitation (Portion from Bridge Reserve)						150,000.00
	Adopted Budget					1.0000	381,600.00
	S 42nd St (34th to 40th Ave S; Rural Section)						381,600.00
	Adopted Budget					1.0000	616,000.00
	Cherry St (60th to 62nd Ave S)						616,000.00
	Adopted Budget					1.0000	111,000.00
	N 5th St (Gateway to Demers-Mill & Overlay)						111,000.00
	Adopted Budget					1.0000	715,001.00
	Business US 2 Reconstruction (Demers to Red River)						715,001.00
	Adopted Budget					1.0000	60,000.00
	Demers Ave Traffic Signal						60,000.00
	Adopted Budget					1.0000	100,000.00
	Large Project Update/Continuation						100,000.00
	Adopted Budget					1.0000	80,000.00
	Bikepath Maintenance						80,000.00
	Adopted Budget					1.0000	232,408.00
	Bikepath Development (New)						232,408.00
	Adopted Budget					1.0000	50,000.00
	Quiet Zone Redundancy						50,000.00
	Adopted Budget					1.0000	100,000.00
	Maintenance of Street Lights						100,000.00
	Adopted Budget					1.0000	100,000.00
	Minor Intersection Improvement						100,000.00
	Adopted Budget					1.0000	80,000.00
	Transportation Studies						80,000.00
	Adopted Budget					1.0000	60,000.00
	Pavement Management						60,000.00
	Adopted Budget					1.0000	445,600.00
	S 34th St (45th to 47th Ave S)						445,600.00
	Adopted Budget					1.0000	50,000.00
	Consulting Assistance for Specifications Revisions						50,000.00
	Adopted Budget					1.0000	728,800.00
	N 36th St (20th to 24th Ave N) (SIG Econ Devel)						728,800.00