

City of Fayetteville Staff Review Form

2020-0199

Legistar File ID

3/17/2020

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Tim Nyander

2/27/2020

WATER SEWER (720)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Staff recommends the approval of Supplemental Agreement No. 4 to the Professional Engineering Services Agreement with McClelland Consulting Engineers, Inc. in an amount not to exceed \$125,258.00 for construction management and observation services associated with the Highway 16 Utility Relocations Project.

Budget Impact:

5400.720.5600-5314.00	Water and Sewer
Account Number	Fund
11011.1	Water/Sewer Relocations - Bond Projects
Project Number	Project Title
Budgeted Item? <u>Yes</u>	Current Budget \$ 12,793,727.00
	Funds Obligated \$ 4,353,903.01
	\$ 8,439,823.99
Does item have a cost? <u>Yes</u>	Item Cost \$ 125,258.00
Budget Adjustment Attached? <u>No</u>	Budget Adjustment \$ -
	\$ 8,314,565.99

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # **41-20** _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF MARCH 17, 2020

TO: Mayor and City Council

THRU: Susan Norton, Chief of Staff
Tim Nyander, Utilities Director

FROM: Corey Granderson, Utilities Engineer

DATE: February 27, 2020

SUBJECT: **McClelland Consulting Engineers, Inc. Amendment No. 4 - Construction Observation and Management Services for the Highway 16 Utility Relocations Project (ArDOT Project 040579)**

RECOMMENDATION:

Staff recommends the approval of Amendment No. 4 to the Professional Engineering Services Agreement with McClelland Consulting Engineers, Inc. (MCE) in an amount not to exceed \$125,258.00 for construction management and observation services associated with the Highway 16 Utility Relocations Project (ArDOT Project 040579).

BACKGROUND:

Resolution 205-17 permitted the original design work with MCE for utility relocations along Highway 16 between S. College Ave. and Huntsville Rd. associated with ARDOT roadway improvements. Resolutions 45-18 (amendment 1) and 83-19 (amendment 2) expanded the project scope to include the Morningside Drive 24-inch waterline and allowed for separate project bidding, respectively. Resolution 41-20 (amendment 3) provided additional funds for construction phase engineering services for the Morningside Drive work.

On February 19, 2020 the City of Fayetteville accepted sealed competitive bids for the Highway 16 Utility Relocations project. Cornerstone Construction of Russellville, Inc. submitted the lowest bid of \$1,689,781.02.

DISCUSSION:

Amendment No. 4 will allow MCE to provide construction observation and management services associated with this project, in accordance with engineering observation best practices and state law. This amendment will increase the existing agreement amount by \$125,258.00 for a total not-to-exceed amount of \$442,467.82.

BUDGET/STAFF IMPACT:

Funds are available in the Water/Sewer Relocations account.

Attachments:

Proposed Supplemental Agreement No. 4

Resolution 205-17

Resolution 45-18

Resolution 83-19

Resolution 41-20

**Supplemental Agreement No. 4
Highway 16 Utility Relocations**

Date: _____

WHEREAS, the CITY OF FAYETTEVILLE and McClelland Consulting Engineers, Inc. (ENGINEER) entered into an Agreement for Professional Engineering Services (AGREEMENT) on October 3, 2017; and,

WHEREAS, the CITY OF FAYETTEVILLE has requested that ENGINEER perform additional services outside of the scope of the AGREEMENT.

NOW THEREFORE, the following modifications will be made to the AGREEMENT to include the additional services requested:


MODIFICATIONS:

1. Section 2.1.1 – the additional scope of services are included in the attached Appendix “A-4”.
2. Section 5.1 – the maximum not-to-exceed amount is increased from \$317,209.82 to **\$442,467.82**. Modifications to compensation are included in the attached Appendix “B-6”.

IN WITNESS WHEREOF, the parties execute this Supplemental Agreement No. 4, to be effective on the date set out above.

McClelland Consulting Engineers, Inc.

City of Fayetteville, Arkansas

BY: 
Daniel Barnes, PE
President, Fayetteville Office

BY: _____
Mayor Lioneld Jordan

APPENDIX A-4 – SCOPE OF ADDITIONAL SERVICES SUPPLEMENTAL AGREEMENT NO. 4 – HIGHWAY 16 UTILITY RELOCATIONS SERVICES DURING CONSTRUCTION

1.0 General

The scope of additional services includes construction administration and construction observation services for the referenced project, which includes approximately 5,700 linear feet of 12-inch water main; 1,100 linear feet of 8-inch water main; new water/sewer services; and related appurtenances and interconnections along Highway 16 (15th Street) between Hwy 71B (S School Avenue) and Fairlane Street. Construction is anticipated to commence in April 2020. The construction contract allows 240 calendar days to Substantial Completion, and 270 calendar days to Final Completion.

2.0 Construction Administration

- 2.1 Assist CITY OF FAYETTEVILLE with issuing the Notice to Proceed (NTP) and obtaining executed Contract Documents from the selected Contractor, if requested by the CITY OF FAYETTEVILLE.
- 2.2 Conduct the pre-construction meeting with the Contractor and issue meeting minutes.
- 2.3 Review and respond to Contractor submittals for conformance to the Contract Documents, Drawings, and Specifications. Up to ten (10) submittals are anticipated on this project. The initial review and one (1) re-submittal review are included in this scope of services. Additional re-submittal reviews will be considered Additional Services.
- 2.4 Review Contractor's Requests for Information (RFIs) and issue clarifications as required. Up to ten (10) RFIs are anticipated on this project.
- 2.5 Assist the CITY OF FAYETTEVILLE with the evaluation, negotiation, and processing of Contractor change order requests, if required.
- 2.6 Review monthly Pay Estimates from the Contractor and provide recommendation for payment. A total of ten (10) pay estimates are assumed.
- 2.7 Engineer of Record shall conduct monthly site visits and attendance at monthly progress meetings as required to observe the progress and quality of the executed work to determine compliance with approved Contract Documents, Drawings, and Specifications in accordance with Arkansas State Law 22-9-101. A total of twenty (20) site visits/progress meetings are estimated over the course of the 270 calendar day construction contract.
- 2.8 Assist the CITY OF FAYETTEVILLE with the final inspection walk-through. Develop a punch list of outstanding items, and review project closeout documents.

- 2.9 Prepare Record Drawings based upon information furnished by the Contractor and field representatives.

3.0 Construction Observation

- 3.1 Provide a field representative to perform comprehensive construction observation services. Field representative shall meet with CITY OF FAYETTEVILLE field representative at least once weekly to stay informed on construction progress and any issues that may arise.
- 3.2 It is estimated that the level of observation required by the ENGINEER to provide comprehensive services will equate to an average of 30 hours per week for the duration of the 270 calendar day construction contract. Partial observation will be conducted on non-critical construction items such as, but not limited to general site cleanup, seeding, sodding, etc.
- 3.3 CITY OF FAYETTEVILLE shall provide adequate notice to ENGINEER when a field representative is required. Minimum notice shall be three (3) business days, with one (1) week notice preferred.

4.0 Surveying Services

At the request of the CITY OF FAYETTEVILLE, provide up to 32 hours of field surveying to assist in reviewing the Contractor's work and/or to address property owner questions.

5.0 Project Deliverables

- 5.1 PDF copy of the approved shop drawings and submittals from the Contractor.
- 5.2 One (1) hard copy set, a PDF copy and AutoCAD file of the Record Drawings.
- 5.3 Other electronic files as requested by the CITY OF FAYETTEVILLE.

6.0 General

- 6.1 All water main construction shall follow the guidelines described in the CITY OF FAYETTEVILLE Standard Specifications for Design and Construction of Water Lines and Sewer Lines (2017 Edition), the Contract Documents, Drawings, and Specifications.
- 6.2 Attending at meetings other than progress meetings and the pre-construction meeting will be considered Additional Services.
- 6.3 Should construction delays occur, which are beyond the control of the ENGINEER and cause the project to be completed later than 270 calendar days, the ENGINEER and CITY OF FAYETTEVILLE will review the ENGINEER' remaining budget and mutually agree upon a plan of action, whether it be a reduction in the scope of services to stay within budget, or authorize Additional Services.

6.4 Subcontracting of services by the ENGINEER shall have prior approval of the OWNER.

Appendix B-6: Fee Proposal - Supplemental Agreement No. 4

**Services During Construction
In Conjunction with the Highway 16 Utility Relocations
MCE Job No. 172162**

Labor Classification	Time/Hours	Direct Labor Rate	Extended
Sr Project Manager	32.00	\$63.00	\$2,016.00
Project Manager	108.00	\$43.00	\$4,644.00
Project Engineer	140.00	\$32.00	\$4,480.00
Construction Observer	1160.00	\$25.00	\$29,000.00
Chief Draftsman	40.00	\$28.00	\$1,120.00
Survey Technician	4.00	\$20.00	\$80.00
Registered Land Surveyor	2.00	\$40.00	\$80.00
Survey (2-Man or Robotic)	32.00	\$50.00	\$1,600.00
Direct Labor Subtotal			\$43,020.00
Title II Labor Multiplier			2.90
Subtotal Labor Costs			\$124,758.00

EXPENSES

Estimated Reimbursable Expenses	Amount
Mileage	\$500.00
Total Estimated Reimbursable Expenses	\$500.00

Total Costs - Construction Engineering **\$125,258.00**

Notes:

1. Title II Multiplier based upon MCE FY19 Indirect Cost Rate (158.92%) for ARDOT projects, plus fixed fee of 12%.
2. Construction Duration Assumed - 240 Calendar Days (Substantial); 270 Calendar Days (Final)
3. Construction Observation may be performed by MCE, City of Fayetteville, or a combination of both, depending on availability of personnel at time of construction

Supplemental Agreement No. 4 - Highway 16 Utility Relocations Services During Construction

Manhour Estimate

Date: 02/20/2020



Task Description	Sr Project Manager	Project Manager	Project Designer	Const. Observer V	Const. Observer II	Chief Draftsman	Survey Technician	Reg. Land Surveyor	Survey (2-Man or Robotic)
Construction Administration									
Pre construction meeting	2.00	2.00							
Review Submittals	2.00	8.00	40.00						
Respond to RFIs	2.00	8.00	20.00			4.00			
Evaluate Change Order Requests	4.00	16.00	40.00			8.00			
Pay request review/preparation		20.00							
Periodic site visits (20 estimated)	20.00	40.00	20.00						
Final inspection/punch list preparation	2.00	4.00	8.00						
As- built construction documents		8.00	8.00			24.00			
Project close out		2.00	4.00			4.00			
Sub total Manhours	32.00	108.00	140.00	0.00	0.00	40.00	0.00	0.00	0.00
Construction Observation									
Comprehensive Field Observation Services				90.00	1020.00				
Pre construction meeting				2.00	2.00				
Pay request review/preparation				4.00	20.00				
Final inspection					8.00				
As- built construction documents				2.00	6.00				
Project close out				2.00	4.00				
Sub total Manhours	0.00	0.00	0.00	100.00	1060.00	0.00	0.00	0.00	0.00
Surveying Services									
Review Contractor's work and address property owner questions, as required							4.00	2.00	32.00
Sub total Manhours	0.00	0.00	0.00	0.00	0.00	0.00	4.00	2.00	32.00
Total Estimated Manhours	32.00	108.00	140.00	100.00	1060.00	40.00	4.00	2.00	32.00



113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 205-17

File Number: 2017-0500

MCCLELLAND CONSULTING ENGINEERS, INC.:

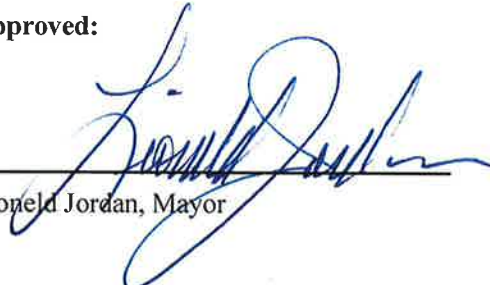
A RESOLUTION TO APPROVE A CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$107,144.55 FOR ENGINEERING SERVICES ASSOCIATED WITH UTILITY RELOCATIONS ALONG HIGHWAY 16 BETWEEN COLLEGE AVENUE AND HUNTSVILLE ROAD REQUIRED FOR ARKANSAS DEPARTMENT OF TRANSPORTATION JOB 040579, AND TO APPROVE A PROJECT CONTINGENCY IN THE AMOUNT OF \$10,714.45

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves a contract with McClelland Consulting Engineers, Inc. in the amount of \$107,144.55 for engineering services associated with utility relocations along Highway 16 from College Avenue required for Arkansas Department of Transportation Job 040579, and further approves a project contingency in the amount of \$10,714.45.


PASSED and APPROVED on 10/3/2017

Approved:



Lioneld Jordan, Mayor

Attest:



Sondra E. Smith, City Clerk Treasurer





113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 45-18

File Number: 2018-0050

MCCLELLAND CONSULTING ENGINEERS, INC.:

A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE AMOUNT OF \$66,545.27 TO ADD ENGINEERING SERVICES FOR THE REPLACEMENT OF AN EXISTING 24-INCH WATER MAIN ADJACENT TO MORNINGSIDE DRIVE ASSOCIATED WITH UTILITY RELOCATIONS NECESSARY FOR ARKANSAS DEPARTMENT OF TRANSPORTATION JOB 040579

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves Supplemental Agreement No. 1 to the contract with McClelland Consulting Engineers, Inc. in the additional amount of \$66,545.27 to add engineering services for the replacement of an existing 24-inch water main adjacent to Morningside Drive associated with utility relocations required for Arkansas Department of Transportation Job 040579.

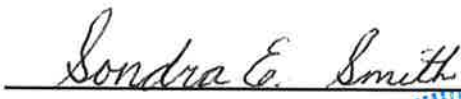
PASSED and APPROVED on 2/6/2018

Approved:



Lioneld Jordan, Mayor

Attest:



Sondra E. Smith, City Clerk Treasurer





113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 83-19

File Number: 2019-0176

MCCLELLAND CONSULTING ENGINEERS, INC.:

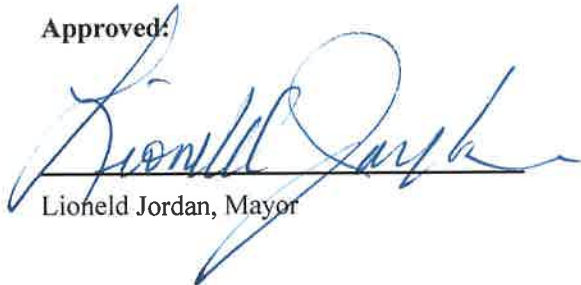
A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 2 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN THE ADDITIONAL AMOUNT OF \$18,082.00 TO ADD FINAL ENGINEERING DESIGN AND BID SERVICES FOR THE REPLACEMENT OF AN EXISTING 24-INCH WATER MAIN ADJACENT TO MORNINGSIDE DRIVE ASSOCIATED WITH UTILITY RELOCATIONS NECESSARY FOR ARKANSAS DEPARTMENT OF TRANSPORTATION JOB 040579

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:


Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves Supplemental Agreement No. 2 to the contract with McClelland Consulting Engineers, Inc. in the additional amount of \$18,082.00 to add final engineering design and bid services for the replacement of an existing 24-inch water main adjacent to Morningside Drive associated with utility relocations required for Arkansas Department of Transportation Job 040579.

PASSED and APPROVED on 4/2/2019

Approved:


Lioneld Jordan, Mayor

Attest:


Sondra E. Smith, City Clerk Treasurer





113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Resolution: 41-20

File Number: 2020-0048

MCCLELLAND CONSULTING ENGINEERS, INC.:

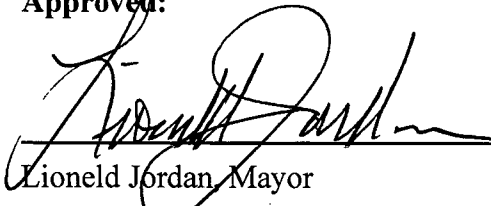
A RESOLUTION TO APPROVE SUPPLEMENTAL AGREEMENT NO. 3 TO THE CONTRACT WITH MCCLELLAND CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$125,258.00 FOR CONSTRUCTION MANAGEMENT AND OBSERVATION SERVICES ASSOCIATED WITH THE MORNINGSIDE DRIVE 24-INCH WATERLINE REPLACEMENT PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:


Section 1: That the City Council of the City of Fayetteville, Arkansas hereby approves Supplemental Agreement No. 3 to the contract with McClelland Consulting Engineers, Inc. in an amount not to exceed \$125,258.00 for construction management and observation services associated with the Morningside Drive 24-inch Waterline Replacement Project.

PASSED and APPROVED on 2/4/2020

Approved:


Lioneld Jordan, Mayor

Attest:


Kara Paxton, City Clerk Treasurer

