

**City of Fayetteville Staff Review Form**

**2022-0044**

**Legistar File ID**

**2/15/2022**

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

Paul Libertini

1/25/2022

ENGINEERING (621)

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

A Resolution to approve Supplemental Agreement No. 2 to the contract with Burns & McDonnell Engineering Company, Inc. in the amount of \$28,282.00 for a detailed Noise Analysis required by FHWA (Federal Highway Administration) associated with the Hwy 112 (Poplar St. - Drake St.) project, and to approve a Budget Adjustment.

**Budget Impact:**

4470.800.8835-5314.00	Sales Tax Capital Improvement
Account Number	Fund
06035.3800	Hwy 112 (Poplar St - Drake St)
Project Number	Project Title
<b>Budgeted Item?</b> <u>Yes</u>	Current Budget \$ 7,408.00
	Funds Obligated \$ 7,408.00
	Current Balance \$ -
<b>Does item have a cost?</b> <u>Yes</u>	Item Cost \$ 28,282.00
<b>Budget Adjustment Attached?</b> <u>Yes</u>	Budget Adjustment \$ 28,282.00
	Remaining Budget \$ -

V20210527

**Purchase Order Number:** 2019-00000505

**Previous Ordinance or Resolution #** 137-19, 165-20

**Change Order Number:** \_\_\_\_\_

**Approval Date:** \_\_\_\_\_

**Original Contract Number:** 2019-00000026

**Comments:**



**MEETING OF FEBRUARY 15, 2022**

**TO:** Mayor and City Council

**THRU:** Susan Norton, Chief of Staff  
Chris Brown, Public Works Director/City Engineer

**FROM:** Paul Libertini, Staff Engineer *P.L.*

**DATE:** January 25, 2022

**SUBJECT:** **Hwy 112/Garland Ave (Janice Ave to Drake St) – Design Supplemental Agreement No. 2 with Burns & McDonnell Engineering Company**

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**RECOMMENDATION:**

Staff recommends City Council approval of Supplemental Agreement No. 2 with Burns & McDonnell Engineering Company in the amount of \$28,282.00 for additional engineering services.

**BACKGROUND:**

On January 3, 2017, the City Council approved the City's participation in a revised Partnering Agreement with the Arkansas Department of Transportation (ARDOT) to make needed improvements to Hwy 112 (Resolution 27-17). Upon completion of the improvements to Hwy 112, the City agreed to assume ownership and responsibility of Hwy 112 from Hwy 16 (15<sup>th</sup> St) to Interstate 49. This resolution also authorized Mayor Jordan to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

On September 19, 2017, the Mayor signed the Agreement of Understanding with ARDOT obligating the City to manage the improvements of Hwy 112 from Poplar Street to Drake Street. The City will be managing project design, right-of-way acquisition, utility relocations, bidding and construction inspection.

On June 4, 2019, the Mayor signed the Agreement for Engineering Services with Burns & McDonnell Engineering Company, Inc. in the amount of \$618,186.00 to develop construction plans for this street widening project.

On June 16, 2020, the Mayor signed Supplemental Agreement No. 1 with Burns & McDonnell Engineering Company, Inc. in the amount of \$52,967 for additional water & sewer design services associated with this project.

In July of 2015, ARDOT completed the Hwy 112 Corridor Study which looked at approximately 20 miles of Hwy 112 starting at Janice Ave in Fayetteville which coincides with the starting point of the City's project and terminating in Bentonville at Hwy 12. During the environmental phase

of this corridor, FHWA required that noise studies be performed on certain sections of the 20-mile corridor.

**DISCUSSION:**

As part of the Scope of Services, Burns & McDonnell is obligated to prepare and obtain approval of the environmental clearance documentation which is called a Categorical Exclusion (CE). During the submittal and review process of this documentation the FHWA (Federal Highway Administration) has required that the Engineer perform a detailed noise analysis following ARDOT'S *Policy on Highway Traffic Noise Abatement* and FHWA Traffic Noise Model (TNM). This requirement is not normally required by FHWA on City street projects that have received Federal-aid funding. Since this noise study was not included in the original scope of services, Supplemental Agreement No. 2 adds this professional service to the original agreement.

**BUDGET/STAFF IMPACT:**

This project will be fully (100%) funded by the Arkansas Department of Transportation. The City will make the initial payments to the Consultant from the Transportation Bond Program fund and then request 100% reimbursement from the Department.

**Attachments:**

Supplemental Agreement No. 2 with Burns & McDonnell Engineering Company

**Supplemental Agreement No. 2**  
**Job No. 040720**  
**Poplar St. – Drake St. (Fayetteville) (S)**  
**Washington County**

**Date:** \_\_\_\_\_

**WHEREAS**, the City of Fayetteville, Arkansas and Burns & McDonnell Engineering Company, Inc. entered into an Agreement for Engineering Services on June 4, 2019; and,

**WHEREAS**, representatives of the City of Fayetteville requested work in addition to that defined in the Agreement.

**NOW THEREFORE**, the following modifications will be made to the Agreement:

**MODIFICATIONS:**

- 1) The "Contract Ceiling Price" (Section 1.2) is increased from \$671,153 to \$699,435.
- 2) The "Title I Services Ceiling Price" (Section 1.13) is increased from \$671,153 to \$699,435.
- 3) The fixed fee (Section 3.4) is increased from \$53,559 to \$56,358.
- 4) The Scope of Work (Appendix A-1) is modified as follows:

The below Item K. is added to Section IV. TITLE I SERVICES TO BE FURNISHED BY THE CONSULTANT, ENVIRONMENTAL CLEARANCE DOCUMENTATION:

K. DETAILED NOISE ANALYSIS

As requested by FHWA, the Engineer will perform a detailed noise analysis following ARDOT's *Policy on Highway Traffic Noise Abatement* and FHWA Traffic Noise Model (TNM).

- Ambient sound levels will be measured in the field.
- Model will be calibrated using ambient sound measurement.
- Build-condition will be modeled to determine changes in sound level and determine whether a change is a substantial increase increase (>10dB(A))
- If required, abatement options will be modeled

A draft report will be prepared and submitted to ARDOT for review and comment. Comments will be incorporated into a Final Noise Report to be submitted to FHWA for review and acceptance.

- 5) The duration (Section 17.1) for Title I Services shall be extended from 24 months to 30 months with anticipated completion of services by December 31, 2021.
- 6) See Attachment A-2 for modifications to Appendix A - Justification of fees and costs.

**IN WITNESS WHEREOF**, the parties execute this Supplemental Agreement No. 2, to be effective upon the date set out above.

BURNS & MCDONNELL  
ENGINEERING COMPANY, INC.

CITY OF FAYETTEVILLE, AR

BY:   
\_\_\_\_\_  
Steven Beam, P.E.  
Business Manager

BY: \_\_\_\_\_  
Lioneld Jordan  
Mayor

Attachment A-2 - Justification of Costs and Fees  
 August 10, 2021  
 JOB NO. 040720, Poplar St. - Drake St. (Fayetteville) (S)  
 Washington County

**ENVIRONMENTAL CLEARANCE DOCUMENTATION-SA#2**

<b>MANHOURS</b>									
TASK	PD	PM	SE	AES	SES	STES	CAD/DES	ASST	TOTAL
Project Management & Coordination		12	8				8		28
Model Set-Up - Field Measurements					20	20			40
Model Validation				2	12				14
Existing Sound Model Develop and Run					8				8
Future Sound Model Develop and Run					14				14
Barrier Analysis					14				14
Noise Report Development					16	8		4	28
Peer/Q-Review	2			6					8
<b>TOTAL MH - ENV. CLEAR. DOC.</b>	<b>2</b>	<b>12</b>	<b>8</b>	<b>8</b>	<b>84</b>	<b>28</b>	<b>8</b>	<b>4</b>	<b>154</b>

<b>LABOR COSTS</b>			
Category - Description	Rate	MH	Amount
PD - Project Director	\$75.00	2	\$150
PM - Project Manager	\$65.00	12	\$780
AES - Assoc. Environmental Scientist	\$60.00	8	\$480
SE - Senior Engineer	\$50.00	8	\$400
SES - Senior Environmental Scientist	\$48.00	84	\$4,032
STES - Staff Environmental Scientist	\$38.00	28	\$1,064
CAD/DES - CAD/Designer	\$30.00	8	\$240
ASST - Project Assistant	\$25.00	4	\$100
		Subtotal	\$7,246
	Overhead	221.95%	\$16,082
		Subtotal	\$23,328
		Fee	\$2,799
	FCCM	0.00%	\$0
		Subtotal Labor Costs	<b>\$26,127</b>

<b>EXPENSES</b>				
ITEM	Quantity	Unit	Rate	Amount
Printing (8 1/2 x 11 color)	200	each	\$0.32	\$64
Printing (11 x 17)	20	each	\$0.35	\$7
Noise Meter Rental	1	wk	\$500.00	\$500
Travel (Mileage, Rental Car, Airfare)	2	Allowance	\$650.00	\$1,300
Lodging	2	each	\$91.00	\$182
Meals (per day)	2	each	\$51.00	\$102
Public Meeting Materials (Large Format)		Allowance	\$1,500.00	\$0
		Subtotal Expenses		\$2,155
<b>TOTAL COSTS - ENVIRONMENTAL CLEARANCE DOCUMENTATION-SA#2</b>				<b>\$28,282</b>

<b>BASIS OF ESTIMATE</b>
Description
Modeling Analysis Needs and Assumptions: Modeling will be conducted for one build alternative. DXF or shapefile of the most recent/up-to-date alignment, georeferenced (please provide Projected Coordinate System used for file) will be provided by design team. Elevation data for the existing terrain and proposed alignment will be provided. It is preferred that this be incorporated into the DXF or shapefile. Existing year and design year peak AM/PM traffic volumes will be provided, including for each category of vehicle (if available) or overall peak hourly volume and vehicle %: a. Automobiles (2-axle, 4-wheel vehicles—includes pick up trucks) b. Medium Trucks (2-axle, 6-wheel vehicles and automobiles pulling trailers) c. Heavy Trucks (3 or more axles) Existing Posted Speed and future design (posted) speed