

Mayor and Council Communication

DATE: 06/28/22

M&C FILE NUMBER: M&C 22-0536

LOG NAME: 20CROMWELL MARINE CREEK ROAD AMENDMENT 4

SUBJECT

(CD 2) Authorize Execution of Amendment No. 4 in the Amount of \$259,965.00 to an Engineering Services Agreement with Burns & McDonnell Engineering Company, Inc. for the Cromwell Marine Creek Road Widening Improvements from Boat Club Road to Marine Creek Parkway Project for a Revised Contract Amount of \$3,262,167.41 (2018 Bond Program)

RECOMMENDATION:

It is recommended that the City Council authorize execution of Amendment No. 4 to an engineering services agreement in the amount of \$259,965.00 for City Secretary No. 49556 with Burns & McDonnell Engineering Company, Inc., for the Cromwell Marine Creek Road Widening Improvements from Boat Club Road to Marine Creek Parkway project for a revised contract amount of \$3,262,167.41 (City Project No. 101012).

DISCUSSION:

The 2018 Bond Program allocated funds for the roadway widening of Cromwell Marine Creek Road from Boat Club Road to Marine Creek Parkway. The original scope of work was amended by Mayor and Council Communication (M&C) 20-0361 to eliminate the roundabouts at the intersections of Bowman Roberts and Huffines Boulevard, and rehabilitate the pavement between Boat Club Road and Marine Creek Parkway. The amendments to the contract are summarized in the table, below.

The additional contract capacity being requested with this M&C is needed to obtain services for right-of-way acquisition and add scope to the engineering services agreement to manage this additional work. A decision was made by staff to have Burns & McDonnell Engineering Company, Inc. ("Burns and McDonnell") provide the right-of-way acquisition services in order to expedite the delivery of the project. Burns & McDonnell also assisted staff with a review and revision of the Construction Manager at Risk documents.

The following table summarizes previous contract action and amendments:

M&C	Amount	Justification	Number	Date
Initial Contract CSN 49556	\$400,000.00	Execution of original contract for the design of the project improvements as part of the 2018 Jump Start Program	C-28288	June 20, 2017
Amendment No. 1 CSN 49556-A1	\$1,500,000.00	Amendment to incorporate the cost for design of 2 roundabouts and pavement rehabilitation of the corridor	C-28764	June 26, 2018
Amendment No. 2 CSN 49556-A2	\$790,954.41	Amendment to incorporate additional funding needed to revise the scope of the project to a 4-lane divided neighborhood connector	M&C 20-0361	June 2, 2020
Amendment No. 3 CSN 49556-A3	\$311,248.00	Amendment to incorporate additional funding	M&C 22-0099	February 8, 2022
Amendment No. 4	\$259,965.00	See above		
Contract Total	\$3,262,167.41			

The funding for the project is summarized in the table below:

Fund	Existing Funding	Additional Funding	Total
34018 2018 Bond Program	\$8,860,000.00	\$0.00	\$8,860,000.00
34017 Tax Note 2017	\$500,000.00	\$0.00	\$500,000.00
39008 Transportation Impact Fee Capital Legacy Fund	\$270,000.00	\$0.00	\$270,000.00
30108 Transportation Impact Fee Capital Fund	\$2,730,000.00	\$0.00	\$2,730,000.00
Total Funding:	\$12,360,000.00	\$0.00	\$12,360,000.00

This project is included in the 2018 Bond Program. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 23209-05-2018) and subsequent actions taken by the Mayor and Council.

Funding is budgeted in the TPW Dept Highway & Streets Department's 2018 Bond Program Fund for the purpose of funding the Cromwell-Marine Creek project, as appropriated.

M/WBE – Burns and McDonnell Engineering Company, Inc. agrees to maintain its initial M/WBE commitment of 18.7% that it made on the original agreement and extend and maintain that same M/WBE commitment of 18.7% to all prior amendments up to and inclusive of this Amendment No. 4. Therefore Burns and McDonnell Engineering Company, Inc. remains in compliance with the City's M/WBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous M/WBE Commitment form executed by an authorized representative of its company. The City's Business Equity goal on this project is 18%.

The project is located in COUNCIL DISTRICT 2.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated in the 2018 Bond Program Fund for the Cromwell - Marine Creek project to support the approval of the above recommendation and execution of the contract amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

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Expedited