

# Mayor and Council Communication

**DATE:** 10/17/23

**M&C FILE NUMBER:** M&C 23-0873

**LOG NAME:** 202023 CROMWELL MARINE CREEK ROAD AMENDMENT 6

**SUBJECT**

(CD 2 and CD 7) Authorize Execution of Amendment No. 6 to City Secretary 49556, an Engineering Services Agreement with Burns & McDonnell, Inc., to increase the Contract Amount by \$909,617.00 for a Revised Contract Amount of \$4,194,789.01 for the Cromwell Marine Creek Road Improvements Project

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of Amendment No. 6 to City Secretary Contract 49556, an Engineering Services Agreement with Burns & McDonnell, Inc., to increase the contract amount by \$909,617.00 for a revised contract amount of \$4,194,789.01 for the Cromwell Marine Creek Road Improvements project (City Project No. 101012).

**DISCUSSION:**

On June 2, 2020, under Mayor & Council Communication (M&C) 20-0361, City Council revised the scope of the Cromwell Marine Creek Road project to provide for the expansion of the roadway right-of-way from Boat Club Road to Cromwell Marine Creek Boulevard. City staff is requesting the approval of Amendment No. 6 of \$909,617.00 for the additional services required to complete the construction phase services and coordinate with the Construction Manager at Risk (CMAR). Burns & McDonnell, along with sub-consultants Peloton (now known as Westwood Professional Services, Inc. d/b/a Peloton Land Solutions, a Westwood company), and The Rios Group, have been meeting with the City and the CMAR bi-weekly to coordinate the completion of the construction plans. The Rios Group has been assisting the City with monthly meetings with the franchise utility companies to coordinate the relocation of these services. Peloton has redesigned stormwater infrastructure as directed by the CMAR. These changes will save construction costs, expedite the schedule, and provide better traffic control during construction. Additional meetings and coordination are required to meet the construction schedule. The value engineering of this project also contributed to the amount of time these consultants have spent evaluating the alternatives to decrease the project's overall cost. The additional services for Stateside Right of Way Services are to compensate the subconsultant for additional easements needed due to the change of alignment of a major drainage structure. Stateside and Burns & McDonnell have been meeting with the City on a monthly basis to update staff on the progress. Stateside has had extra meetings with City staff and property owners to expedite the closing of the documents.

The following table summarizes the current funding for the Cromwell Marine Creek Road project.

Fund	Existing Funding	Additional Funding	Project Total
34018-2018 Bond Program	\$8,860,000.00	\$0.00	\$8,860,000.00
34027-2022 Bond Program	\$10,970,000.00	\$0.00	\$10,970,000.00
30108-Transportation Impact Fee Cap	\$2,730,000.00	\$0.00	\$2,730,000.00
30106-Intergovernmental Contribution	\$13,910,000.00	\$0.00	\$13,910,000.00
34017-TaxNote 2017	\$500,000.00	\$0.00	\$500,000.00
39008-Trans Impact Fee Cap Legacy	\$270,000.00	\$0.00	\$270,000.00
Project Total	\$37,240,000.00	\$0.00	\$37,240,000.00

The following table summarizes previous contract action and amendments:

Contract	Amount	Justification
Original Contract City Secretary No. (CSN) 49556 M&C C-28288 8/17/2017	\$400,000.00	Original contract to Plans Specifications & Estimate (PS&E) for 2 roundabouts
Amendment No. 1 CSN 49556-A1 M&C C-28764 8/1/2018	\$1,500,000.00	Additional funds to complete PS&E for 2 roundabouts
Amendment No. 2 CSN 49556-A2 M&C 20-0361 6/4/2020	\$790,954.41	Project scope change for PS&E of approx. 2 miles of roadway widening
Amendment No. 3 CSN 49556-A3 M&C 22-0099 2/8/2022	\$311,248.00	Added services for additional traffic signal analysis/warrant, additional retaining walls, SUE and change delivery method to CMAR

Amendment No. 4 CSN 49556-A4 M&C 22-0536 6/28/2022	\$259,965.00	Add right-of-way acquisition services and additional services for CMAR contract documents development
Amendment No. 5 CSN 49556-A5 Administratively approved	\$23,004.60	Add additional pavement cores of existing asphalt pavement to determine actual quantity of removal
Amendment No. 6	\$909,617.00	Above
<b>Total</b>	<b>\$4,194,789.01</b>	

Funding is budgeted in the Transportation Impact Fee Cap Fund for the purpose of funding the Cromwell-Marine Creek project, as appropriated.

M/WBE Office:

Burns & McDonnell Engineering Company, Inc. is in compliance with the City's Business Equity Ordinance by committing to 19% Business Equity participation on this project. The City's Business Equity goal on this project is 18%.

This project is located in COUNCIL DISTRICT 2 and 7.

**FISCAL INFORMATION / CERTIFICATION:**

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

**Submitted for City Manager's Office by:** William Johnson 5806

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