


COUNCIL COMMUNICATION

	Number:	22-103	Meeting:	March 7, 2022
	Agenda Item:	15	Roll Call:	22-0303
	Submitted by:	Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Supplemental Agreement No. 5 to the Professional Services Agreement (PSA) with Veenstra & Kimm, Inc. for additional design and construction phase services for the River Bend and King Irving Sewer Separation, not to exceed \$49,500.

SYNOPSIS:

Recommend approval of Supplemental Agreement No. 5 to the PSA with Veenstra & Kimm, Inc. (F.S. Aldrich, President, 3000 Westown Parkway, West Des Moines, IA, 50266), for an additional amount not to exceed \$49,500, based on hourly labor rates and reimbursable costs, to provide required pavement design for streets in Phase 2B impacted by the sewer construction and additional Phase 3A construction services.

FISCAL IMPACT:

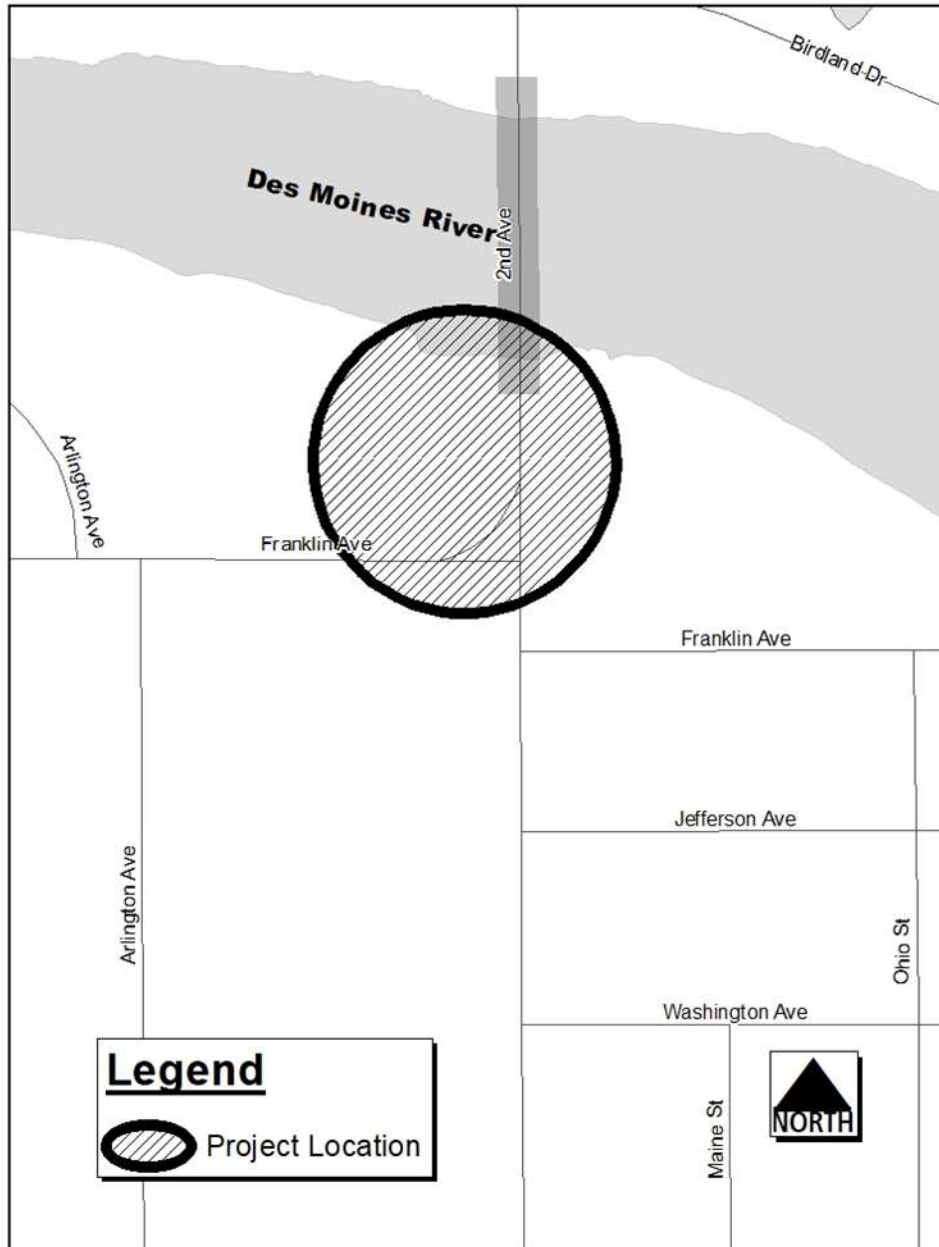
Amount: \$49,500

Funding Source: 2021-2022 CIP, Page 93, River Bend and King Irving Sewer Separation, SS138, Sanitary Sewer Fund and Storm Water Utility Fund.

ADDITIONAL INFORMATION:

- On September 12, 2016, by Roll Call No. 16-1488, City Council approved the PSA with Veenstra & Kimm, Inc., for a total cost not to exceed \$179,978, based on hourly rates, to provide Conceptual Design Services for the River Bend and King Irving Sewer Separation.
- On July 24, 2017, by Roll Call No. 17-1220, City Council approved Supplemental Agreement No. 1, for an amount not to exceed \$828,386, for preliminary and final designs and bidding assistance for the River Bend and King Irving Sewer Separation.
- On March 19, 2018, by Roll Call No. 18-0522, City Council approved Supplemental Agreement No. 2, for an amount not to exceed \$325,975, for construction phase services for River Bend and King Irving Sewer Separation – Phase 1.

- On February 25, 2019, by Roll Call No. 19-0268, City Council approved Supplemental Agreement No. 3, for an amount not to exceed \$521,788, for construction phase services for Phases 2A, 2B, and 3A construction of the River Bend and King Irving Sewer Separation.
- On March 8, 2021, by Roll Call No. 21-0355, City Council approved Supplemental Agreement No. 4, for an amount not to exceed \$232,256, to provide additional professional services including:
 - Additional design and construction phase services for sections of Indiana Avenue that were impacted by the project.
 - Design modifications for Phase 3B as requested by the City to account for proposed improvements that will be made to 2nd Avenue.
 - Archeological survey for Phase 3A that was ultimately required by the United States Army Corps of Engineers. Additional construction phase services for Phase 1, 2A, and 3B to account for the phases of this project originally intended to all be constructed at the same time but ultimately needing to construct Phase 3B as a standalone project during a different timeframe.
- Staff has negotiated Supplemental Agreement No. 5 to the Agreement for Professional Services with Veenstra & Kimm, Inc. for an additional amount not to exceed \$49,500, based on hourly rates and reimbursable costs, to provide additional professional services including:
 - Complete pavement design of additional roadway repair improvements resulting from storm sewer construction impacts along Indiana Avenue from 2nd Avenue to 3rd Street and from 4th Street to 5th Avenue within the Phase 2B Project area.
 - As part of Supplemental Agreement No. 3, the consultant estimated the construction time required to complete the Phase 3A work to be three (3) months. The construction contract allowed up to six (6) months depending upon when the contractor started work. As such, the consultant had budgeted staff time based on three (3) months of construction for construction administration and observation services for Phase 3A. The contractor has exceeded the consultant estimated three (3) month period to complete the Phase 3A work and, as a result, the consultant is required to expend more labor than originally budgeted due to the longer than anticipated construction.



PREVIOUS COUNCIL ACTION(S):

Date: March 8, 2021

Roll Call Number: [21-0355](#)

Action: [Approving](#) Supplemental Agreement No. 4 to the Professional Services Agreement (PSA) with Veenstra & Kimm, Inc. for additional design and construction phase services for the River Bend and King Irving Sewer Separation Project, \$232,256. ([Council Communication No. 21-109](#)) Moved by Voss to adopt. Motion Carried 6-1. Absent: Gatto.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City staff does not anticipate any future Council actions on this PSA at this time; however, unanticipated changes to this PSA would require an additional Supplemental Agreement, which may require Council action.

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