


COUNCIL COMMUNICATION

	Number:	23-415	Meeting:	September 11, 2023
	Agenda Item:	6	Roll Call:	23-1227
	Submitted by:	Benjamin R. Page, Park and Recreation Director and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for construction design and interpretation services for Western Gateway Water Feature Improvements, not to exceed \$24,500.

SYNOPSIS:

Recommend approval of the Supplemental Agreement No. 1 to the PSA with Bolton & Menk, Inc. (Bradley C. DeWolf, P.E., President/CEO, 1960 Premier Drive, Mankato, Minnesota, 56001-5900) for an amount not to exceed \$24,500, based on hourly labor rates and reimbursable costs, for construction document revisions and construction cost estimates for Western Gateway Water Feature Improvements.

FISCAL IMPACT:

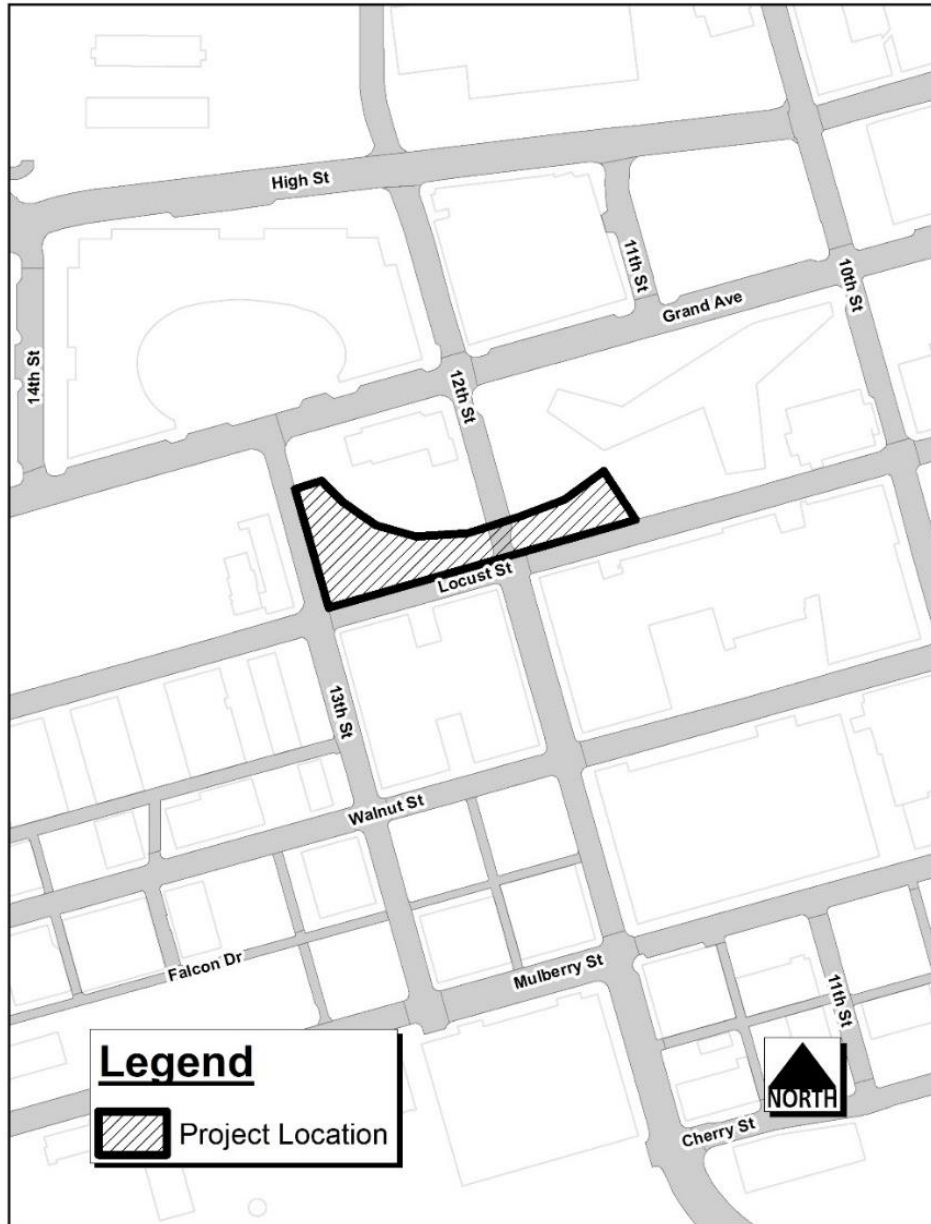
Amount: \$24,500

Funding Source: 2023-2024 CIP, Page 74, Parks Improvements, PK137, Being: Federal, G.O. Bonds, Local Option Sales and Service Tax (LOSST), Private, and Tax Increment Funding Bonds

ADDITIONAL INFORMATION:

- On October 3, 2022, by Roll Call No. 22-1496, City Council approved the PSA with Bolton & Menk, Inc. for a total cost not to exceed \$71,000, based on hourly rates and reimbursable costs, to provide design services for Western Gateway Water Feature Improvements.
- The runnel water features in Western Gateway Park that were constructed in 2005 and 2006 need renovation. The electric pumps are aging, the chlorination system is not functioning, the waterproofing membrane through the runnel water feature is cracking and leaks, and concrete is heaving and deteriorating.
- The initial scope of the Western Gateway Water Feature Improvements project included:
 - Removal of the existing runnel water feature structures along the walkway between 12th Street and 13th Street and along Locust Street, east of 12th Street.
 - Construction of decorative pavement along the alignment of the existing runnel.

- Water spray feature systems including a play fountain area.
 - Aesthetic lighting incorporated with the water features.
 - Sidewalk improvements with improved accessibility.
 - Gateway seating features with repurposed limestone edge block.
 - Limestone seating areas along the runnel renovation path.
 - Landscaping improvements.
- On January 23, 2023, under Roll Call No. 23-0089, the City Council ordered construction of the Western Gateway Water Features.
 - On February 7, 2023, only two (2) bids were received, and the apparent low bid was submitted by MPS Engineers, P.C. dba Kingston Services, P.C., in the amount of \$1,371,813, which was 48% or \$446,813 over the Engineer's estimate of \$925,000. Engineering and Parks Department staff reviewed the bids and recommended decreasing the scope of the project and rebidding the project in the future.
 - On February 20, 2023, by Roll Call No. 23-267, City Council rejected all bids.
 - Staff has negotiated Supplemental Agreement No. 1 to the PSA with Bolton & Menk, Inc. for a total additional amount not to exceed \$24,500 based on hourly labor rates and reimbursable costs, to revise the construction documents and cost estimate for Western Gateway Water Feature Improvements based upon the reduced scope.
 - The project scope revisions included as part of Supplemental Agreement No. 1 are as follows:
 - Removal of proposed water features east of 12th Street.
 - Removal of proposed decorative stacked limestone structure.
 - Simplified design of proposed decorative concrete pavement.
 - The anticipated schedule for the revised project is as follows:
 - Project bid letting in the fall of 2023.
 - Commence construction in the spring of 2024.
 - Complete construction in the spring of 2025.



PREVIOUS COUNCIL ACTION(S):

Date: October 3, 2022

Roll Call Number: [22-1496](#)

Action: [Approving](#) Professional Services Agreement with Bolton & Menk, Inc. for professional services for Western Gateway Water Feature Improvements, not to exceed \$71,000. ([Council Communication No. 22-462](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 7-0.

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 will require a Supplemental Agreement, which may require Council action.

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