


COUNCIL COMMUNICATION

	Number:	23-493	Meeting:	November 6, 2023
	Agenda Item:	9	Roll Call:	23-1523
	Submitted by:	Jonathan A. Gano, P.E., Public Works Director and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Supplemental Agreement No. 3 to the Professional Services Agreement (PSA) with Foth Infrastructure & Environment LLC for professional services for Western Ingersoll Sewer Separation Phase 1, for an amount not to exceed \$207,000.

SYNOPSIS:

Recommend approval of Supplemental Agreement No. 3 to the PSA with Foth Infrastructure & Environment LLC (Patrick P. Kueter, Principal-in-Charge, 8191 Birchwood Court, Suite L, Johnston, Iowa, 50131) for an additional amount not to exceed \$207,000, based on hourly labor rates and reimbursable costs, to provide additional construction phase services for the Western Ingersoll Sewer Separation Phase 1.

FISCAL IMPACT:

Amount: \$207,000

Funding Source: 2023-2024 Capital Improvement Program (CIP), Page 100, Western Ingersoll Run Sewer Separation, SS139, Sanitary Sewer Fund and State Revolving Loan Fund (SRF)

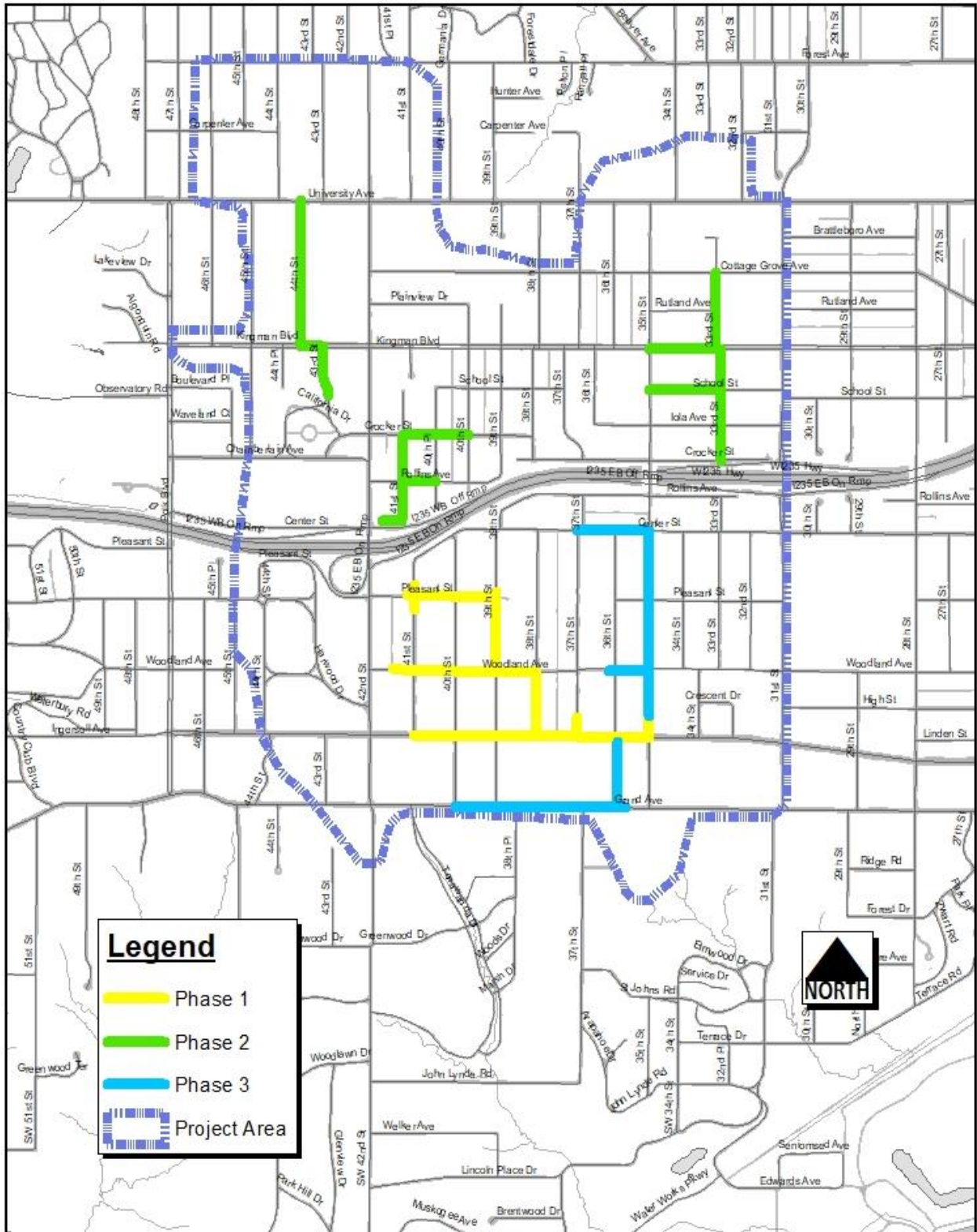
ADDITIONAL INFORMATION:

- On December 16, 2019, by Roll Call No. 19-1981, City Council approved the PSA with Foth Infrastructure & Environment LLC for a total cost not to exceed \$770,070, to provide design phase services for Phase 1 improvements of the Western Ingersoll Run basin, including pipeline televising services for Phases 1, 2, and 3 of the Western Ingersoll basin.
- On January 25, 2021, by Roll Call No. 21-0075, City Council approved Supplemental Agreement No. 1 to the Agreement for Professional Services with Foth Infrastructure & Environment LLC, for an additional amount not to exceed \$126,100, based on hourly rates and reimbursable costs, which included:

- Additional design phase services needed to accommodate the future streetscape and reconfiguration of westbound Ingersoll Avenue from 35th Street to 100 feet west of 41st Street and incorporate new and modified elements into the construction documents for the Western Ingersoll Sewer Separation Project – Phase 1.
- Additional subsurface utility exploration to determine elevations of the existing utilities at critical crossing locations.
- On April 5, 2021, by Roll Call Number 21-0587, City Council approved Supplemental Agreement No. 2 to the Agreement for Professional Services with Foth Infrastructure & Environment LLC, for an additional amount not to exceed \$661,000, based on hourly rates and reimbursable costs, which included construction administration, full-time construction observation, on-site concrete material testing (air/slump) and samples (beams/cylinders).
- The construction completion date, based on the construction contract and change orders to date (primarily additional work related to a high-pressure gas main discovered on Ingersoll Avenue during construction to be in a different location than anticipated and in conflict with the project improvements), is June 30, 2023. The contractor still has a significant amount of work remaining, including restoration work on Ingersoll Avenue and 39th Street, and all sewer and roadway work on Pleasant Street between 39th Street and 41st Street. The contractor anticipates completing the work on Ingersoll Avenue and 39th Street by the end of this year and is scheduled to complete the work on Pleasant Street next spring 2024.
- Staff has negotiated Supplemental Agreement No. 3 to the Agreement for Professional Services with Foth Infrastructure & Environment LLC for an additional amount not to exceed \$207,000, based on hourly rates and reimbursable costs, to provide additional construction phase services including construction administration and construction observation, to account for additional labor and expenses estimated through June 2024 due to the construction extending beyond the original completion date.

Western Ingersoll Sewer Separation

Exhibit 1



PREVIOUS COUNCIL ACTION(S):

Date: April 5, 2021

Roll Call Number: [21-0587](#)

Action: [Approving](#) Supplemental Agreement No. 2 to the PSA with Foth Infrastructure and Environment, LLC for construction phase services for the Western Ingersoll Run Sewer Separation Phase 1 Project, \$661,000. ([Council Communication No. 21-164](#)) Moved by Mandelbaum to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

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

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