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CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: February 19, 2019

ITEM:

Motion – Approving Amendment No. 1 to the Professional Services Agreement
South 33rd Street & Fuller Road Retaining Wall Improvements

FINANCIAL IMPACT:

The original Professional Services Agreement included a maximum fee of $60,295.00 for Basic Services of the Consultant and $37,500.00 for Resident Consultant Services. Amendment No. 1 increases the Basic Services of the Consultant by $38,550.00 and the Resident Consultant Services by $5,700.00. The new maximum not-to-exceed fee thus becomes $142,045.00. All costs for these services will be billed at standard hourly rates plus expenses and can be paid from account no. 500.000.000.5250.495 with ultimate funding intended to come from General Obligation Bonds.

BACKGROUND:

Calhoun-Burns & Associates, Inc. is working under an existing Agreement dated August 7, 2017 to perform the professional services necessary for the removal and/or replacement of the existing City-owned timber retaining walls on Fuller Road east and west of South 33rd Street. Amendment No. 1 includes additional Basic Services of the Consultant and Resident Consultant Services to accommodate a change in project design concept from only regrading to inclusion of some retaining wall, additional cost estimating, additional staking of easements, generation of additional easement documents, identification of trees to be saved/removed, inclusion of additional sidewalk replacement, and design of two tiers of modular block retaining wall east of South 33rd Street and associated geotechnical investigation. These additional scope items were not anticipated as part of the initial Agreement, but are being included to accommodate City Council desires for the project.

Approval of this Amendment No. 1 is subject to approval by the City Council of the Agreement with Benton & Heather Yost (property owners of 616 South 33rd Street) for the ownership and maintenance of a modular block retaining wall constructed by the City of West Des Moines on said property.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Amendment No. 1 to Professional Services Agreement for South 33rd Street & Fuller Road Retaining Wall Improvements.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed	January 28, 2019		
Recommendation	Yes	No	Split

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AMENDMENT NO. 1
TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This AMENDMENT is made and entered into this 19th day of February, 2019, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and Calhoun-Burns and Associates, Inc., (Fed. I.D. #42-1175656), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant", hereby amends the original Agreement dated August 7, 2017 as follows:

1. SCOPE OF SERVICES

   The Scope of Services as described in the original Agreement for the Fuller Road Retaining Wall Replacements at S. 33rd Street (Project No. 0510-037-2017), Attachment 1 are amended as follows:

   The scope of replacement of the west retaining wall shall be modified from grading to a 4:1 slope to a portion being graded to 4:1 and transitioning to a portion being graded to 2:1. The scope of replacement of the east retaining wall shall be modified from grading to a 4:1 slope to the use of two lines of modular block retaining walls. The heights are to be limited to 4 feet and adequately separated to act independently. The use of 4:1 / 3:1 slopes are to be used to minimize retaining wall length. Approximately 540 lineal feet of additional sidewalk removal / replacement and grading will be completed beyond minimums needed for original retaining wall removals. Easement plats and field stakes will be adjusted as required. Geotechnical analysis will be completed in the vicinity of the modular block retaining walls. Per direction from the City a fence will not be included on the top of the retaining walls.

2. SCHEDULE

   The Project Schedule of the professional services as described in the original Agreement, Attachment 2 is amended as follows: Due to delays in City / Landowner negotiations this project has been delayed approximately one (1) year. The revised schedule, which includes the work associated with this Amendment, is included in Attachment 2.

3. COMPENSATION

   In consideration of the additional professional services provided, the City agrees to pay the Consultant the additional fees to increase the original sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in the original Agreement, Attachment 3.

	Original Fee	Additional Fee	Total Fee
I. Basic Services of the Consultant	$60,295.00	$38,550.00	$98,845.00
II. Resident Consultant Services	$37,500.00	$5,700.00	$43,200.00
Total Services	**$97,795.00**	**$44,250.00**	**$142,045.00**

This AMENDMENT is subject to all provisions of the original Agreement. This AMENDMENT together with the Agreement represents the entire and integrated AGREEMENT between the City and Consultant, as executed on the date written above.

CALHOUN-BURNS AND ASSOCIATES, INC.

BY: _____
Jon D. Conzett, P.E., Vice President

CITY OF WEST DES MOINES

BY: _____
Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

Items modified from the original Agreement are noted as follows:

I. GENERAL – Refer to the Feasibility Report dated June 21, 2017.

B. Project Intent. Replace west existing timber retaining walls with a graded 4:1 / 2:1 earthen slope (Option 2). ~~Minimal use of short (under 4' height), modular block retaining walls (Option 3); or short (under 5' height) combined retaining wall/sidewalk in a few select locations~~. Replace east existing retaining wall with two lines of modular block retaining wall (Option 3) and/or a graded 4:1 / 3:1 earthen slope to minimize retaining wall length. Reconstruct adjacent sidewalk to existing location, width, line, and grade. Reconstruct ADA ramps at S.33rd Street to meet current criteria (East-West only). Existing Fuller Road and S. 33rd Street pavement to remain in place.

II. PRELIMINARY DESIGN PHASE

C. Preliminary Design. Preliminary Design shall include plan and cross section sheets to depict the approximate limits of grading, locations for retaining walls, and sidewalk reconstruction. A preliminary set of plans consisting of a Title Sheet, Plan Sheets, and Cross Section Sheets will be prepared. Upon completion, the Consultant will attend one (1) coordination meeting with the City to review and discuss the approximate limits of the project and seek approval. Upon direction of the City additional options will be reviewed and revised preliminary plans and corresponding cost opinions prepared. This information is to be used for City coordination with land owners and City officials. Consultant to coordinate between subconsultants and City's land acquisition consultant on necessary changes as a result of alternate options considered. Once approval is granted, the revised Preliminary Plans will be finalized, including identifying the necessary additional areas of permanent ROW and/or Temporary Construction Easement, and submitted to the City. A revised Preliminary Opinion of Probable Construction Cost will be submitted with the final revised Preliminary Plans.

G. Geotechnical Investigation. ~~It is anticipated the project will not require any geotechnical investigations to complete the design and plans. Should the City modify the intent of the project (i.e. different type and/or size and/or expanded use of retaining walls) the Consultant will coordinate and obtain necessary soil boring and geotechnical investigation required for preparation of the final plans and supplemental specifications through a Subconsultant~~. The Consultant will coordinate and obtain geotechnical investigation for use in the modular block retaining wall through a Subconsultant. Geotechnical analysis will include global stability of the two line retaining wall system. All traffic control needed shall be coordinated by the Subconsultant. Consultant's additional services will be incorporated by Supplemental Agreement.

III. FINAL DESIGN PHASE

A. Check Plans and Specifications. Consultant shall prepare Check Plans (85% complete) and specifications necessary for the project. Consultant shall submit Check Plans to the City for review and comment. This work shall include the design and detailing of the modular block retaining walls. Also includes additional sidewalk removal / replacement and grading.

B. Easement and Property Acquisition Plat Preparation Services. This work, through a Subconsultant, will consist of preparing legal descriptions for permanent and construction easements necessary to construct the project. The work will include preparation of easement plats and acquisition plats for each affected property. The work includes any additional field survey and establishing and reestablishing property pins as required by applicable survey

standards for parcels for which permanent right-of-way and easements are acquired. Any temporary staking requested by the City will be completed following authorization through a separate Supplemental Agreement. This work shall include adjusting of up to three (3) plats, creation of one additional plat, field staking of original proposed easement, field staking of modified plats and field marking of trees for removal adjacent to the easements.

IV. BID PHASE - The project will be let for bids by the City. City will provide Consultant with specific milestone dates. Anticipated goal is to have project awarded and ready for construction by ~~May 28, 2018~~ May 6, 2019.

V. CONSTRUCTION PHASE

C. Construction Observation. Consultant will be on-site to observe construction activities and provide required material testing and documentation. This work shall include the modular block retaining wall.

ATTACHMENT 2

PROJECT SCHEDULE

FULLER ROAD RETAINING WALL REPLACEMENTS WEST AND EAST OF S. 33RD STREET

The following Milestone Schedule shall be dates for the Consultant to submit specified deliverables to the City:

1.	City Council Approval and Notice to proceed from City	February 19, 2019
2.	Revised Preliminary Plans	March 1, 2019
3.	Revised ROW Plats	March 8, 2019
4.	Check Plans	March 25, 2019
5.	Final Plans	April 12, 2019
6.	Plans to Contractors	April 15, 2019
7.	Letting	May 1, 2019
8.	Award Contract	May 6, 2019
9.	Construction Completed	September 30, 2019

ATTACHMENT 3

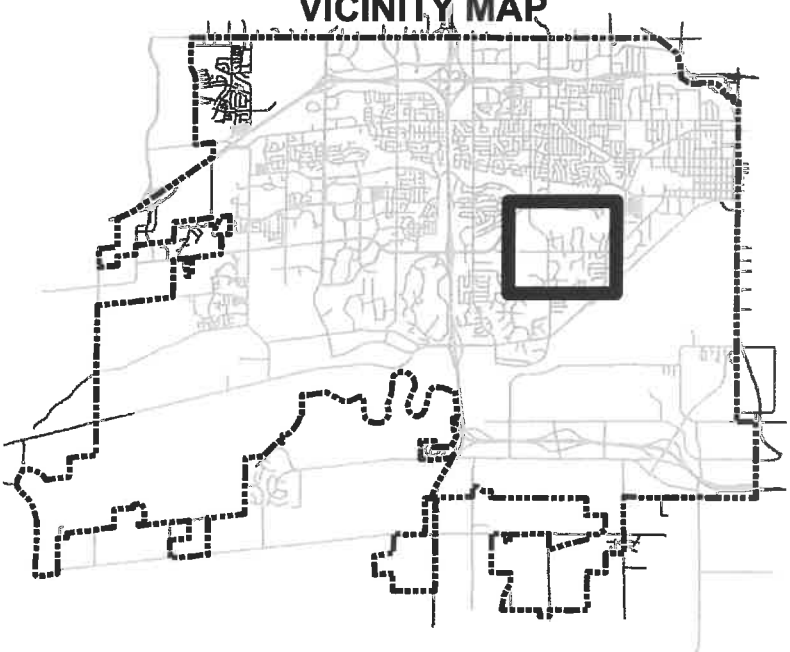
SCHEDULE OF FEES

CB&A HOURLY BILLING RATES (EFFECTIVE JULY, 2018)

PRINCIPAL OF FIRM IV	$	204.00	/ HOUR
PRINCIPAL OF FIRM III	$	196.00	/ HOUR
PRINCIPAL OF FIRM II	$	188.00	/ HOUR
PRINCIPAL OF FIRM I	$	180.00	/ HOUR
SENIOR PROJECT MANAGER IV	$	165.00	/ HOUR
SENIOR PROJECT MANAGER III	$	159.00	/ HOUR
SENIOR PROJECT MANAGER II	$	153.00	/ HOUR
SENIOR PROJECT MANAGER I	$	147.00	/ HOUR
PROJECT MANAGER IV	$	154.00	/ HOUR
PROJECT MANAGER III	$	145.00	/ HOUR
PROJECT MANAGER II	$	137.00	/ HOUR
PROJECT MANAGER I	$	128.00	/ HOUR
SENIOR PROJECT ENGINEER IV	$	143.00	/ HOUR
SENIOR PROJECT ENGINEER III	$	134.00	/ HOUR
SENIOR PROJECT ENGINEER II	$	126.00	/ HOUR
SENIOR PROJECT ENGINEER I	$	117.00	/ HOUR
PROJECT ENGINEER IV	$	130.00	/ HOUR
PROJECT ENGINEER III	$	122.00	/ HOUR
PROJECT ENGINEER II	$	115.00	/ HOUR
PROJECT ENGINEER I	$	107.00	/ HOUR
SENIOR DESIGN ENGINEER IV	$	118.00	/ HOUR
SENIOR DESIGN ENGINEER III	$	110.00	/ HOUR
SENIOR DESIGN ENGINEER II	$	101.00	/ HOUR
SENIOR DESIGN ENGINEER I	$	93.00	/ HOUR
DESIGN ENGINEER IV	$	110.00	/ HOUR
DESIGN ENGINEER III	$	100.00	/ HOUR
DESIGN ENGINEER II	$	90.00	/ HOUR
DESIGN ENGINEER I	$	80.00	/ HOUR
ENGINEER INTERN	$	78.00	/ HOUR
SENIOR TECHNICIAN IV	$	120.00	/ HOUR
SENIOR TECHNICIAN III	$	115.00	/ HOUR
SENIOR TECHNICIAN II	$	109.00	/ HOUR
SENIOR TECHNICIAN I	$	104.00	/ HOUR
TECHNICIAN IV	$	105.00	/ HOUR
TECHNICIAN III	$	101.00	/ HOUR
TECHNICIAN II	$	97.00	/ HOUR
TECHNICIAN I	$	93.00	/ HOUR
OFFICE MANAGER	$	132.00	/ HOUR
ADMINISTRATIVE ASSISTANT IV	$	90.00	/ HOUR
ADMINISTRATIVE ASSISTANT III	$	85.00	/ HOUR
ADMINISTRATIVE ASSISTANT II	$	78.00	/ HOUR
ADMINISTRATIVE ASSISTANT I	$	75.00	/ HOUR
MILEAGE:	CURRENT IRS STANDARD RATE		
EXPENSES:	ACTUAL COST		

HOURLY RATES SHALL BE ADJUSTED ANNUALLY IN ACCORDANCE WITH CONSULTING ENGINEERS' NORMAL BUSINESS PRACTICE.

VICINITY MAP



LEGEND

PROJECT LOCATION ▬▬▬

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THE CITY OF WEST DES MOINES	PROJECT:	**S 33rd St & Fuller Rd Retaining Wall Improvements**		
	LOCATION:	**South 33rd Street & Fuller Road**		
	DRAWN BY: JDR	DATE: 07/21/2017	PROJECT NUMBER : 0510-037-2017 SUBDIVISION NAME:	SHT. 1 of 1