CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: May 4, 2020

ITEM:

Motion – Approving Amendment No. 3 to Professional Services Agreement
West Public Services Facility

FINANCIAL IMPACT:

The original Professional Services Agreement included a maximum fee of $261,200.00 for Basic Services of the Consultant. Amendment No. 1 increased the Basic Services of the Consultant by $1,469,515.00 and the Resident Consultant Services by $294,705.00. Amendment No. 2 increased the Resident Consultant Services by $22,860.00. Amendment No. 3 increases the Resident Consultant Services by $3,200.00. The new maximum not-to-exceed fee thus becomes $2,051,480.00. All costs for these services can be paid from account no. 500.000.000.5250.495 with ultimate funding intended to come from Road Use Tax and/or General Obligation Bonds.

BACKGROUND:

FEH Design is working under an existing agreement dated February 6, 2017 for Professional Services for the new West Public Services Facility project. Amendment No. 1 included additional Basic Services of the Consultant and Resident Consultant Services for the construction of a new Public Services Facility located near the southwest corner of South 88th Street & Grand Avenue. Amendment No. 2 included additional Resident Consultant Services to accommodate design revisions to the Fueling Facility to reflect shifting the Fueling Facility to the east to avoid conflicts with Microsoft's temporary facilities. In addition, design revisions were necessary to accommodate reorientation of the Salt Storage Building and associated revisions to driveways, truck movements, fencing, grading, and landscaping.

Amendment No. 3 includes additional Resident Consultant Services to provide verification survey work in support of a FEMA Letter of Map Revision (LOMR). This additional work is necessary to provide evidence to FEMA that the new Public Services Facility was constructed above the 100-year flood elevation.

The Engineering Services Department retains professional consultants based on their past work experience, qualifications of their staff, familiarity with the project, staffing availability, and past performance. Once a firm has been selected based on the above criteria, City staff then negotiates a fee with the consultant for performing the desired scope of services. City staff attempts, whenever feasible, to distribute professional services work on an equitable basis to qualified firms maintaining local metropolitan area offices who have expressed interest in working for the City of West Des Moines.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Amendment No. 3 to Professional Services Agreement for West Public Services Facility.

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 TS
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	4-27-2020		
Recommendation	**Yes**	No	Split

AMENDMENT NO. 3
TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This AMENDMENT is made and entered into this 4th day of May, 2020, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and FEH Design, (Fed. I.D. # 42-0838764), 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 February 6, 2017 as follows:

1. SCOPE OF SERVICES

   The Scope of Services as described in the original Agreement for the West Public Services Facility (Project no. 0510-027-2017) Attachment 1 are amended as follows:

   Provide Verification Survey (FEMA LOMR). Conduct field survey of finish grade areas and pavement edges per attached Exhibit B. Merge field survey information with approved grading plan to verify new 100-year flood elevation. Use information in support of FEMA LOMR submittal.

2. SCHEDULE

   The Project Schedule of the professional services as described in the original Agreement, Attachment 2 is amended as follows: No Change.

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.

		Original Fee	Previously Amended Fee	Additional Fee	Total Fee
I.	Basic Services of the Consultant	$261,200	$1,469,515	$0.00	$1,730,715
II.	Resident Consultant Services	$0.0	$317,565	$3,200	$320,765
	Total Services	**$261,200**	**$1,787,080**	**$3,200**	**$2,051,480**

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.

FEH Design

BY: _____
Dennis Sharp - President

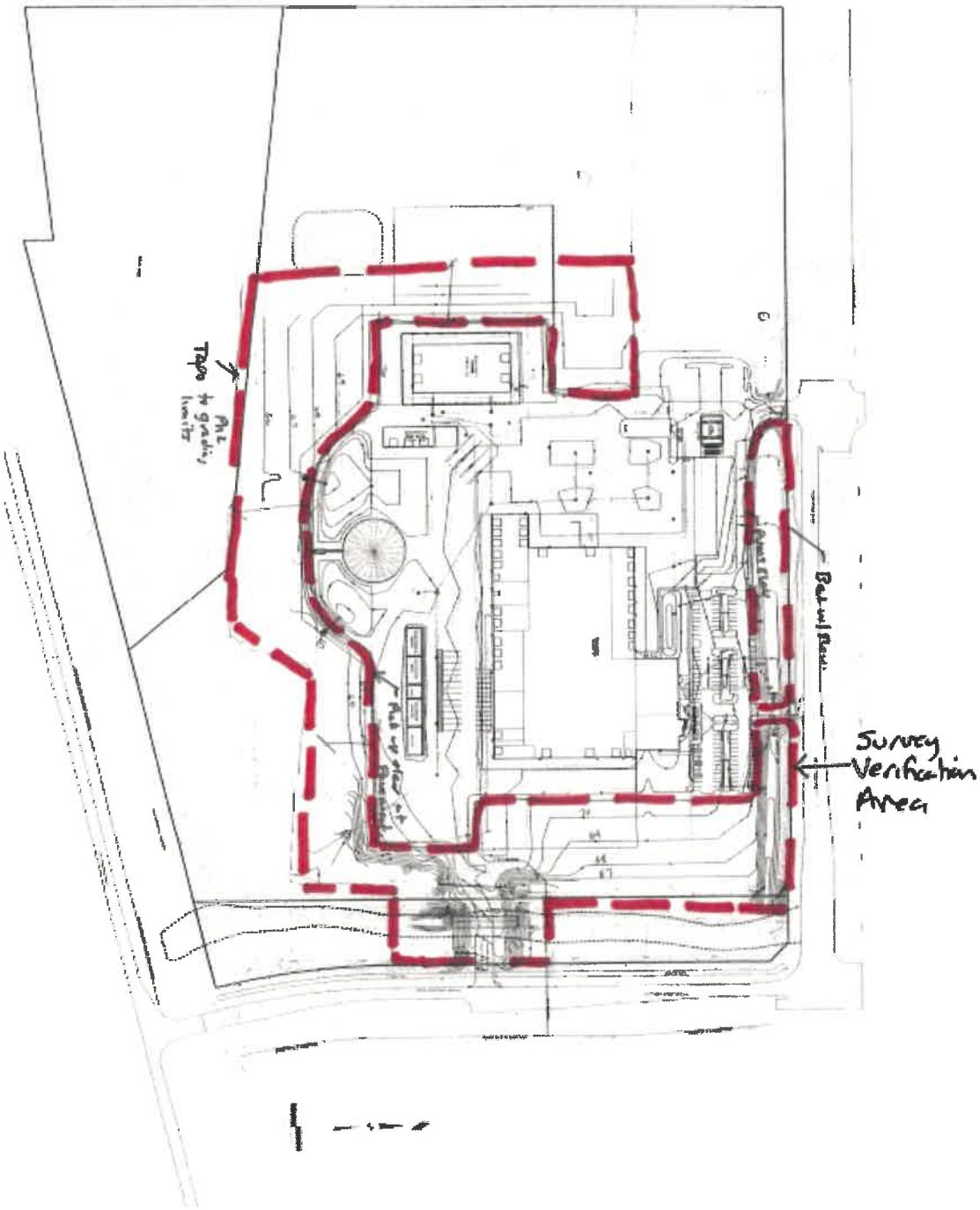
CITY OF WEST DES MOINES

BY: _____
Ryan T. Jacobson, City Clerk

ATTACHMENT 1

SCOPE OF SERVICES

EXHIBIT B



ATTACHMENT 2

PROJECT SCHEDULE

ATTACHMENT 3

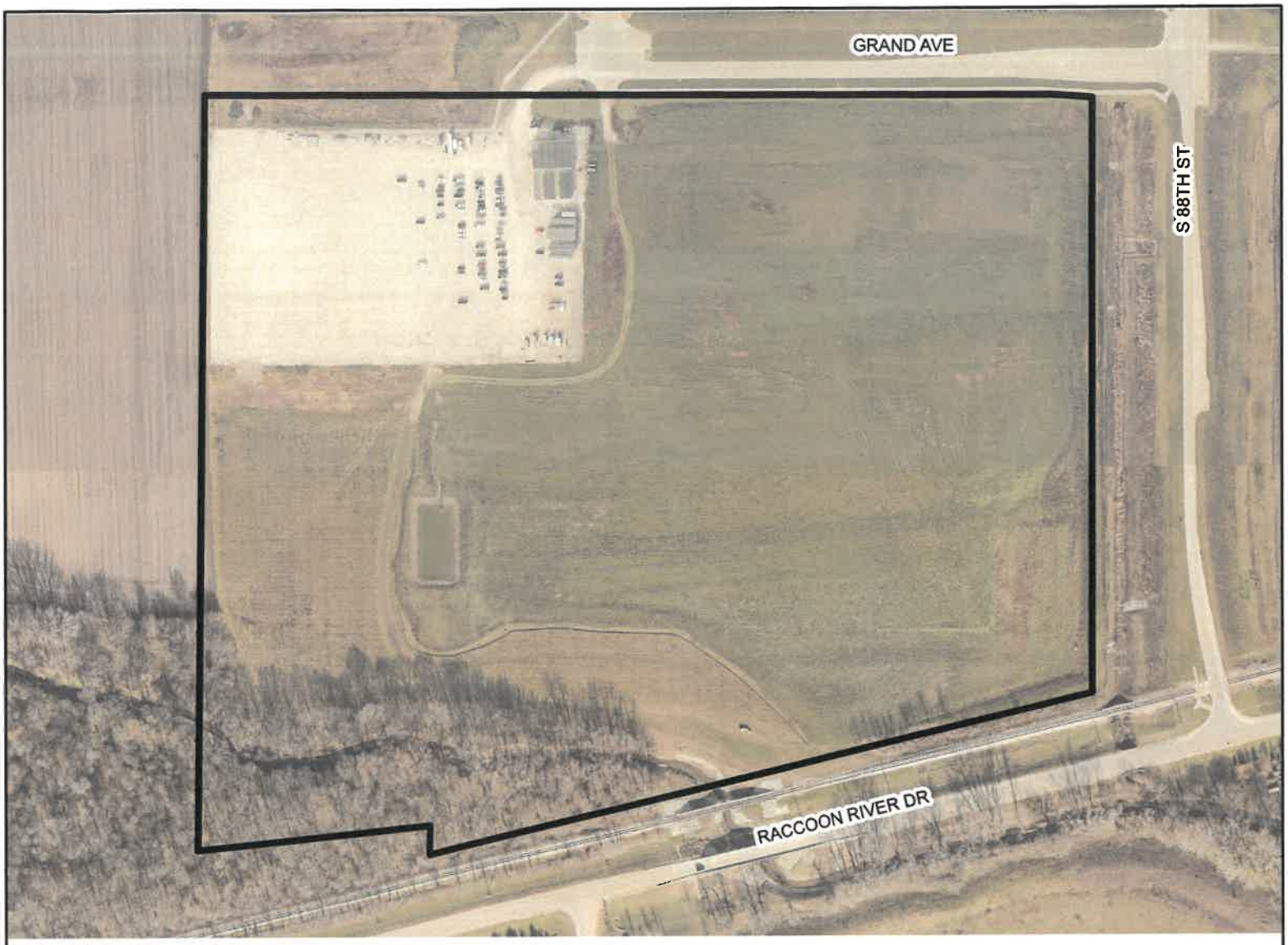
SCHEDULE OF FEES

I. VERIFICATION SURVEY (FEMA LOMR)

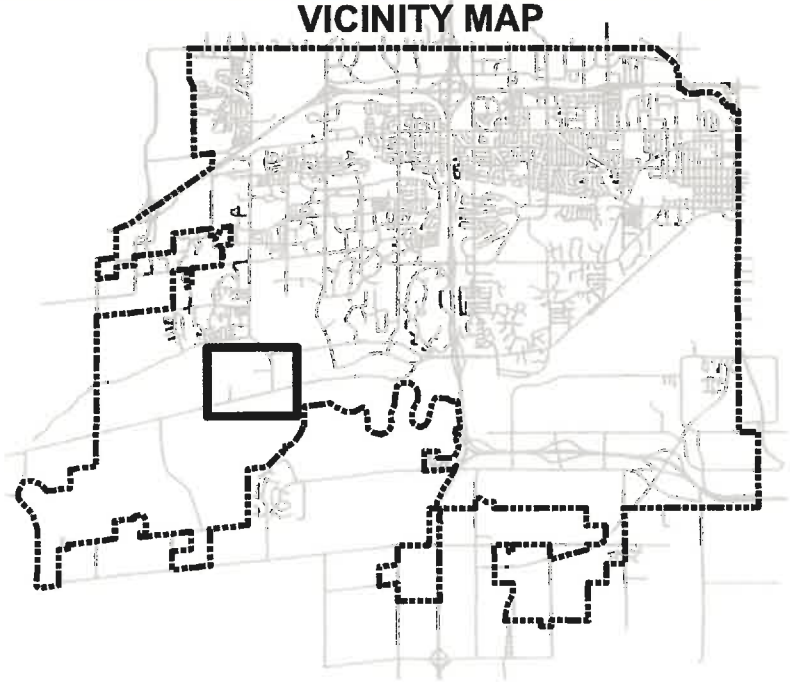
A. Conduct field survey of finish grade areas and pavement edges per attached Exhibit B.

B. Merge field survey information with approved grading plan to verify new 100 yr flood elevation. Use information in support of FEMA LOMR submittal.

TOTAL FEES FOR SERVICES .....LUMP SUM $3,200



VICINITY MAP



LEGEND

PROJECT LOCATION

N
W E
S

THE CITY OF WEST DES MOINES

PROJECT:

West Public Services Facility Phase 2

LOCATION: South 88th Street & Grand Avenue

DRAWN BY: REF	DATE: 01/07/2019	PROJECT NUMBER/NAME: 0510-027-2017	SHT. 1 of 1