CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: August 15, 2022

ITEM:

Motion – Approving Amendment No. 3 to Professional Services Agreement
MidAmerican Energy Company RecPlex – Architectural Services

FINANCIAL IMPACT:

The original Professional Services Agreement included a maximum fee of $575,000 for Basic Services of the Consultant. Amendment No. 1 increased the Basic Services of the Consultant by $350,000.00. Amendment No. 2 added Resident Consultant Services in the amount of $355,000.00. Amendment No. 3 increases the Resident Consultant Services by $200,000.00. The new maximum not-to-exceed fee thus becomes $1,480,000.00. All costs for these services can be paid from account no. 692.400.700.5250.495 with the ultimate funding proposed as General Obligation Bonds backed by Local Option Sales Tax.

BACKGROUND:

The City of West Des Moines negotiated the original Professional Services Agreement with Shive-Hattery, Inc. on July 20, 2020 for architectural services related to the MidAmerican Energy RecPlex. The Agreement provided that Shive-Hattery, Inc. would complete the architectural work initiated by the original design architect, who is no longer engaged on the Project.

Amendment No. 1 approved on October 5, 2020 included additional Basic Services of the Consultant to perform design services and modify construction documents for the MidAmerican Energy RecPlex as required for the contractors to have a more complete and coordinated set of working contract documents than was produced by the design architect after bidding.

Amendment No. 2 included additional Resident Consultant Services to extend construction administration services through the end of July 2021 coinciding with the anticipated substantial completion date. Shive-Hattery, Inc. established a field office within the MidAmerican Energy RecPlex and staff with an average of two employees each weekday representing the various disciplines (architectural, structural, mechanical, electrical, and civil).

Amendment No. 3 provides additional funding to allow Shive-Hattery, Inc. to continue working with City Staff and subcontractors to complete outstanding items after termination of the general contractor (ATO Builders). Work will include detailed review of items under contract not yet completed and preparation of documents to secure pricing for work existing subcontractors do not wish to complete or cannot complete.

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.

This agenda item was distributed to the Public Services Subcommittee by e-mail only.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Amendment No. 3 to Professional Services Agreement for MidAmerican Energy Company RecPlex – Architectural Services.

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			
Date Reviewed			
Recommendation	Yes	No	Split

AIA® Document G802™ – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)*
City of West Des Moines - MAE
RecPlex CA Services
West Des Moines, IA
4202170

AGREEMENT INFORMATION:
Date: July 15, 2020

AMENDMENT INFORMATION:
Amendment Number: 003

Date: August 15, 2022

OWNER: *(name and address)*
City of West Des Moines
4200 Mills Civic Parkway
West Des Moines, Iowa
50265

ARCHITECT: *(name and address)*
Shive-Hattery, Inc.
4125 Westown Parkway, Suite 100
West Des Moines, Iowa
50266

The Owner and Architect amend the Agreement as follows:
Shive-Hattery will continue working with City staff and sub-consultants to complete oustanding items after termination of General Contractor. This incudes, but is not limited to, detailed review of items under contract not yet completed, prepration of documents for pricing of scopes of work where existing sub-contractors do not wish to or cannot complete outstanding work.

Additional scope includes architectural, structural, mechanical, electrical, and civil services.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:
The Not-To-Exceed limit will be increased by $200,000 for a new maximum of $1,480,000.

Schedule Adjustment:
Schedule at this time is unknown. Shive-Hattery in process of identifying which existing sub-contractors are willing to complete work and which scopes need to have documentation created in order to identify new sub-contractors. Current anticipated schedule to complete documents, procure new sub-contractors and have work completed would suggest December, 2022 closeout at best.

SIGNATURES:

Shive-Hattery, Inc.	City of West Des Moines
ARCHITECT *(Firm name)*	**OWNER** *(Firm name)*
SIGNATURE	**SIGNATURE**
James E. Moore,, Project Manager	Brian Hemesath, City Engineer
PRINTED NAME AND TITLE	**PRINTED NAME AND TITLE**
8/2/2022	08/09/2022
DATE	**DATE**

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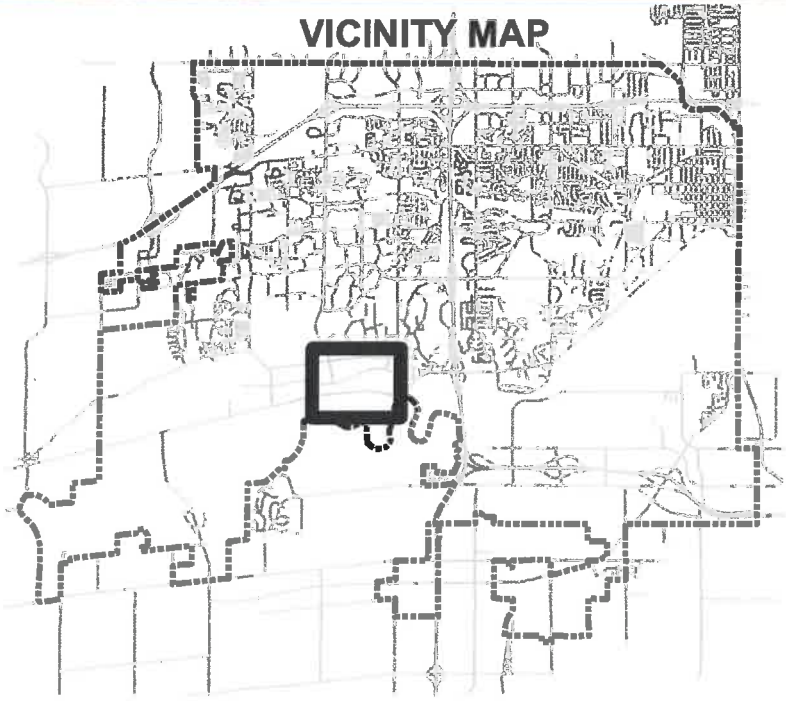
User Notes:
(3B9ADA30)

VICINITY MAP



LEGEND

PROJECT LOCATION

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THE CITY OF WEST DES MOINES

PROJECT:

MidAmerican Energy RecPlex

LOCATION:

Exhibit "A"

DRAWN BY: JPM	DATE: 10/13/2021	PROJECT NUMBER/NAME: 0510-055-2018	SHT. 1 of 1