


**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE:** December 10, 2018

<b>AGENDA ITEM:</b> First Street Bypass Project Supplement No. 2 to Professional Services Agreement with BergerABAM, Inc.	
<b>PREPARED BY:</b> Steve Miller, Project Manager	<b>DIRECTOR APPROVAL:</b> 
<b>DEPARTMENT:</b> Public Works / Engineering	
<b>ATTACHMENTS:</b> PSA Supplement No. 2	
<b>BUDGET CODE:</b> 30500030.563000, R0901	<b>AMOUNT:</b> \$99,357.00
<b>SUMMARY:</b>	

On February 13, 2017, Council authorized the Mayor to execute a contract with BergerABAM, Inc. to provide professional engineering design services for the First Street Bypass project. The scope for this contract included development of plans, specifications and cost estimate for roadway replacement and improvement between State Avenue and Alder Avenue along the existing First Street alignment, and for a new roadway bypass segment extending First Street from Alder to 47<sup>th</sup> Avenue NE.

On November 13, 2017, additional scope necessary to replace existing water line, and to design irrigation and planting plans necessary to establish low impact development biofiltration facilities and to establish the planting strip adjacent to the shared use path were added.

At this time, additional improvements necessary for public safety have been identified as necessary scope to add to the contract. Due to soil conditions evaluated during the geotechnical study, it was found necessary to include a system to protect and stabilize the existing (2) sewer trunk lines on 47<sup>th</sup> Avenue against settlement caused by poor, compressible soils in the area of the new roadway. The system will consist of a reinforced concrete slab cast over (2) sheet pile walls with intermediate support beams to protect and secure the sewer lines against potential settlement and damage.

In addition, through a predesign report performed in 2018, improvements at the 3<sup>rd</sup> and 4<sup>th</sup> intersections of 47<sup>th</sup> Ave NE were found necessary to support new traffic volumes from the Bypass project. The selected option adds new channelizing and lanes and adds traffic capacity within existing ROW. To support the new lanes, new signal design is required at both of these intersections, and this scope is requested to be added to the contract as a part of this supplement.

<b>RECOMMENDED ACTION:</b> Staff recommends that Council authorize the Mayor to sign and execute the attached Supplement No. 2 to the City's agreement with BergerABAM, Inc. to provide additional engineering services required for the design of the First Street Bypass project.
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**SUPPLEMENTAL AGREEMENT NO. 2 TO  
PROFESSIONAL SERVICES AGREEMENT BETWEEN  
CITY OF MARYSVILLE  
AND BERGERABAM, INC.**

**THIS SUPPLEMENTAL AGREEMENT NO. 2** (“Supplemental Agreement”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”) and BergerABAM, Inc., a Washington corporation (“Consultant”).

WHEREAS, the parties hereto have previously entered into an agreement for consulting services to prepare and deliver 100% plans, specifications and a final cost estimate for the First Street Bypass project and to provide related engineering, permitting, and right-of-way acquisition services (the “Original Agreement”), said Original Agreement being dated February 13th, 2017; and

WHEREAS, both parties desire to supplement the Original Agreement, by expanding the Scope of Services to provide for civil and structural design to protect the existing 30 inch and 48 inch sanitary sewer lines along 47<sup>th</sup> Ave NE, and to provide signal plans and illumination plans for the 3<sup>rd</sup> and 4<sup>th</sup> Street intersections at 47<sup>th</sup> Ave NE, and to provide compensation therefore;

NOW THEREFORE, in consideration of the terms, conditions, covenants, and performances contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

1. Exhibit A, as referenced and incorporated in Section 1 of the Original Agreement, “SCOPE OF SERVICES”, shall be replaced by **Exhibit A-1**, attached hereto and by this references made part of this Supplemental Agreement No. 2, and a part of the Original Agreement.

2. Section 3 of the Original Agreement, “COMPENSATION”, is amended to include the additional Consultant fee of Ninety Nine Thousand Three Hundred Fifty Seven Dollars And Zero Cents (**\$99,357.00**) and shall read as follows: “In no event shall the compensation paid to Consultant under this Agreement exceed One Million Seven Hundred Fifty Seven Thousand Five Hundred Forty Four Dollars and Zero Cents (**\$1,757,544.00**) within the term of the Agreement, including extensions, without the written agreement of the Consultant and the City.”

The total compensation payable to the Consultant is summarized as follows:

Original Agreement	\$1,595,421.00
Supplemental Agreement No.1	\$62,766.00
Supplemental Agreement No.2	\$99,357.00
Grand Total	\$1,757,544.00

3. Each and every provision of the Original Agreement for Professional Services dated February 13th, 2017, shall remain in full force and effect, except as modified herein.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

CITY OF MARYSVILLE

BERGERABAM, INC.

By \_\_\_\_\_  
Jon Nehring, Mayor

By \_\_\_\_\_  
[Name]  
Its: [Title]

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
\_\_\_\_\_, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Jon Walker, City Attorney

**EXHIBIT A-1 - SCOPE OF WORK FOR PLANS, SPECIFICATIONS, AND ESTIMATE MODIFICATIONS  
CITY OF MARYSVILLE FIRST STREET BYPASS  
PROJECT NO. R0902**

**PROJECT BACKGROUND AND OBJECTIVES**

No changes to this section.

**EXHIBIT A-1  
SCOPE OF WORK FOR ENGINEERING SERVICES  
FIRST STREET BYPASS**

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## **INTRODUCTION**

### **GENERAL PROJECT ASSUMPTIONS**

The following additional list of assumptions is included to confirm the understanding between the CITY and the CONSULTANT and will be used to guide the work.

- The civil and structural design will need to provide protection from settlement of and damage to the existing 48 inch and 30 inch sanitary sewer pipes running along and adjacent to 47<sup>th</sup> Ave. NE.

The following detailed task descriptions define the scope of work (and associated engineering fee estimate) for the authorized tasks addressing the final design phase of the project.

#### **1.0 GENERAL ACTIVITIES**

No change to this task.

#### **2.0 SURVEY AND BASE MAPPING**

No change to this task.

#### **3.0 TRAFFIC ANALYSIS**

No change to this task.

#### **4.0 GEOTECHNICAL ENGINEERING**

No change to this task. See subtask changes below.

##### **4.1 Geotechnical Investigation and Reports**

No change to this subtask.

##### **4.1.1 Data Collection and Review**

No change to this subtask.

##### **4.1.2 Field Investigation**

No change to this subtask.

##### **4.1.3 Laboratory Testing**

No change to this subtask.

##### **4.1.4 Geotechnical Analysis**

This subtask is supplemented with the following.

The SUBCONSULTANT will use results from soils testing and as-built drawings from adjacent projects (Allen Creek Pump Station Replacement and 1970 Sanitary Sewer Trunk Line) to establish estimated settlement due to new fill and traffic loads, and existing pipe conditions.

#### **Assumptions**

- The CITY will provide all known geotechnical and as-built drawing information on file.
- No additional subsurface exploration by the SUBCONSULTANT or the CITY will be performed.

**Deliverables**

- Expected settlement information and subsurface material information will be included in the geotechnical data and engineering report.

**4.1.5 Geotechnical Data and Engineering Report**

No change to this subtask.

**5.0 SCHEMATIC DESIGN**

No change to this task.

**6.0 PERMITTING PS&E**

No change to this task.

**7.0 STORM DRAINAGE DESIGN**

No change to this task.

**8.0 RIGHT-OF-WAY AND PLAN PREPARATION**

No change to this task.

**9.0 90 PERCENT AND FINAL ROADWAY DESIGN PS&E**

This task is supplemented with the following:

The CONSULTANT shall propose a structural protection scheme to the CITY for review and comment at the 90 percent design level of the project. The CONSULTANT shall incorporate the CITY’s comments for final plans, specifications, and cost estimates (PS&E) submittal.

**Assumptions**

- The two sanitary sewer pipes on 47<sup>th</sup> Ave. NE will need to be protected during construction and following project completion.

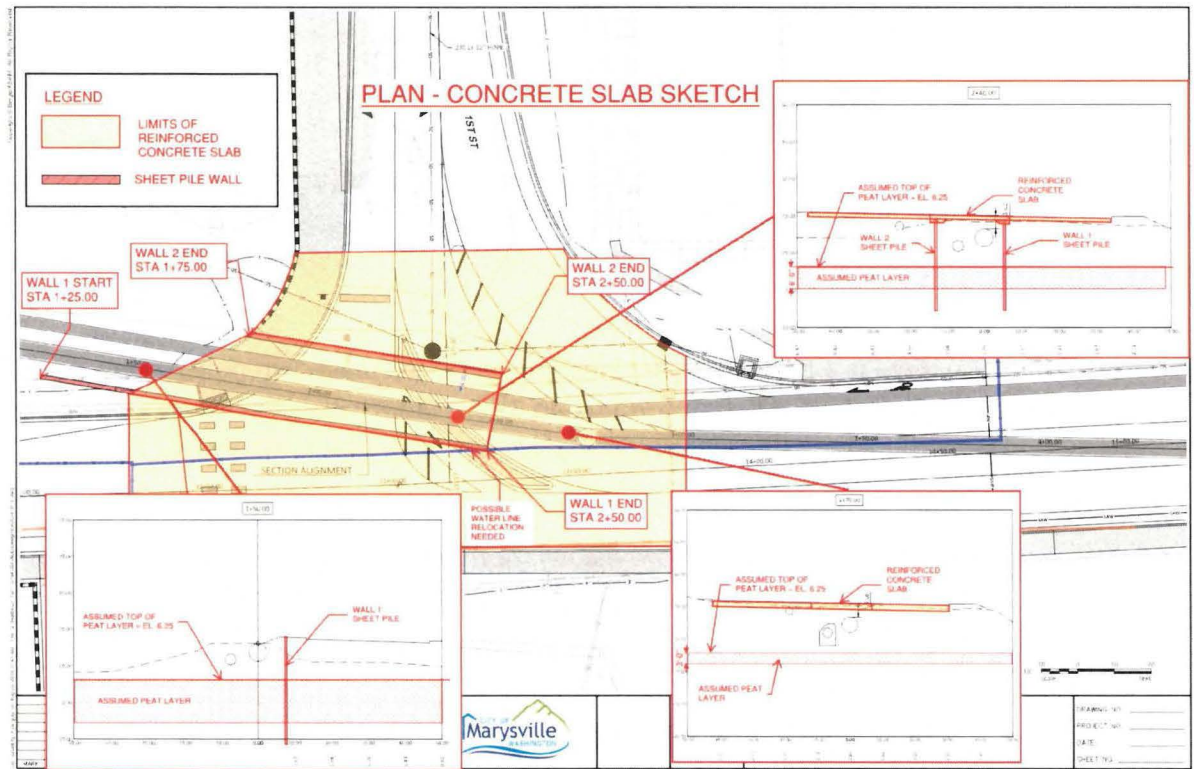
New structural plans including plan, profile, and details of the protected sanitary sewer pipes along 47th Avenue NE, will also be included.

New traffic signal and illumination plans, as described in Task 13.0 below, will also be included.

**10.0 STRUCTURAL ENGINEERING**

This task is supplemented with the following:

The CONSULTANT shall propose a structural protection scheme for the two sanitary sewer lines to the CITY for review and comment at the 90 percent design level (Task 9.0 above) of the project. The current plan is to use sheet piles to protect the two lines on either side of the pipes, with steel reinforced concrete pavement on top of the sheet piles and extending to the limits of the 1<sup>st</sup> Street/47<sup>th</sup> Ave. intersection similar to the drawing below:



**Assumption(s)**

- All necessary subsurface and as-built information is currently available to the CONSULTANT through the city.

**Deliverable(s)**

- Sanitary sewer protection calculations (one electronic and two hard copy)

**11.0 ENVIRONMENTAL PERMITTING AND SUPPORT**

No change to this task.

**12.0 UTILITY COORDINATION**

No change to this task.



### **13.0 SIGNAL AND ILLUMINATION DESIGN**

This task is supplemented with the following:

DKS, a SUBCONSULTANT shall perform a field walkthrough to evaluate how the new signal will tie into the existing environment and to evaluate how the existing traffic signal will maintain operations during construction. This walkthrough will include the CITY engineer and a signal technician.

SUBCONSULTANT shall prepare traffic signal plans for the intersections of:

- 47th Ave NE at 3rd Street
- 47th Ave NE at 4th Street

These plans shall include the signal plans and notes (up to 3 sheets), signal details (up to 1 sheet), wiring diagrams (up to 2 sheets), signal pole schedules (up to 1 sheet), interconnect and ITS details (up to 1 sheet), pole foundation details, and power source connections.

Since there is a potential for relocating up to two mast-arm poles in this project, SUBCONSULTANT shall conduct an illumination analysis to check the lighting levels. This will include illumination analysis summary tables and AGI32 lighting analysis model.

All corresponding special provisions (Sections 8-20 and 9-29) shall also be provided for incorporation into the Contract Documents by others.

#### **Items to Be Furnished by the CITY**

- All existing plans, reports and data that relate to the project.
- Electronic copy of all available aerial and utility base mapping backgrounds in AutoCAD format within the project limits.
- Signal as-built drawings
- Construction documentation for existing signal poles
- Coordination/scheduling of meetings with private property owners.
- As-built drawings for existing intersections including grading, drainage and traffic signal plans.
- SUBCONSULTANT will conduct coordination with CONSULTANT and the City of Marysville during design for overhead utility modifications that may be needed for this project
- WSDOT review of design will not be required

### **Assumption(s)**

- Vehicle detection will be video
- ITS components will include up to one CCTV camera and fiber interconnect design (no copper)
- No separate illumination plans shall be prepared as part of this task. AGI32 illumination summary tables shall be provided at the end of this task.
- Changes in illumination is limited to the intersection of 47th Ave NE at 3rd Street. No illumination changes in the section along 47th Ave NE between 3rd Street and 4th Street and no illumination changes at the intersection of 47th Ave NE at 4th Street.
- One site visit with City staff
- One site visit with Utility staff

### **Deliverable(s)**

- Intersection illumination analysis summary tables (no illumination memo or illumination plans)
- AGI32 illumination analysis model
- Preliminary Plans and Estimate
- 95% Plans, Special Provisions, and Estimate
- Final Plans, Special Provisions, and Estimate

#### **14.0 DIRECTED SERVICES**

No change to this task.

#### **15.0 AD, BID, AND AWARD**

No change to this task.

#### **DESIGN CRITERIA TO BE USED FOR THE PROJECT**

No change to the design criteria.

#### **ITEMS TO BE FURNISHED TO THE CONSULTANT BY THE CITY**

No change to this list.

#### **SCHEDULE**

No change to the schedule.

**EXHIBIT E-1: CONSULTANT FEE DETERMINATION  
FIRST STREET BYPASS**

**BergerABAM Costs**  
11/8/2018

DIRECT SALARY COSTS (DSC) for BergerABAM, Inc.

<u>Personnel</u>	<u>Hours</u>		<u>Hourly Rate</u>		<u>Direct Salary Cost</u>
1 Principal	0	X	\$90.63	= \$	-
2 Project Manager	73	X	\$59.86	= \$	4,369.78
3 Project Engineer	124	X	\$41.35	= \$	5,127.40
4 Civil Designer	72	X	\$40.10	= \$	2,887.20
5 Natural Resources	0	X	\$49.60	= \$	-
6 Landscape Architect	0	X	\$48.50	= \$	-
7 CADD/Graphics	0	X	\$38.14	= \$	-
8 Proj Coord/Admin	0	X	\$34.72	= \$	-
	<u>269</u>				
<b>TOTAL DIRECT SALARY COSTS (DSC) = \$</b>					<b>12,384</b>
Escalation = 7.50%					\$ 13,313
Overhead (OH) 168.00% of (DSC ) = \$					22,366
Profit 10.00% of (DSC + OH) = \$					3,568
<b>TOTAL SALARY COSTS (DSC + OH + FF) = \$</b>					<b>38,319</b>

DIRECT NONSALARY COSTS (DNSC)

Mileage for Site Visits & Meetings	250	miles @ \$ 0.535	\$	134
<b>TOTAL REIMBURSABLE EXPENSES (DNSC) = \$</b>				<b>134</b>

<b>TOTAL BERGER/ABAM FEE = \$</b>	<b>38,452</b>
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SUBCONSULTANTS

DKS Associates	\$	41,180
Shannon and Wilson	\$	19,724
Beyler Consulting	\$	-
Universal Field Services		
Drayton Archaeology		
Louis Berger Group		

<b>TOTAL SUBCONSULTANT FEES = \$</b>	<b>60,904</b>
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<b>TOTAL AUTHORIZED AMOUNT = \$</b>	<b>99,357</b>
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<b>TOTAL CONTRACT AMOUNT = \$</b>	<b>99,357</b>
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