



Date: February 22, 2011

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager

From: Joel V. Reitzer, Jr., Director, General Services Department
John P. Gregory, Assistant Director, General Services Department
Don E. Stewart, Senior Project Manager

Subject: ARRA- Third Fork Creek Trail Phase 1-B Design Contract Amendment No. 7

Executive Summary

Amend Coulter Jewell Thames (CJT) Third Fork Creek Trail Design Services Agreement so that CJT can continue to provide a full-time field inspector for site monitoring and additional geotechnical and materials testing services. Project closeout will require additional ARRA documentation once construction is complete. This is necessary to ensure that the City will continue to receive stimulus funding for the Third Fork Creek 1B Project.

Recommendation

The General Services Department recommends that the City Council:

1. Authorize the City Manager to execute a seventh contract amendment to the engineering design contract with Coulter Jewel Thames, PA for the North South Greenway Trail in the amount of \$124,000.00 so that the total engineering contract amount will not exceed \$912,828.84;
2. Increase the design services contingency to \$12,400.00; and,
3. Authorize the City Manager to negotiate and execute amendments to the engineering contract with Coulter Jewel Thames, PA for the North South Greenway Trail, provided the total contract amount does not the amount budgeted for design services plus the design services contingency.

Background

The Third Fork Creek project completes the section of trail between Garrett Road Park and Southern Boundaries Park.

Phase 1-B consists of two connecting spurs extending from Garrett Road Park in Southern Durham to Woodcroft Parkway and from Martin Luther King, Jr. Parkway to Southern Boundaries Park. One spur connects the beginning of the Phase 1-A trail to Garrett Road Park and the other spur connects the end of the Phase 1-A trail to Southern Boundaries Park. Phase 1-A is the main 3.5 mile part of the trail. It was completed by Skanska, the Construction Manager at Risk (CMAR), with non-ARRA stimulus funding. Phase 1-B is being constructed through use of a General Contractor, Asphalt Experts, Inc., with ARRA stimulus funding. Phase 1B construction is approximately 90% complete and is expected to be finished by March 15, 2011.

Issues/Analysis

Phase 1B construction began on January 18, 2010 but was delayed for two months due to an unforeseen stream buffer permitting issue. Construction was delayed another month due to a parking capacity issue at the City Public Works Operations Center (PWOC). The original contract completion date was October 15, 2010. Due to the three month delay, much of the asphalt trail had to be installed during December and January. Unusually low temperatures caused additional delays. Due to the project delays and NCDOT requirements, the work requires continued reporting and monitoring by CJT, hence the purpose of this amendment and amendments 4, 5 and 6.

In order to address the additional ARRA requirements as issued by NCDOT, and to provide an appropriate design services contingency, it is recommended that the City Council authorize the City Manager to execute a seventh contract amendment to the engineering contract with CJT for the North South Greenway Trail in the amount of \$124,000.00 so that the total engineering contract amount will not exceed \$912,828.84 and that the design services contingency will be \$12,400.00.

Alternatives

There are no other recommended alternatives to ensure that the City will be reimbursed with ARRA stimulus funding.

Financial Impact

Project Funding:

1996 Park Bonds	\$3,065,220.00
Public Works Funds (Creek Cleanup)	\$75,000.00
May, 2009 Reallocation from 501 Corridor	\$1,200,000.00
August 2008 from Multiple Parks Projects	\$402,590.00
ARRA Funding	<u>\$827,000.00</u>
Total Project Funding	\$5,569,810.00

Professional Services Agreement:

Contract Through Amendment 6	\$788,828.84	
(3000H901-731000-CH066) Amendment 7	\$124,000.00	
Contract Sub-Total		\$912,828.84
(3000H901-731900-CH066) Amendment 7	\$12,400.00	
Contingency		
Contingency Sub-total		\$12,400
Total Professional Services Project		\$925,228.84

Construction Services:

CMAR Preconstruction		\$54,500.00
Trail Construction Phase 1A	\$2,709,217.00	
Trail Construction Phase 1B	\$853,443.44	
Sub-Total		\$3,562,660.44
Phase 1A Contingency	\$187,771.00	
Phase 1B Contingency	\$82,834.00	

Sub-Total	\$270,605.00
<u>*Other Project Costs</u>	<u>\$756,815.72</u>
Total Project Budget	\$5,569,810.00

* Owner's Expenses include but are not limited to Property Acquisition, Permits, Surveys, Engineering Services and Reviews.

DBE Summary

This is an ARRA-funded project under the auspices of the N.C. Department of Transportation. This item was not reviewed by the Department of Equal/Opportunity Equity Assurance for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.