



Date: September 13, 2012

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: Donald F. Greeley, Director, Water Management
Jerry F. Morrone, Engineering Supervisor

Subject: Amendment #2 to Contract #4668, Kimley Horn Engineering Services
Contract for the 3-MG Angier Ave, Elevated Water Storage Tank

Executive Summary

In 2008, the City approved the selection of Kimley-Horn and Associates, Inc. (Engineer) to provide engineering services for the design, permitting and construction of a 3 million gallon (3 MG) elevated storage tank on Angier Ave. at Miami Blvd. (Angier EST). During design and permitting, additional services were performed by the Engineer at the City's request. This is a request to amend the contract to compensate the Engineer for additional services provided during final design and permitting.

Recommendation

The department recommends the City Council:

1. Authorize the City Manager to negotiate and execute a contract amendment with Kimley-Horn & Associates Inc. for additional services related to the contract for a cost not to exceed of \$98,067.34; and,
2. Authorize the City Manager or his designee to negotiate change orders for the contract provided that the total project cost does not exceed \$770,767.34;

Background

The Angier EST project consists of designing, permitting, and constructing a new elevated water storage tank. Beginning when the project was awarded to the Engineer in 2008, the Engineer was tasked with, among other things, assisting Department of Water Management (DWM) staff in the site plan approval process. During the project, a site was selected within the City's Urban Growth Area, but on a parcel with an RS-20 zoning.

As a result, the site planning process for this major utility usage became more complicated due to the need for Board of Adjustment (BOA) approval. The site also fell outside the City limits, which complicated stormwater permitting because jurisdiction between the City and County agencies could not be distinguished. This required design reviews of stormwater features and subsequent approval from both the City and County stormwater agencies (each uses different criteria). The Engineer prepared design changes and responded to five (5) rounds of agency review comments, and attended several BOA and other agency review meetings.

DWM staff requested that third-party hydraulic modeling be performed to supplement project design and confirm the interdependence of the proposed Angier EST with the City's other two ESTs (East Durham EST and the Ellis Road EST). As a result, staff requested that the Engineer incorporate into this project instrumentation and controls for the three (3)

ESTs to 'communicate' with each other so that the ESTs act as a single system. This additional design work also required designing an upgrade of an old valve and vault system at the East Durham EST.

Issues and Analysis

The delays and additional permitting services are the main factors driving our request to amend the contract. The Engineer has provided adequate service and justification for their requests.

Alternatives

Alternative 1 - Redirect construction inspection fees to cover the additional design and permitting effort by engineer– This option is not recommended. The Angier EST and booster pumping station are located at a nexus of improvements in the Southeast side of town. It is critical that a high level of inspection occur throughout all stages of the contract to confirm that the City receives a high quality of work and good recordkeeping.

Financial Impact

Funding for this contract was budgeted for the Finished Water Storage Improvements Account. There are currently funds available in the account below:

Finished Water Storage Improvements	\$	\$98,067.34	4100P761-732003-P0401
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SDBE Summary

This is a contract amendment and was not reviewed for compliance with the Ordinance to Promote Equal Opportunities in City Contracting