

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: _____
Amend No. _____

Date prepared: May 15, 2010

Council Meeting Date: July 6, 2010

TO: Carl Swenson, City Manager

THROUGH: Susan J. Daluddung, Deputy City Manager

FROM: Andrew Granger, P. E., Engineering Director

SUBJECT: Westbrook Village Storm Drain Improvements (Engineering Project EN00003, Solicitation No. P06-0033, LCON 08506)

RECOMMENDATION:

Discussion and possible action to approve Contract Amendment No. 6 to Entellus, Inc. in the amount of \$29,725 for additional construction administration services associated with the construction of the Westbrook Village Storm Drain Improvements and the 24-inch waterlines in 91st Avenue from Union Hills Drive to Beardsley Road and in Beardsley Road from 87th Avenue to Lake Pleasant Road.

SUMMARY:

The Westbrook Village (WBV) Golf Club was awarded a judgment from the Superior Court whereby the City of Peoria (city) was ordered to retain the run-off from storm water falling within the boundaries of each of the developments north of WBV, sufficient to retain up to and including the two-hour one hundred year storm (Injunction 8/20/03).

The city, with involvement of the WBV Golf Club, developed a Verdict Implementation Study to provide a basis for drainage improvements needed to abide by the terms of the verdict. The city proceeded with the design and construction in accordance with the Verdict Implementation Plan. Coincidentally, the Utilities Department had two 24-inch waterline projects programmed to be constructed in the same area. Staff made various efforts to combine the projects and construct them as one project.

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business
- Public Hearing: No Action Taken

ORD. # _____ **RES. #** _____
LCON# _____ **LIC. #** _____
Action Date: _____

On August 21, 2006, Council awarded the original design services contract to Entellus, Inc. Construction of the water system and storm drain components of the project are complete. During construction, there were certain issues that occurred that resulted in the need to amend the design contract. Such issues include; rain delays, additional construction staking and inspection services, and additional meetings. A summary of the previous contract amendments can be found on Attachment A.

The Contract Amendment No. 6 tasks are summarized below:

- There have been several legitimate delays during the construction phase associated with rain conditions and various conflicts to construction, which have likewise extended the associated Construction Administration Services expected from Entellus.
- Additional progress meeting attendance, construction staking and inspection services were required.
- Several survey monuments were knowingly disturbed through the course of construction. Entellus provided all of the survey on the project and is best equipped to re-establish the survey locations for the contractor to replace the markers.

Staff recommends approval of Contract Amendment No. 6 for the additional services described above in the amount of \$29,725.

A summary of the revised contract is provided below:

Original Design Contract	\$874,593
Contract Amendment No. 1	13,815
Contract Amendment No. 2	16,500
Contract Amendment No. 3	0
Contract Amendment No. 4	0
Contract Amendment No. 5	0
Contract Amendment No. 6	<u>29,725</u>
Revised Contract	\$934,633

FISCAL NOTE:

Funding for this contract is available in the FY2011 Capital Improvement Program. Payment will be from the General Obligation Bond Fund Storm Drain System Account 4220-4220-543004-CIPDR-EN00003CO (7,064) and from the General Fund Storm Drain System Account 1000-0310-543004-CIPDR-EN00003CO (\$22,661).

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ATTACHMENT:

1. Attachment A – Design Contract Summary

CONTACT: Burton Charron, Senior Civil Engineer, 623-773-7237

ATTACHMENT A

Westbrook Village Storm Drain Improvements Design Contract Summary

Design Contract:

The design contract was awarded by Council on August 21, 2006 in the amount of \$874,593 for construction survey, storing survey monumentation, replying to RFI's, preparing design changes, preparing weekly meeting minutes and providing site visits during construction.

Contract Amendment No 1:

On April 30, 2007, Contract Amendment No. 1 was approved administratively in the amount of \$13,815 for providing additional survey and engineering services to verify the capacity of 5 storm water storage basins in order to facilitate the design and minimize and eventually eliminate the further purchases of property for storm water storage. The data gathered was also used to demonstrate conformance to the verdict.

Contract Amendment No. 2:

On October 2, 2007, Contract Amendment No. 2 was administratively approved in the amount of \$16,500 for providing additional pothole exploratory survey, including increased depth for the original potholing and an additional 20 potholes.

Contract Amendment No. 3:

On February 13, 2008, Contract Amendment No. 3 was approved administratively at no cost to the project for the following:

- Reduction in the number of meetings with Home Owners Associations from 10 to 4.
- Additional storm drain connections to well sites, and adjacent storm water basins to the proposed drainage system as a matter of convenience and practice.

Contract Amendment No. 4:

On May 12, 2008, Contract Amendment No. 4 was approved administratively at no cost to the project for the following:

- Designing an extension of the storm drain to the Parkridge Well and Storage Tank site.
- Reduction in appraisal Services.

Contract Amendment No. 5:

On May 13, 2009, Contract Amendment No. 5 was approved administratively at no cost to the project for the reduction or elimination of several unused or underused tasks from the original design contract to an amount equivalent to the projected cost for construction services.

The contract
pertaining to this
agenda item is on file
in the City Clerk's
Office.