

City of Fayetteville Staff Review Form

City Council Agenda Items
and
Contracts, Leases or Agreements

10/2/2012

City Council Meeting Date
Agenda Items Only

Matt Mihalevich
Submitted By

Engineering
Division

Development Services
Department

Action Required:

A resolution approving contract amendment number 1 with Garver, LLC. for additional professional engineering services associated with the extension of Frisco Trail south from Martin Luther King Jr. Blvd. to Walker Park. in an amount not to exceed \$26,500 for a total contract amount of \$216,000.

\$ 26,500.00
Cost of this request

4470.9470.5814.05
Account Number

02016.1201
Project Number

\$ 216,000.00
Category / Project Budget

\$ 189,500.00
Funds Used to Date

\$ 26,500.00
Remaining Balance

Trail Development
Program Category / Project Name

Trail Improvements
Program / Project Category Name

Sales Tax Cap Imp
Fund Name

Budgeted Item

Budget Adjustment Attached

Chris Mc
Department Director

9/13/12
Date

Previous Ordinance or Resolution # _____

Gov Kelly
City Attorney

9-14-12
Date

Original Contract Date: _____

Original Contract Number: _____

Paula Buhm
Finance and Internal Services Director

9-17-2012
Date

Received in City Clerk's Office
09-14-12 P12:28 RCVD
King

Ann Man
Chief of Staff

9-17-12
Date

Received in Mayor's Office
ENTERED
9/17/12

Lionel Jordan
Mayor

9/18/12
Date

Comments:

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Don Marr, Chief of Staff
Jeremy Pate, Development Services Director JP
Chris Brown, City Engineer CB

From: Matt Mihalevich, Trails Coordinator MM

Date: September 13, 2012

Subject: Engineering Contract Amendment with Garver, LLC.

RECOMMENDATION

Staff recommends a resolution approving contract amendment number 1 with Garver, LLC. for additional professional engineering services associated with the extension of Frisco Trail south from Martin Luther King Jr. Blvd. to Walker Park. in an amount not to exceed \$26,500 for a total contract amount of \$216,000.

PROPOSAL:

On March 20th, 2012 resolution number 57-12 authorized Garver, LLC to begin the design work on the ½ mile Frisco Trail Southern Extension. This important trail extension is part of the 36-mile Razorback Regional Greenway and will provide safe pedestrian and bicycle connections to the numerous residents and businesses around Walker Park, as well as the future Tsa La Gi (Cherokee) trail to be extended west along the old rail line south of MLK Jr. Blvd. Over the past several months, Garver has assisted the City with a series of public meetings for the trail alignment and highway crossings. The schematic design for the Frisco Trail Southern Extension was approved by the Fayetteville Street Committee on August, 28th 2012 following the recommendations from public surveys, Garver, the Active Transportation Advisory Committee, and the Parks and Recreation Advisory Board. The concept includes construction of a tunnel under MLK, installation of 3 new bridges at stream crossings, and installation of a pedestrian hybrid beacon signal at the proposed crossing of School Avenue (Hwy 71B).

The administration requested staff to gather additional public input related to the trail alignment. Due to Garver's involvement with this process additional time was necessary resulting in increased cost; however, this has resulted in a well-vetted, comprehensive evaluation of the trail alignment and highway crossings that allows the design team to now move forward confidently to final design. In addition, based on concerns from a affected property owner, the trail alignment has moved on the west side of 71B near 9th Street. This alignment change includes a new trail bridge that results in additional design, survey and geotechnical work. This contract amendment with Garver, LLC will cover the design cost for these unanticipated changes without changing the schedule for final construction documents.

Trail design work is planned to be completed by the end of 2012, allowing construction to begin as early as 2013. Funding for construction is available though the Northwest Arkansas Regional Planning Commission as part of the Razorback Regional Greenway.

BUDGET IMPACT:

No City funds are necessary for this request. Funds in the amount of \$108,000 from the Home Depot Foundation will be combined with \$108,000 from the Walton Family Foundation for a total budget of \$216,000. The original contract with Garver, LLC was \$189,500 therefore this contract amendment of \$26,500 will reach the total budget of \$216,000. A check for the Home Depot Foundation funds has been received and the Walton Family Foundation funds will be received as reimbursement on a quarterly basis.

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH GARVER, LLC FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE EXTENSION OF FRISCO TRAIL IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$26,500.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That the City Council of the City of Fayetteville, Arkansas hereby approves an amendment to the contract with Garver, LLC for additional professional engineering services associated with the extension of Frisco Trail in an additional amount not to exceed \$26,500.00.

PASSED and **APPROVED** this 2nd day of October, 2012.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer

**AMENDMENT TO AGREEMENT FOR
PROFESSIONAL ENGINEERING SERVICES
CITY OF FAYETTEVILLE
FAYETTEVILLE, ARKANSAS**

CONTRACT AMENDMENT NO. 1

Frisco Trail Extension

This Contract Amendment No. 1, dated _____, 2012 shall amend the original contract between the CITY OF FAYETTEVILLE, ARKANSAS and GARVER, LLC, (Garver) dated March 20, 2012 for professional engineering services in connection with the Frisco Trail Extension from Martin Luther King, Jr. Boulevard to Walker Park, (the "Project"). This Contract Amendment No. 1 adds professional engineering services for the Design Phase Services, as described herein.

The contract is hereby modified as follows:

SECTION 2 - BASIC SERVICES OF GARVER

The following Sections add to corresponding Sections in the original contract.

2.1 General

2.1.1.2 The additional Scope of Services to be furnished by GARVER during the remainder of the Design Phase is included in Section 2.2 hereafter and in Appendix A and B attached hereto and made part of this Agreement.

2.2 Design Services

2.2.1 GARVER will perform additional engineering and related services in order to prepare drawings and related services as described in Appendix A.

SECTION 5 – PAYMENTS TO GARVER

5.1 Compensation

CITY OF FAYETTEVILLE shall pay GARVER an additional amount **not to exceed \$26,500** for a total amount **not to exceed \$216,000** in accordance with the provisions described in the following paragraphs. CITY OF FAYETTEVILLE shall pay GARVER for time spent on the project at the rates shown in attached Appendix B for each classification of GARVER’s personnel plus reimbursable expenses, including but not limited to printing, courier service, reproduction, and travel. For informational purposes, a breakdown of GARVER’s estimated costs is included in Appendix B. The rates shown in Appendix B will be increased annually with the first increase effective on or about June 1, 2013. Underruns in any phase may be used to offset overruns in another phase as long as the overall contract amount is not exceeded.

IN TESTIMONY OF WHICH, this instrument has been executed on behalf of GARVER ENGINEERS, and has been executed on behalf of the CITY OF FAYETTEVILLE, in three (3) counterparts, each of equal force, on the day and year first above written.

CITY OF FAYETTEVILLE

GARVER, LLC

By: _____


By: 

Brock Hoskins, PE

Title: _____

Title: Sr. Vice President

ATTEST: _____

ATTEST: 

APPENDIX A – SCOPE OF SERVICES

Amendment No. 1

2.1 General

Generally, the scope of services is amended to include surveying, structural bridge design, and preparation of property acquisition documents for the City of Fayetteville Frisco Trail for an additional alignment between the Campus Crest apartments and the intersection of School Avenue and 9th Street, which will include an additional bridge over Tanglewood Branch creek crossing near School Avenue.

2.2 Surveys

2.2.1 Design Surveys

Garver will provide additional field survey data for designing the project, and this survey will be tied to the Owner's control network.

Garver will conduct field surveys, utilizing radial topography methods, at intervals and for distances along the project site as appropriate for modeling the existing ground, including locations of pertinent features or improvements. Garver will locate buildings and other structures, streets, drainage features, trees over eight inches in diameter, visible utilities as well as those underground utilities marked by their owners and/or representatives, and any other pertinent topographic features that may be present at and/or along the project site. Garver will establish control points for use during construction.

2.2.2 Property Surveys

Garver will locate existing monumentation representing right of way and/or easements based on record data which will be provided by an abstractor under a subconsultant agreement with Garver.

2.3 Geotechnical Services

Garver will subcontract with Grubbs, Hoskyn, Barton & Wyatt to provide geotechnical investigations and recommendations for the design of the additional bridge.

2.4 Coordination

Coordination required for these additional services includes furnishing plans to all known utility owners potentially affected by the project at the conceptual and final stages of development. Garver will conduct a coordination meeting among all known affected utility owners to enable them to coordinate efforts for any necessary utility relocations. Garver will include the surveyed locations of the observable and marked utilities in the construction plans. Garver will also include proposed and/or relocated utility information in the construction plans as provided by the utility companies.

Garver will furnish final plans to the following agencies: NWARPC, AHTD, ADEQ, COE, USFWS, for their review and comment as necessary.

Garver will also attend coordination meetings with the City of Fayetteville and other agencies as required. Garver will prepare exhibits for these meetings when appropriate.

2.5 Environmental Services

Garver will perform wetland delineation for the Tanglewood Branch creek crossing located near School Avenue. Garver will work to obtain a Nationwide Permit for the project from the US Army Corps of Engineers and to obtain clearance from the US Fish and Wildlife Service (USFWS) and the State Historic Preservation Office (SHPO) if necessary.

In addition, Garver will provide design of BMP devices and stream bank stabilization as necessary to meet or exceed the requirements of the City of Fayetteville Streamside Protection Ordinance.

2.6 Drainage Study

Garver will utilize the existing HEC-HMS and HEC-RAS hydrologic models for the design of a new bridge across the Tanglewood Branch creek crossing located near School Avenue. Modeling parameters, such as areas, slopes, drainage paths, and distances will be obtained from Owner-provided planimetric contour maps and aerial photos and verified by field investigations. Runoff characteristics for non-developed areas will be based on current land-use plans.

Garver will utilize the modified HEC-RAS hydraulic model for design of the creek crossing and trail construction within the designated FEMA floodplain/floodway to achieve a "No-Rise" in the water surface elevation during the 100-year rainfall event. The remainder of the drainage system for the project will be designed in accordance with the City of Fayetteville Drainage Criteria Manual.

Garver will develop a drainage report including the following:

- Existing HEC-HMS model data.
- HEC-RAS modified model results and supporting data.
- Drainage Computations for minor crossings and the MLK Jr. Tunnel.
- Summary of Results.

Garver will coordinate with COE to acquire a Nationwide permit for Spout Springs Branch Creek crossing.

2.7 Schematic Study

No additional services are required for the schematic study phase.

2.8 Conceptual Design (30% Submittal)

No additional services are required for the conceptual design phase.

2.9 Preliminary Design (60% Submittal)

The preliminary design phase submittal will include an additional bridge structure, Drainage Study, and COE Nationwide permit. The preliminary design phase will represent approximately 60 percent of final construction contract plans. This submittal will not include technical specifications or "front end" contract documents. Garver will not begin final design until the preliminary design is approved by the City of Fayetteville in writing.

Garver will furnish plans to AHTD and COE for their review and comment.

2.10 Final Design (90% & 100% Submittals)

During the final design phase of the project, Garver will conduct additional final designs to prepare construction plans and specifications, for one construction contract, including final construction details and quantities, technical specifications, special provisions, and opinion of probable construction cost. Garver will also perform final field inspection with the City of Fayetteville, make any needed plan changes as a result of the final field inspection and/or special easement acquisition considerations, and prepare the construction documents as required to advertise for bids.

Garver will also prepare, submit, and coordinate approval of a Stormwater Pollution Prevention Plan (SWPPP) and Short-Term Activity Authorization (STAA) with ADEQ.

2.11 Property Acquisition Documents

Garver will provide additional mapping as required for preparing Right-of-Way/Easement acquisition documents for the City of Fayetteville's use in acquiring the property. Documentation will include an individual tract map with description of temporary and permanent acquisition for each property. The City of Fayetteville will provide a standard easement acquisition document or "go-by" example for use by Garver. The fee for providing property acquisition documentation is based on permanent right of way and temporary construction easements for no more than two (2) additional properties. Property acquisition document preparation will begin after receiving the City of Fayetteville's comments from the Preliminary Design review.



PURCHASE ORDER

Each Package Must Be Marked Exactly As Shown Here City of Fayetteville, Arkansas	PURCHASE ORDER #
	12-0000177-001
DATE 3/27/12	

VENDOR NO. **52650**
Garver Engineers
2049 E Joyce Blvd Ste 400
Fayetteville AR 72703

FOB Fyv

TERMS **NET 30 DAY**

Qty.	Unit of Issue	Qty. Received	Description and Account Number	Unit Price	TOTALS
1.00	JOB		a) Engineering Serivces Related to Frisco Trail (South) Per RFQ #11-01 Res #57-12 Contract #2237 4470.9470.5814.05	189500.00	189500.00
					020161201

Change Order #1

Please add line item b) Amendment #1 to Contract #2237 for additional engineering services in the amount of \$26,500.00 for a total contract amount of \$216,000.00

SHIP TO: **Transportation Dept**
1525 S Happy Hollow Rd
Fayetteville AR 72701

Nelson, J

Sales Tax Total: **\$.00**
Purchase Order Total: **189500.00**

DEPARTMENT VERIFICATION

RECEIVED _____

DEPT HEAD APPROVAL _____

AMOUNT TO PAY _____

A/P VERIFICATION _____

PURCHASING VERIFICATION _____

PRICE CHANGE VERIFICATION _____

RETURN CHECK TO _____

SEND COPY TO _____

BY [Signature] DATE 9/13/12
9/27/12
\$ Change Order

ADDITIONAL APPROVAL

CHECK # _____

DOES NOT MEET PURCHASING POLICY _____

CONTRACT PAYMENT _____

OTHER _____

APPROVED BY _____

PROJECT # _____

THIS PAYMENT \$ _____

PREVIOUS PAYMENT(S) \$ _____

TOTAL PYMT(S) \$ _____

BALANCE \$ _____

DEPT COPY



Frisco Trail
MLK Jr. South to Walker Park
CONCEPTUAL TRAIL LAYOUT
AUGUST 2012

