

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Authorizing the City Manager to Execute a Contract for Professional Services with Otak, Inc. for On-call Surface Water Engineering and Environmental Services in an Amount Not to Exceed \$150,000 Annually for 2019 and 2020

DEPARTMENT: Public Works Department

PRESENTED BY: Randy Witt, Public Works Director
Uki Dele, Surface Water and Environmental Services Manager

ACTION: ☐ Ordinance ☐ Resolution ☒ Motion
 ☐ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

Staff is requesting Council to authorize the City Manager to execute a contract with Otak, Inc. (Otak) to provide on-call engineering and environmental services in support of drainage assessment, design for the Surface Water Small Projects, the Surface Water Capital Improvement Programs (CIP) Project and programmatic National Pollutant Discharge Elimination System (NPDES) Phase II permit support.

This contract helps the City address drainage assessment, engineering, and planning needs as well as the Small Projects included in the council adopted 2019-2024 Capital Improvement Program

RESOURCE/FINANCIAL IMPACT:

This on-call services contract will be funded from the Surface Water Utility Management Professional Services Budget. Individual task orders will be issued to Otak for specific projects based on available budget.

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to execute a contract for professional services with Otak, Inc. in an amount not to exceed \$150,000 annually for 2019 and 2020.

Approved By: City Manager _____ City Attorney _____

BACKGROUND

Utilizing an On-Call Surface Water Engineering and Environmental Services consultant services contracts helps the City address drainage assessment, engineering and planning needs as well as the Small Projects included in the Council adopted 2019-2024 CIP. The goal of the Small Projects Program is to design and construct small drainage capital projects to address localized drainage problems within the City. The small project will also incorporate low impact development (LID) techniques to improve water quality and surface water infiltration within the City's right-of-way.

In 2016, staff solicited RFQ 8408 for On-Call Surface Water Engineering and Environmental Services. On May 2, 2016, the Council authorized a contract with Otak. The staff report for this Council action can be found at the following link: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport050216-7b.pdf>.

This initial one year contract allowed for two, two year extensions. The first contract extension was exercised by the City on December 27, 2016 as Amendment 1, which extended the contract until December 31, 2018. Staff did not execute the second extension in a timely manner, and therefore, a new contract for on-call services is required.

DISCUSSION

Staff is now requesting Council to authorize the City Manager to execute another contract with Otak to provide on-call services in support of drainage assessment, design for the Surface Water Small Projects, the Surface Water CIP Project and programmatic NPDES Phase II permit support. The proposed scope of work of this contract is attached to this staff report as Attachment A. The term of the contract is from the date of execution through December 31, 2020.

The Surface Water Utility and Otak have had a successful working relationship the past three years. Otak has proven they have the qualifications to deliver the existing needs required of this contract. Given their in-depth background knowledge, staff believe it would be most efficient and cost effective to continue working with Otak for the next two years. Additionally, the work assigned to this on-call engineering contract is expected to significantly influence the Scope of the CIP small projects and the 2019/2020 CIP Pipe Replacement Projects. The delay inherent in soliciting RFQ submittals for this contract would critically impact the delivery schedule of those improvement projects to the extent they could be delayed at least a full year.

To that end, staff requested an RFQ waiver for this on-call contract to expedite the schedule in which to begin assigning tasks to Otak. The request for the waiver was consistent with SMC 2.60.070 Services, Section D.1.c that allows the City Manager to waive the formal RFQ process when the costs of delay in using an RFQ process are likely to outweigh higher quality performance expected from the RFQ process. The RFQ waiver was approved by the City Manager on February 9, 2019 (Attachment B).

Alternatives to an On-Call Contract

Not awarding this contract to Otak would result in two primary options for Council consideration:

1. *Continue to utilize in-house resources where staff capacity and expertise is available.* This option, while incurring no contract cost, would result in the delay of several projects where staff capacity and specialized expertise is not available; resulting in a growing backlog of projects.
2. *Utilize professional services on a project-by-project basis.* This option would require additional staff time on projects to select and contract with firms and establish expectations and requirements; resulting in fewer projects being accomplished in 2019 and higher per project costs.

Based on these alternative options, staff recommends utilizing Otak to provide on-call engineering and environmental services for 2019 and 2020.

COUNCIL GOAL(S) ADDRESSED

This project addresses City Council Goal #2: Improve Shoreline's utility, transportation and environmental infrastructure.

RESOURCE/FINANCIAL IMPACT

This on-call services contract will be funded from the Surface Water Utility Management Professional Services Budget. Individual task orders will be issued to Otak for specific projects based on available budget.

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to execute a contract for professional services with Otak, Inc. in an amount not to exceed \$150,000 annually for 2019 and 2020.

ATTACHMENTS

Attachment A: Otak, Inc. On-Call Surface Water Engineering and Environmental Services Scope of Work

Attachment B: RFQ Waiver Signed February 9, 2019

CITY OF SHORELINE

CONTRACT 9308

Surface Water Engineering and Environmental On Call Services Scope of Work

The Scope of Work for the Surface Water Engineering and Environmental On-Call Services may include, but is not necessarily limited to, the following tasks:

1. PROJECT MANAGEMENT AND CONTRACT ADMINISTRATION

The Consultant shall organize, manage and coordinate the disciplines required to accomplish the contract and shall perform multiple work orders concurrently. The Consultant shall coordinate its work with efforts performed by City staff and other consultants or contractors. The Consultant shall provide project management and contract administration services to facilitate efficient progress on each work order, including:

- Project team management and coordination, including managing and coordinating numerous sub-consultants;
- Manage, monitor, and prepare monthly progress reports on work order and task budgets, schedules, scope and scope changes, of all work performed under this contract;
- Meeting organization, facilitation and documentation;
- Coordinate quality control and integration of timely project deliverables; and
- Being the primary point of contact and communication between the Consultant's team and City.

Potential Deliverables

- Monthly progress reports with detailed status of each active work order, identified by work order number;
- Monthly budget and schedule updates for each active work order;
- Meeting agendas, minutes and notes, with revisions as required; and
- QA/QC documentation.

2. ENGINEERING DESIGN SERVICES

The Consultant shall provide the full range of engineering and technical services necessary to execute surface water design projects on a work order basis. Including data review and analysis, engineering analyses, studies and report preparation, development, evaluation and recommendation of design alternatives and final designs; conceptual design, preliminary design, detailed design, and preparation of final design documents (plans, specifications, and estimates); and services during construction. The disciplined and tasks may include, but are not limited to, those identified below:

a. Hydraulic, Hydrologic, and Drainage Engineering

Provide services in accordance with the hydrologic modeling, hydraulic, and analytical techniques of the most current Department of Ecology Stormwater Manual for Western Washington:

- Drainage design reviews, studies, and reports;
- Low Impact Development (LID)/green infrastructure stormwater design and analysis;
- Culvert analysis, storm drainage conveyance, open channel flow and habitat restoration projects requiring hydraulic engineering analyses, field inspection and/or verification reports; and
- Hydrologic and hydraulic studies.

b. CAD Design Engineering

- AutoCAD Design drawings using current AutoCAD version (Civil 3D 2014);
- Prepare civil earthwork and drainage design drawings and details; and
- Prepare topographic, base map, and as-built plan sets.

c. Land Survey Engineering

- Perform as the Engineer of Record for topographic surveying, base map, and as-built surveys;
- Establish and/or recover right-of-way property, and easement lines;

- GPS location survey and mapping;
 - GIS mapping of utilities infrastructure; and
 - Drainage system survey.
- d. Fluvial Geomorphology/Engineering Geology
- Fluvial geomorphology in the activities of sedimentation, erosion, and scour; and
 - Engineering geology expertise for project site assessments.
- e. Geotechnical Engineering
- Soil tests, borings, excavating test pits, and reports;
 - Design and inspection of small dams; and
 - Slope stability analyses.
- f. Landscape Architecture Design
- Preparation of landscape and irrigation plans for the roadside, planter strips, and detention ponds; and
 - Preparation of planting plans for stream and wetland restoration projects; and
 - Identify native trees, shrubs and perennials appropriate for use and salvage at project locations; and
 - Identify and design methods for eradication of invasive plant species.
- g. Miscellaneous Services
- Assistance with Stormwater Ordinances, Rules and regulations, and other regulatory document implementation; and
 - Stormwater Compliance Monitoring and Assessment; and
 - Illicit discharge investigations, and development of Illicit Discharge Detection and Elimination (IDDE) plans; and
 - Development of Operating and Maintenance (O&M) Programs for storm drainage systems; and
 - Stormwater reports and coordination; preparation of compliance reports, annual reports and submission to EPA/DOE; and coordination with these agencies on behalf of the city; and
 - Preparation of grant applications, and research for funding sources for City stormwater projects; and
 - Budget development for plans and projects; and
 - Development and implementation of education and public outreach to various audiences, such as City departments and employees, City residents, etc; and
 - Presentations of plans and strategies to the Mayor, City Council and other departments to demonstrate need for investing in particular projects; and
 - Assistance, as needed, in development of Department stormwater management plans, monitoring plans, and watershed improvement plans that incorporate strategies to meet Total Maximum Daily Loads (TMDL) pollutant reduction goals; and
 - Ensuring the City is in compliance with all State and Federal laws, rules, regulations and standards; and

Potential Deliverables for All Engineering Disciplines

- Engineering and environmental studies, evaluations, review and analysis of previous related work, technical memos, reports, and recommendations. All reports shall include both a draft, submitted for review comments, and a final that addresses the City's comments on the draft; and
- Plans, Specifications and Estimates (PS&E's) for all necessary engineering disciplines at multiple design phases. Each phase revision shall address the City's comments on the previous phase documents.

3. NPDES SUPPORT

The Consultant may be required to provide programmatic support of the City's NPDES program. This may include providing training, review of existing programs, and providing recommendations to meet permit requirements. The Consultant needs to be knowledgeable of the current NPDES Phase II permit requirements and the Department of Ecology Stormwater Manual for Western Washington.

4. ENVIRONMENTAL SCIENCE

The Consultant may be required to provide studies of sensitive areas as identified in more detail below, and to prepare documents, reports, and studies required by the permitting agencies. Such documents, reports, and studies may also include NEPA and SEPA-related documents; Environmental Impact Statements (EIS); endangered species evaluations; or Levels 1 and 2 environmental site assessments for soils, surface water, and ground water, and mitigation recommendations for the same.

Wetlands

- Prepare wetland delineation, classification, and analysis of functions and values reports; and
- Stake or flag wetlands and coordinate with the surveying work; and
- Attend meetings with the City to discuss wetland issues relevant to the project alternatives; and
- Identify wetlands impacted by the proposed improvements and propose appropriate mitigation; and
- Prepare wetland mitigation/enhancement opportunities report addressing possible mitigation sites and mitigation alternatives; and
- Prepare conceptual, preliminary, and final mitigation/enhancement plans; and
- Prepare a mitigation /enhancement monitoring plan.

Streams

- Conduct stream surveys; and
- Stake or flag the location of the ordinary high water mark and coordinate with the surveying work; and
- Attend meetings with the City to discuss stream issues relevant to the project alternatives; and
- Identify streams impacted by the project proposed improvements and propose appropriate mitigation; and
- Prepare a stream mitigation/enhancement opportunities report that discusses possible mitigation sites and the type of mitigation that can be provided; and
- Prepare conceptual, preliminary, and final mitigation/enhancement plans; and
- Prepare mitigation/enhancement-monitoring plan; and
- Prepare stream Study in the form of a report; and
- Perform Benthic Invertebrate Biotic Index surveys.

Biological Assessment

- Conduct site investigations to assess habitat; and
- Assess the potential impacts to species of concern; and
- Provide recommendations for reducing potential impacts; and
- Conduct fish and wildlife endangered species surveys and complete biological assessments for threatened and/or endangered species and critical habitat under Section 7 of the Endangered Species Act through contact with the U.S. National Marine Fisheries Services (NMFS) and U.S. Fish and Wildlife Service (USFWS), Washington State Department of Fish and Wildlife and the Washington State Department of Natural Resources; and
- Prepare applications for various environmental permits, reviews, and concurrences.

Permitting

- Prepare permit applications and project information needed for securing any approvals from Local, State, and Federal agencies; and
- Consult and coordinate with the approving services and agencies; and
- Prepare documents required for regulatory compliance, including but not limited to special studies, preliminary and final enhancement plans, monitoring plans, assessments, and applications.

Potential Deliverables

- Documents required for regulatory compliance, including but not limited to special studies, preliminary and final enhancement plans, monitoring plans, assessments, and applications; and
- Survey results and analyses, and databases.

Contract Term**Attachment A**

The annual estimated budget for on-call services may be up to \$150,000 per calendar year. This contract shall be from the date of execution through midnight December 31, 2020.

Price Adjustment

In order to protect the interest of the City and to give the consultant a reasonable basis for cost negotiations, a price adjustment feature is incorporated into the specifications and contract documents and shall be binding on the vendor and the City. In negotiating a contract, the parties shall agree to a contract amount for the first term. If renewed, this contract rate may be adjusted each succeeding year effective on January 1 of each year, based on the change in the Seattle All Urban Consumer Price Index (CPI) in the June over June index data. No single yearly increase shall exceed 3.5%. Consultant request for contract adjustment shall be submitted by the Consultant on or before October 1 of each calendar year.

COST INFORMATION
BREAKDOWN OF BILLING RATES AND DIRECT NONLABOR RATES
OTAK, INC.

DIRECT LABOR COSTS

Classification (Examples)	Direct Salary Rate		Billing Rate 2.95 Net Mult. Office 2.54 Net Mult. Field	
	Minimum	Maximum	Minimum	Maximum
Sr. PIC/Sr. PM Civil	\$76.44	\$89.36	\$225.50	\$263.60
PIC/Sr. PM Civil	\$67.31	\$78.25	\$198.56	\$230.83
Civil Engineer X	\$60.00	\$68.15	\$177.00	\$201.03
Civil Engineer IX	\$55.29	\$60.57	\$163.11	\$178.69
Civil Engineer VIII	\$50.00	\$55.52	\$147.50	\$163.80
Civil Engineer VII	\$46.00	\$51.49	\$135.70	\$151.90
Civil Engineer VI	\$44.23	\$47.95	\$130.48	\$141.46
Civil Engineer V	\$40.87	\$45.94	\$120.57	\$135.52
Civil Engineer IV	\$38.46	\$41.90	\$113.46	\$123.59
Civil Engineer III	\$34.62	\$38.33	\$102.13	\$113.06
Civil Engineer II	\$29.75	\$33.60	\$87.76	\$99.12
Civil Engineer I	\$25.75	\$29.72	\$75.96	\$87.66
Engineering Designer V	\$34.13	\$40.38	\$100.68	\$119.13
Engineering Designer IV	\$30.00	\$35.33	\$88.50	\$104.23
Engineering Designer III	\$27.88	\$31.05	\$82.25	\$91.59
Engineering Designer II	\$26.90	\$28.27	\$79.36	\$83.38
Engineering Designer I	\$23.00	\$26.25	\$67.85	\$77.44
Engineering Technician VII	\$44.50	\$47.45	\$131.28	\$139.98
Engineering Technician VI	\$39.65	\$44.63	\$116.97	\$131.64
Engineering Technician V	\$31.00	\$39.61	\$91.45	\$116.84
Engineering Technician IV	\$27.00	\$30.24	\$79.65	\$89.21
Engineering Technician III	\$24.20	\$27.30	\$71.39	\$80.54
Engineering Technician II	\$20.50	\$24.15	\$60.48	\$71.24
Engineering Technician I	\$19.50	\$20.48	\$57.53	\$60.40
Sr. PIC/Sr. PM LA/Master Planner	\$64.90	\$73.20	\$191.46	\$215.93
PIC/Sr. PM LA/Master Planner	\$60.00	\$68.25	\$177.00	\$201.34
Landscape Architect VII	\$49.50	\$54.60	\$146.03	\$161.07
Landscape Architect VI	\$44.23	\$49.48	\$130.48	\$145.95
Landscape Architect V	\$40.90	\$43.42	\$120.66	\$128.08
Landscape Architect IV	\$37.40	\$40.89	\$110.33	\$120.62
Landscape Architect III	\$34.00	\$37.36	\$100.30	\$110.21
Landscape Architect II	\$31.55	\$33.82	\$93.07	\$99.77
Landscape Architect I	\$27.00	\$31.55	\$79.65	\$93.08
Landscape Technician III	\$29.45	\$31.50	\$86.88	\$92.93

COST INFORMATION
BREAKDOWN OF BILLING RATES AND DIRECT NONLABOR RATES
OTAK, INC.

Attachment A

DIRECT LABOR COSTS

Classification (Examples)	Direct Salary Rate		Billing Rate 2.95 Net Mult. Office 2.54 Net Mult. Field	
	Minimum	Maximum	Minimum	Maximum
Landscape Technician II	\$25.30	\$29.40	\$74.64	\$86.73
Landscape Technician I	\$20.00	\$25.24	\$59.00	\$74.46
Urban Designer V	\$53.60	\$59.57	\$158.12	\$175.72
Urban Designer IV	\$46.00	\$53.55	\$135.70	\$157.97
Urban Designer III	\$40.40	\$45.15	\$119.18	\$133.19
Urban Designer II	\$35.00	\$40.38	\$103.25	\$119.13
Urban Designer I	\$30.00	\$34.65	\$88.50	\$102.22
Sr. PM - Planner II	\$52.80	\$56.54	\$155.76	\$166.80
Sr. PM - Planner I	\$45.00	\$52.50	\$132.75	\$154.88
Planner III	\$40.00	\$45.68	\$118.00	\$134.74
Planner II	\$36.00	\$39.90	\$106.20	\$117.71
Planner I	\$26.44	\$35.70	\$78.00	\$105.32
Planner Associate IV	\$34.00	\$39.43	\$100.30	\$116.31
Planner Associate III	\$29.00	\$33.60	\$85.55	\$99.12
Planner Associate II	\$24.25	\$28.98	\$71.54	\$85.49
Planner Associate I	\$20.19	\$24.15	\$59.56	\$71.24
Sr. GIS Specialist Planner	\$30.00	\$35.70	\$88.50	\$105.32
GIS Specialist Planner	\$25.50	\$29.98	\$75.23	\$88.43
Planning/GIS Intern	\$20.00	\$25.20	\$59.00	\$74.34
Scientist VI	\$58.00	\$63.53	\$171.10	\$187.40
Scientist V	\$47.00	\$52.50	\$138.65	\$154.88
Scientist IV	\$39.90	\$46.44	\$117.71	\$137.00
Scientist III	\$37.74	\$40.38	\$111.33	\$119.13
Scientist II	\$27.00	\$32.03	\$79.65	\$94.47
Scientist I	\$23.00	\$26.78	\$67.85	\$78.99
Water Resource Analyst	\$55.00	\$63.53	\$162.25	\$187.40
Environmental Specialist	\$38.00	\$52.50	\$112.10	\$154.88
PIC/PLS - Sr. Manager	\$60.00	\$70.68	\$152.53	\$179.67
Professional Land Surveyor IV	\$47.85	\$51.45	\$121.64	\$130.80
Professional Land Surveyor III	\$42.00	\$47.25	\$106.77	\$120.12
Professional Land Surveyor II	\$39.90	\$42.00	\$101.43	\$106.77
Professional Land Surveyor I	\$35.00	\$39.90	\$88.98	\$101.43

COST INFORMATION
BREAKDOWN OF BILLING RATES AND DIRECT NONLABOR RATES
OTAK, INC.

Attachment A

DIRECT LABOR COSTS

Classification (Examples)	Direct Salary Rate		Billing Rate 2.95 Net Mult. Office 2.54 Net Mult. Field	
	Minimum	Maximum	Minimum	Maximum
Survey Crew Chief III	\$34.00	\$38.85	\$86.43	\$98.76
Survey Crew Chief II	\$29.50	\$32.55	\$74.99	\$82.75
Survey Crew Chief I	\$25.00	\$29.40	\$63.56	\$74.74
Survey Office Technician III	\$30.50	\$34.65	\$77.54	\$88.09
Survey Office Technician II	\$28.40	\$30.45	\$72.20	\$77.41
Survey Office Technician I	\$24.00	\$28.35	\$61.01	\$72.07
Survey Field Technician III	\$25.30	\$29.40	\$64.32	\$74.74
Survey Field Technician II	\$22.10	\$25.20	\$56.18	\$64.06
Survey Field Technician I	\$16.00	\$22.05	\$40.68	\$56.06
Graphics Specialist	\$33.00	\$35.33	\$97.35	\$104.23
Project Coordinator	\$29.00	\$39.38	\$85.55	\$116.16
Project Administrative Assistant	\$22.00	\$28.35	\$64.90	\$83.63
Contract Administrator	\$30.00	\$40.00	\$88.50	\$118.00

Note:

All travel will be billed per WSDOT Travel Regulations;

All sub-consultant costs and direct reimbursables will be at cost with no mark-ups; and

Max. rates include 5% escalation.

Request for A & E Services Waiver RFQ Process

Project: On-Call Surface Water Engineering and Environmental Services

CIP Project #

Services to be Rendered: On-Call Engineering

Anticipated Cost of Services: \$150,000

Desired Consultant: Otak, Inc.

All A&E contracts that have an estimated cost in excess of \$50,000 must use a formal Request for Qualification (RFQ) process. The SMC 2.60.070 Services, Section D.1.c allows the City Manager to waive the formal RFQ process when one or more of the following criteria are met:

- ☐ Costs of delay in using an RFQ process are likely to outweigh higher quality performance expected from the RFQ process.
- ☐ There are insufficient consultants on the City's consultant roster that possess the required qualifications to perform the Scope of Work.

- ☐ The selected consultant is on the city's roster and has previously provided satisfactory service to the City related to this specific project, and has the qualifications to perform the Scope of Work.

Check the appropriate criteria and **provide a brief explanation** for the request and how the criteria has been met. If appropriate, provide examples of previous consultant work, etc.

Explanation:

In 2016, staff solicited RFQ 8408 for On-Call Surface Water Engineering and Environmental Services. On May 2, 2016, Council authorized the contract with Otak Inc, extendable for up to two (2) additional two (2) year terms for a possible contract ending December 31, 2018 or December 31, 2020. The first extension exercised by the City was executed on December 27, 2016 as Amendment 1 and extended the contract until December 31, 2018.

The Surface Water Utility has an outstanding backlog of over 50 drainage studies and outstanding work with Otak. Considering the relationship with Otak and their knowledge of the City's systems and processes, continuing the contract through December 2020 would be best for the Utility. Additionally, the work assigned to this On-Call Engineering Contract is expected to significantly influence the Scope the CIP Small Projects and the 2019/2020 CIP Pipe Replacement Projects. The delay inherent in soliciting RFQ submittals for this contract would critically impact the delivery schedule of those improvements projects to the extent they could be delayed at least a full year.

In our discussions with the consultant, Otak has agreed that the engineering rates previously agreed upon with the original 2016 On-Call Engineering Contract would be extended. Using the 2016 rates is expected to result in a significant savings with no loss of Otak expertise or performance.

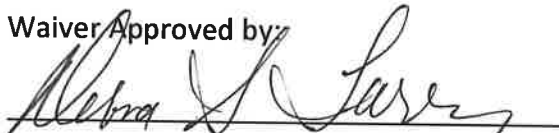
The Surface Water Utility and Otak Inc have had a successful working relationship the past three years. Otak has proven they have the qualifacitons to deliver the existing needs required of this contract.

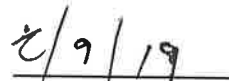
Waiver Recommended by:


(Randy Witt) Department Director


Date

Waiver Approved by:


City Manager


Date

NOTE: This waiver is for the selection process only; all contracts in excess of \$50,000 require City Council approval.