

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Amendment Four to the Professional Services Contract with Reid Middleton Inc. in the Amount of \$80,000 for the Westminster Way N and N 155 th Street Improvements Project
DEPARTMENT:	Public Works
PRESENTED BY:	Tricia Juhnke, City Engineer
ACTION:	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Reid Middleton Inc. is currently under contract with the City of Shoreline to deliver plans and specifications for the Westminster Way N and N 155th Street Improvements Project (CIP Project). During coordination of work by developers in Westminster Way and establishment of agreements with Trammel Crow Residential (TCR) at Alexan Shoreline and Merlone Geier Partners (MGP) at Shoreline Place, staff identified three additional work items that must be addressed by the CIP Project and require modification to the contract with Reid Middleton. The additional work items are right-of-way services, utility relocation and project traffic control.

A contract amendment is needed for these additional items that requires Council authorization. Tonight, Council is scheduled to authorize the City Manager to enter into the fourth contract amendment with Reid Middleton.

RESOURCE/FINANCIAL IMPACT:

The project is fully funded in the adopted 2019-2024 Capital Improvement Plan as shown below:

EXPENDITURES

Project Administration (Staff + RM Contract + RM Amendments 1 & 2)	\$1,068,814
Reid Middleton - Amendment 4 (<i>this contract amendment</i>)	\$80,000
Real-estate Acquisition	\$159,723
Construction	\$4,346,551
Total	\$5,655,088

REVENUE

General Fund Contribution	\$300,001
Private Donations	\$2,120,000
TIB Fuel Tax Grant	\$3,616,471

Roads Capital Fund	\$228,581
Total	\$6,265,053

Project expenditures shown in the CIP, include portions of work (frontage improvements) which are the responsibility of the adjacent developers (MGP and TCR). The revenue source "Private Donations" indicates improvements provided by TCR under the Right-of-Way Improvements Phasing Agreement. MGP will also provide revenue which is not yet shown in the CIP. A Developer Agreement and a separate cost sharing agreement with MGP is currently under negotiation and will be brought to the City Council soon.

Cost sharing for storm drain relocation, sanitary sewer relocation, and water service extensions is under negotiation between the City and MGP. Costs and revenue provided by the developers under these negotiations will be added to the CIP after execution of the agreement.

In general, there is adequate funding to cover this amendment and the total project costs.

RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to execute Amendment #4 with Reid Middleton, Inc. in the amount of \$80,000 to provide right-of-way services, utility modifications, and traffic control plans for the Westminster Way N and N 155th Street Intersection Improvements Project.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Reid Middleton Inc. is a civil engineering design consultant currently under contract with the City of Shoreline to deliver plans and specifications for the Westminster Way N and N 155th Street Improvements Project (CIP Project). On September 25, 2017, the City Council authorized the City Manager to execute a contract (contract No. 8787) with Reid Middleton, Inc., in the amount of \$413,732 for design of the CIP Project. The staff report for this contract authorization can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport092517-7d.pdf>. A vicinity map of the CIP Project can be found in Attachment A to this staff report.

Two amendments to this agreement have been executed. The first amendment to the contract (contract No. 8787.01) was executed by the City Engineer on April 17, 2018 in the amount of \$14,004. This amendment was required to extend the limits of the project survey base mapping. Survey limits were found to be insufficient for the scope of the project. The second amendment (contract No. 8787.02) was executed by the acting City Manager on November 8, 2018 in the amount of \$25,771. This amendment provided budget for the contractor to modify project limits as required by the Right-of-Way Improvements Phasing Agreement between the City and TCR, which was adopted on September 10, 2018. A third amendment was contemplated but was not executed.

DISCUSSION

During coordination of the work by developers in Westminster Way and establishment of agreements with Trammel Crow Residential (TCR) at Alexan Shoreline and Merlone Geier Partners (MGP) at Shoreline Place, staff identified three additional work items that must be addressed by the CIP project and require modification to the contract with Reid Middleton. The three work items are as follows:

Right-of-Way Services. These services will be used for the acquisition of temporary construction easements, permanent utility and access easements, and a right-of-way dedication. These property rights must be acquired to guarantee construction access to the site and to allow the City permanent access for maintenance of City assets after construction is completed. Right-of-way services were not provided in Reid Middleton's original contract scope. Staff assumed that these services would be performed by City staff. At this time, City staff is not available to provide these services.

Utility Relocation. In working with MGP on the Shoreline Place development, staff determined that an existing City storm drain infrastructure is located on private property without easements. Staff determined that the storm drain infrastructure should be relocated to City right-of-way. This work is being designed separately and will be included in the CIP Project for construction. In addition, relocation of the sanitary sewer from MGP's property and connections to the water main in Westminster Way N will also be constructed with the CIP Project to avoid impacts to newly constructed roadway and sidewalks. An agreement for cost sharing between the City and the developer is currently being negotiated and will be brought to the City Council soon.

Project Traffic Control. The original contract scope included basic traffic control plans. However, additional work is required to accommodate phased project construction and to maintain access to existing businesses and other project stakeholders. Westminster Way N is a federal truck route and provides access to multiple businesses located within and near Shoreline Place. This amendment provides additional budget for in-depth coordination with adjacent businesses and property owners.

A contract amendment is needed for these additional items that requires Council authorization. Tonight, Council is scheduled to authorize the City Manager to enter into the fourth contract amendment with Reid Middleton. The scope of work for this proposed contract amendment is attached to this staff report as Attachment B.

ALTERNATIVES

If this amendment is not approved, Staff will be unable to meet project schedule. Staff plans to advertise for construction bids in October 2019. This timeframe ensures that the City receives high quality and economical bid proposals. In addition to bid climate, staff has worked to negotiate an approved construction schedule with the adjacent developers. If Staff is unable meet schedule commitments, developer work may also be delayed.

COUNCIL GOAL(S) ADDRESSED

This project supports Council Goal #1 to strengthen Shoreline’s economic climate and opportunities and supports Council Goal #2 to improve Shoreline’s infrastructure to continue the delivery of highly-valued public services.

RESOURCE/FINANCIAL IMPACT

The project is fully funded in the adopted 2019-2024 Capital Improvement Plan as shown below:

EXPENDITURES

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Project expenditures shown in the CIP, include portions of work (frontage improvements) which are the responsibility of the adjacent developers (MGP and TCR). The revenue source "Private Donations" indicates improvements provided by TCR under the Right-of-Way Improvements Phasing Agreement. MGP will also provide revenue which is not yet shown in the CIP. A Developer Agreement and a separate cost sharing agreement with MGP is currently under negotiation and will be brought to the City Council soon.

Cost sharing for storm drain relocation, sanitary sewer relocation, and water service extensions is under negotiation between the City and MGP ("Agreement for Relocation of Stormwater and Sewer Lines and Water Line Extensions"). Costs and revenue provided by the developers under these negotiations will be added to the CIP after execution of the agreement.

In general, there is adequate funding to cover this amendment and the total project costs.

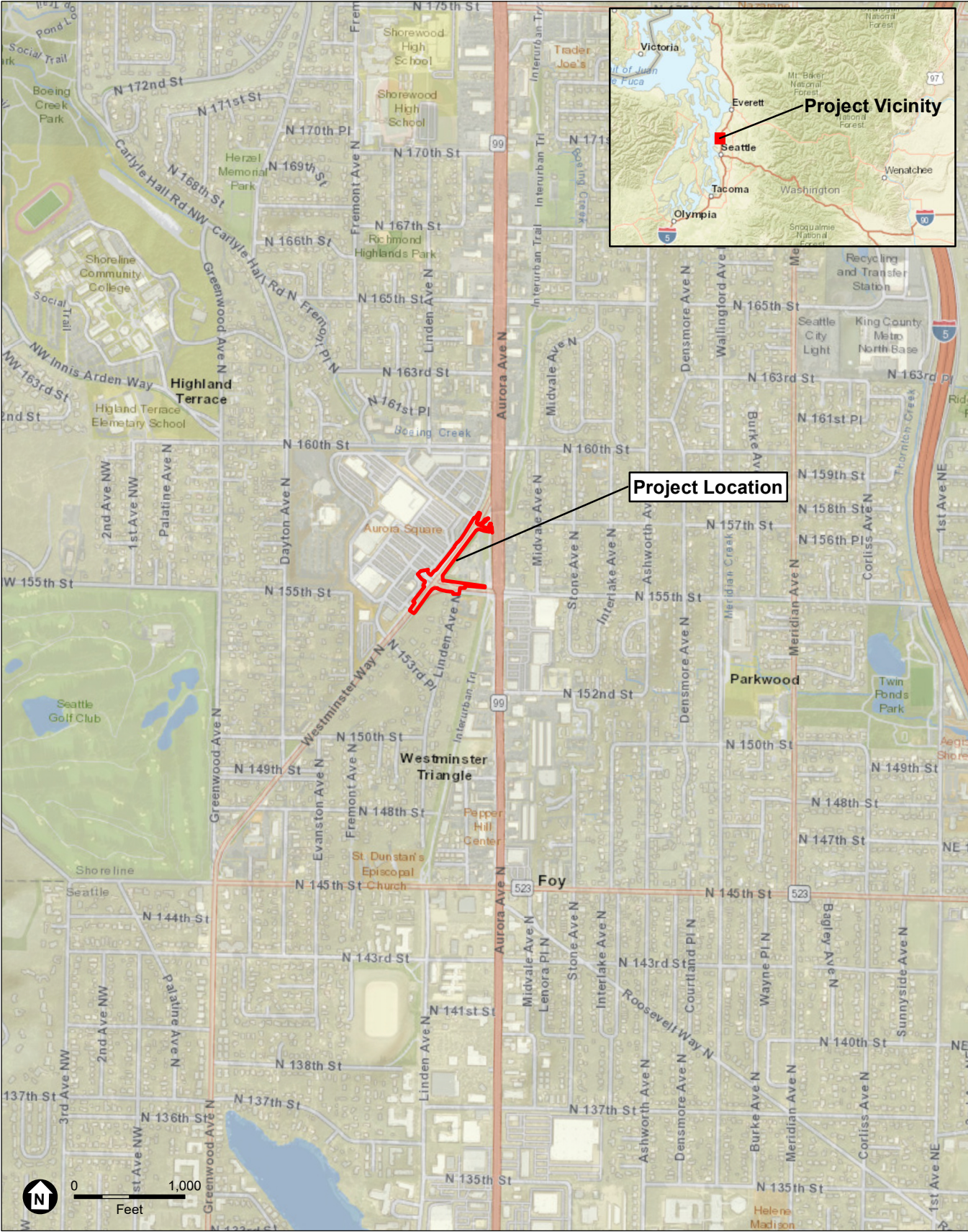
RECOMMENDATION

Staff recommends that Council move to authorize the City Manager to execute Amendment 4 with Reid Middleton, Inc. in the Amount of \$80,000 to provide right-of-way services, utility modifications, and traffic control plans for the Westminster Way N and N 155th Street Intersection Improvements Project.

ATTACHMENTS

Attachment A – Project Vicinity Map

Attachment B – Scope of Work to Amendment 4 to Reid Middleton Contract



SOURCE: ESRI 2017

Westminister Way N and N 155th Street Intersection Improvements

Attachment A
Vicinity Map

EXHIBIT A4
Scope of Services
City of Shoreline
Westminster Way N and N 155th Street Design
Contract No. 8787 Supplement No. 4
Right-of-Way Services
August 19, 2019

PROJECT UNDERSTANDING

The City of Shoreline (City) requires the services of Reid Middleton, Inc. (Consultant) to provide additional services for the Westminster Way N and N 155th Street Project. Additional services include Right-of-Way Services for the acquisition of temporary construction easements (TCE's), permanent easements, and right-of-way dedication. Additional services also include incorporating water, sewer, and storm drainage plans into the contract documents. This work will include compiling the technical specifications and contract manual information, revising the project cost estimates and bid schedules, and providing construction support services. Construction phasing plans will also be developed for the project.

The City is currently negotiating an agreement with the adjacent developer (MGP). Due to the preliminary/DRAFT status of the agreement, roles and responsibilities shared by the City and developer have not yet been finalized. The City will reduce this scope of work to match the terms of the finalized developer agreement.

The City shall provide support services to the Consultant as described in the following text. The Consultant will coordinate with City staff to facilitate the project.

A. SCOPE OF SERVICES

The Consultant will perform the following:

1. Project Management
 - a. Invoices, Budget Review, and Administration

Deliverables:

- Monthly Invoice and Progress Report, PDF and 1 hard copy.

- b. Subconsultant Management

The Consultant will manage the subconsultants, process their invoices, and disseminate information to the project team.

Subconsultants are:

Commonstreet Consulting, LLC (Right-of-Way Services)
 JA Brennan (Landscape Architecture)
 HWA (Geotechnical Investigation)

2. Right-of-Way Services

- a. The Consultant will provide Right-of-Way support services for the City for up to (4) parcels. Right-of-Way acquisition will be led by the City and be completed in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), WSDOT Local Agency Guidelines (LAG) manual (M 36-63), and the City's approved Right-of-Way Acquisition procedures (January 31, 2018).

b. Right-of-Way Evaluation and Support

The Consultant will provide the following services:

- The Consultant will provide the City with a list of title reports needed. Cost to obtain title reports will be paid directly by the City
- Review title reports. Provide the City of Shoreline with a parcel summary memo listing ownership, title exceptions, existing easements, or other rights of record, and comments or concerns.
- Provide overall coordination for right-of-way activities; maintain records, parcel diary reports, files, documents and reports.
- Review the Right of Way Plan for compliance with WSDOT LAG manual requirements.

c. Temporary Construction Easements (TCEs)

The Consultant will provide the following services in support of obtaining Temporary Construction Easements. The TCE documentation and acquisition assumes up to four (4) TCE's from three (3) parcels with separate ownership.

- Prepare and setup parcel files.
- Prepare a PFE and Administrative Offer Summary reports and worksheets.
- Prepare acquisitions forms needed to obtain temporary construction easements.
- Provide negotiation services for the purchase of temporary construction easements
- Coordinate with the title company to obtain titles

vested in the City, prepare payment vouchers title policy and recording fees, and submit to City to process payment for the parcel.

Deliverables:

- Completed Right-of-Way file, hard copy and PDF

Assumptions:

- One (1) parcel negotiation will require real property valuation. This evaluation will be done under the Administrative Offer Summary (AOS) format, and no design changes will ensue beyond the original valuation assignment.

d. Permanent Easements

The Consultant will provide the following services in support of obtaining Permanent Easements. Documentation and acquisition assumes up to three (3) permanent easements for the project for a total of two (2) parcels.

- Prepare and setup parcel files.
- Prepare a PFE and Administrative Offer Summary reports and worksheets.
- Prepare acquisitions forms needed to obtain easements.
- Provide negotiation services for the purchase of easements.
- Coordinate with the title company to obtain titles vested in the City, prepare payment vouchers title policy and recording fees, and submit to City to process payment for the parcel.

Deliverables:

- Completed Right-of-Way file, hard copy and PDF.

Assumptions:

- One (1) parcel negotiation will require real property valuation. This evaluation will be done under the Administrative Offer

Summary (AOS) format, and no design changes will ensue beyond the original valuation assignment.

- (4) parcel acquisitions, inclusive of a combination of permanent and temporary easement rights, are required to complete project construction
- No federal funding is anticipated. All right-of-way activities will be executed in accordance with Washington State law and not subject to WSDOT Right of Way Certification.

3. Update PS&E for Final Construction Documents

The Consultant will update the PS&E for the project to include any revisions to the plans associated with the additional water, sewer, storm drainage, or other utility improvements associated with the adjacent developments.

(See “OPTIONAL SERVICES”, sections 3 and 4 for additional items)

a. Opinion of Probable Construction Costs

The Consultant will calculate bid item quantities and prepare an opinion of probable construction costs. Costs will be broken out into separate bid schedules as follows:

- Intersection Improvements
- Frontage Improvements
- Stormwater Relocation
- Water Line Extensions and Sewer Relocation

b. Project Manual

The Consultant will provide updates to the project manual to include the additional water, sewer, and water improvements. The contents will include bid form revisions corresponding to the various bid schedules listed above, amendments to the standard specifications, and standard plans. The Special Provisions will be revised separately to address items of work which are not addressed by the APWA and Washington State Standard Specifications.

c. Traffic Control Plan

The Consultant will develop a traffic control plan. The traffic control plan will be a large scale plan indicating advanced placement of traffic control devices city-wide. The consultant will identify alternate routes as required by the City. The traffic control plan will be included in the contract documents.

d. Submit Documents to City for Review

The Consultant will provide the following:

Deliverables:

- Plans, 11" x 17" PDF.
- Opinion of probable construction costs, Excel.
- Project Manual, Word and PDF.

e. Construction Documents (Final)

The Consultant will finalize the plans, project manual and opinion of probable construction costs in response to the City's comments. The Consultant will present a final submittal of the PS&E to the City for approval.

Deliverables:

- 1 copy of Final Plans bearing the engineer's stamp and signature, full-size (22" x 34") bound hard copy on paper.
- Final Plans, 22" x 34" PDF
- Final Opinion of Probable Cost, electronic Excel.
- Final Project Manual, electronic Word and PDF.

f. Traffic Control Plan

The Consultant will develop a traffic control plan. The traffic control plan will be a large scale plan indicating advanced placement of traffic control devices city-wide. The consultant will identify alternate routes as required by the City. The traffic control plan will be included in the contract documents.

Deliverables:

- Final Plans, 22" x 34" PDF

g. Construction Phasing Exhibits

The Consultant will develop construction phasing exhibits. The exhibits will show how traffic flow will be maintained during construction (1) to the Aurora Square property and (2) on Westminster Way N and N 155th St

Deliverables:

- 11" x 17" PDF

B. OPTIONAL SERVICES

Several optional services are included below. The Consultant will provide the following services only as directed by the City:

1. Supplemental Geotechnical Evaluation

- a. The Consultant will perform three (3) additional boreholes along Westminster Way, between N 155th Street and SR 99, to provide subsurface information for design and construction of the proposed relocated stormwater line. Laboratory testing will be performed on samples obtained from the boreholes to characterize relevant engineering properties of the soils. The Consultant will perform engineering analyses and prepare a memorandum summarizing the results of the investigations and laboratory testing along with recommendations for construction.

Deliverables:

- Draft geotechnical memo, PDF.
- Final geotechnical memo, PDF.

2. Supplemental Right-of-Way Services

a. Legal Descriptions

The Consultant will provide legal descriptions for TCEs and Permanent Easements.

- The Consultant will provide the City with a list of legal descriptions as requested.

b. Appraisal Reports

The Consultant will provide appraisal reports for parcel acquisitions as requested.

- The Consultant will provide the City with an appraisal report on a per parcel basis as requested.

c. Right-of-Way Dedication Documentation

The Consultant will provide the following services in support of obtaining one right-of-way dedication.

- Prepare and setup parcel files.
- Complete right-of-way dedication form

- Prepare Exhibit A (Legal Description ROW)
- Prepare Exhibit B (Map/Depiction)

Deliverables:

- Completed Right-of-Way file, hard copy and PDF.

Assumptions:

- No federal funding is anticipated. All right-of-way activities will be executed in accordance with Washington State law and not subject to WSDOT Right of Way Certification.

3. Revise Special Provisions

The special provisions for the intersection improvements will be updated as requested to include any additional water, sewer, storm drainage, and other utility improvements associated with the adjacent developments. The Consultant will coordinate with PACLAND to incorporate the additional specifications and include franchise utility references accordingly.

4. Revise Final Plans

The intersection improvement plans will be updated as requested to include any additional water, sewer, storm drainage, and other utility improvements associated with the adjacent developments. The Consultant will coordinate with PACLAND to incorporate the additional plan sheets into the plan set and update sheet numbers and references accordingly.

5. Construction Support Services

a. Submittal Review Support

The Consultant will provide submittal review support as needed throughout construction.

Deliverables:

- Submittal Review Notes, PDF.

b. RFI Review and Support

The Consultant will provide review and support for contractor Requests for Information (RFI).

Deliverables:

- RFI Review Notes, PDF.

c. On Site Support

The Consultant will attend up to two (4) meetings on site to discuss construction issues and/or questions from the City or Contractor.

d. Geotechnical Support

The Consultant will provide geotechnical engineering support services during construction. Construction inspections services and materials testing is available as requested.

C. ASSUMPTIONS

1. With prior authorization from the City, the Consultant reserves the opportunity to shift budget between work tasks.
2. The construction support services will be provided on a time and materials basis.
3. Full-time Construction Management/Construction Administration (CM/CA) services are not provided within this scope of work.
4. The construction support services described herein are to support the City and their CM/CA team. Primary review and response to contractor submittals and RFI will be done by the CM/CA team.

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