



RESOLUTION No. 2015-3196

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH KENNEDY/JENKS CONSULTANTS TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE NEWBERG WATER RESERVOIR SEISMIC AND HYDRAULIC IMPROVEMENTS

RECITALS:

1. In October 2010, the City entered into a contract with Kennedy/Jenks Consultants to provide engineering services related to the study of the condition of the City water reservoirs. This contract was amended in March, 2011 to include design services for the recommended improvements.
2. The project was advertised for construction in August, 2013. All bids were rejected due to the bids significantly exceeding the engineer's cost estimate, and the City's budget.
3. This amendment would allow the City and Kennedy/Jenks Consultants to complete a value engineering process, revise design drawings, and re-advertise the project for construction. This amendment also includes construction related consultant services through the completion of construction.
4. It is recommended that City Council authorize the City Manager to amend the Professional Services Agreement with Kennedy/Jenks Consultants.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as Contract Review Board for the City, does hereby authorize the city manager to amend the Professional Services Agreement with Kennedy/Jenks Consultants in the amount of \$296,000.00, per scope of work and fee as attached in Exhibit "A", which is hereby adopted and by this reference incorporated

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: July 7, 2015.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6th day of July, 2015.


Sue Ryan, City Recorder

ATTEST by the Mayor this 9th day of July, 2015.


Bob Andrews, Mayor

EXHIBIT A
SCOPE OF WORK

I. Scope of Services

Phase 1 – Project Management

Task 1.1 Project Management and Coordination

Provide overall internal and external project management. Lead a kickoff meeting and design review meeting prior to bidding, provide management of the project, internal and external project coordination, and overall quality control. Project management will include monitoring project schedule and budget and preparing monthly status reports and invoices for the City. The budget is based on bidding in mid-July and construction estimated to begin in September and be completed prior to the end of April 2016, total project duration estimated at 11 months.

Phase 2 – Final Design

Task 2.1 Biddability Technical Memorandum

Development of a technical memorandum investigating and evaluating potential concrete repair systems, manufacturers, identification of manufacturers local representatives, advantages and disadvantages of each system, application requirements, construction duration and installation costs. The Technical memorandum will present the City with the costs versus product life relationship for the alternatives and provide a recommendation to the City on how best to incorporate the available alternatives into the Bid Documents.

Task 2.2 Site Survey

Subtask 2.2 A Survey, Maps, & Deeds: Collection and Analysis

Collect existing surveys, deeds and maps that exist reflecting the ownership and location of the subject property and the surrounding properties. This will include the easements for the two access routes into the site. The deeds, surveys and maps will be studied to familiarize ourselves with the history of the properties and location of past set property monumentation

Subtask 2.2 B Boundary Survey Field Investigation and Data collection

Search the property and adjoining parcels to locate existing property monumentation. Property monumentation will be searched for and surveyed along the easement alignments as needed to establish the location of the existing easement. Location of fences and buildings that are on the boundary of the properties will also be surveyed to include with the Boundary Resolution of the parcel and easements.

Subtask 2.2 C Boundary Survey Map

Develop a Boundary Survey map of the parcel and easements. It is anticipated that there will be a meeting with the City to discuss the property boundary and any issues discovered in the analysis of the documents and field data. Any missing corners on the boundary of the parcel will be set. Map will be submitted to the Yamhill County

Surveyors office for review and approval.

Task 2.3 Final Design Documents and Review Meeting

Develop Bidding Documents to incorporate the recommendations presented in the Biddability Technical Memorandum and the modifications of previous project documents to incorporate the following elements at each of the reservoirs:

- North Valley Reservoir #1: Hydraulic improvements
- North Valley Reservoir #2: Seismic and Hydraulic improvements
- Corral Creek Road Reservoir: Hydraulic Improvements

This task also includes pavement design drawings and specifications to include paving of the gravel access roadway into the site. This task assumes that the pavement design will not trigger stormwater conveyance or treatment requirements since the City currently recognizes crushed rock surfaces as impermeable surface. This task includes one onsite geotechnical inspection to determine the suitability of using the existing crushed rock surface as roadway aggregate base.

This task includes a Final Design Review submittal followed by a Final Design Review workshop with the City. The workshop will be attended by the Project Manager and Client Manager.

Task 2.4 Bid Documents

Incorporate comments from Final Design Review meeting and prepare the Bid Documents for Advertisement.

Four half size drawing sets and two full size drawing sets along with four copies of the project manual will be provided to the City. One electronic copy (pdf) of the Bid Documents will also be provided to the City. This scope assumes a third party or the City will be responsible for maintaining the Plan Holders list and distribution of the Bid Documents.

Task 2.5 Permit Support – If Required

Support the City in the application for structural and building permits. This task includes providing two sets of wet stamped drawings as well as completing applications for the building and structural permits.

Task 2.6 Bid Phase Support – If Required

Consultant will provide Bid Phase support including attendance at the Pre-Bid Conference with the City and prospective Bidders. Consultant will provide agenda and lead project discussion and site visit with prospective Bidders and City Staff. Consultant will provide responses to general and technical Bidder inquires and preparation of Addenda to incorporate any necessary changes or modifications to the Bid Documents. Two addenda are assumed. Consultant will assist the City in reviewing bids received from General Contractors and provide a recommendation to the City.

Phase 3 – Construction Phase Services

Task 3.1 Conformed Drawings

Consultant will incorporate addenda items and provide Conformed Drawings and Specifications. Eight (8) Conformed Sets (Project Manual with half size drawings) will be

provided (assumed 4 for the City and 4 for the Contractor). Two sets of full size conformed drawings will be provided (assumed 1 for the City and 1 for the Contractor)

Two additional copies of the project manual and full sized drawings will also be prepared for the Engineer. These copies will be used as "marked up" copies for denoting clarifications and changes that occur during the project.

Task 3.2 – Pre-Construction Conference

The Consultant will prepare an agenda for the City's review prior to the Conference, facilitate the Conference, and prepare meeting notes after the Conference. It is assumed that the Consultant will be represented by up to two individuals at the Pre-Construction Conference.

Task 3.3 – Submittal Review

The Consultant will receive and review submittals and shop drawings as they are submitted by the Contractor. Kennedy/Jenks will maintain an electronic submittal log to track the disposition of the submittals. The log will also keep track of the number of days taken to review or respond to each piece of correspondence or submittal. The log will be transmitted to the City at their request. Favorably-reviewed submittals shall be provided to the City and the Construction Manager. It is expected that there will be approximately 40 submittals, including resubmittals. Reviews will be performed on all submittals including the following:

- General submittals
- Civil submittals
- Mechanical submittals
- Structural submittals

The number of shop drawing hours required for review was assumed based on projects of similar size and complexity normally encountered by Kennedy/Jenks. It is assumed that the resubmittal rate will be 50% of the total number of shop drawings. It is assumed that the Consultant will not be reviewing the Contractor's sheeting, shoring, or scaffolding design.

Task 3.4 – Requests for Information (RFIs) and Requests for Clarifications (RFCs)

The Consultant will be available to answer questions, provide interpretations and issue clarifications during the construction process. Kennedy/Jenks will maintain an electronic RFI/RFC log to track inquiries and their disposition. This will be made available to the City at their request. Written responses will be issued for each RFI/RFC for effective record keeping and to allow the City to be copied on responses. RFIs/RFCs and responses shall be provided to the City and the construction observer. The budget is based on an assumed 25 RFIs/RFCs.

Task 3.5 – Requests for Quote (RFQs) and Change Order Evaluations

The Consultant will receive and evaluate design change requests from the Contractor and City and will prepare associated RFQs. Drawings and/or diagrams of design modifications will be provided with the change request response. Cost impact to the project will also be provided with the change request response. Kennedy/Jenks will maintain an electronic change request log to track the submitted change requests and their disposition. This will be made available to the City at their request. The budget is based on an assumed 10 RFQ's and 5 change orders for the project.

Task 3.6 – Construction Observation

It is assumed that the Consultant will be responsible for most oversight of construction activities. To minimize consultant costs, the City will provide some field assistance on days in which the Consultant is not scheduled to be on site. City and Consultant will discuss/coordinate any such activities. The Consultant's Construction Manager will lead the Consultant's field observation activities. This is assumed to include 2 ½ days of onsite observation per week, one of which will correspond with the weekly construction meeting. Additionally, the project includes installation of specialized concrete repairs and at times is anticipated to require full time observation. The basis of this scope and budget estimate assumes an additional 20 days of full time observation during active construction of the concrete repairs on top of the average of 2 ½ person-days of field observation described above.

The Consultant's Construction Manager will provide coordination of construction support activities, verification that the work is completed in general conformance with contract documents, and compliance with project schedules and budgets. The Consultant's Construction Manager will monitor compliance with contract terms through performance measurements, progress pay request evaluation, coordination, and scheduled progress meetings. The Construction Manager will also monitor the Contractor's progress of work and compare the progress of work against the Contractor's baseline schedule. In addition to the on-site inspection, it is assumed that the Construction Manager's level of involvement for this task will include 4 hours of office work each week for the duration of construction. Total active construction period is estimated to be twenty weeks in duration. In addition to the Construction Manager's weekly oversight, periodic site visits by the design team can be anticipated, as follows:

Structural Engineer

The Consultant's structural engineer is budgeted to conduct two site visits to monitor the construction progress of the project's structural work. The structural engineer will coordinate field issues, monitor field conditions and installation, and provide a daily site report for each of the site visits.

In addition, the Construction Manager will coordinate additional specialty inspection support as follows:

Specialty Inspection

The Consultant will provide a specialty inspector subconsultant, as required, to visit the site and witness installation and provide advice to the Construction Manager/Consultant/City regarding contractor progress, suitability of installation, etc. Up to 24 hours of subconsultant Specialty Inspection support has been included in the budget

Task 3.7 – Progress Meetings

The Consultant will conduct weekly progress meetings at the site, anticipated to occur on the same day as the Construction Manager's weekly construction observation. The Contractor's Project Manager and Superintendent, Subcontractors, the Consultant's Project Manager and Construction Manager, and the City's Project Manager and inspectors will each participate in these progress meetings. These meetings will provide a forum to review construction progress, methods, and other project-related issues with the City and will provide a forum for the discussion and, if necessary, resolution of scheduling issues such as planned shutdowns

and connections, progress of construction, construction difficulties, other issues affecting the performance of the Contractor and successful completion of the project.

The Consultant will facilitate the meetings and prepare a combined agenda and summary of the previous meeting and distribute this document to participants prior to each meeting. This document will contain a list of action items for the City, Contractor, and Consultant.

The Consultant's level of involvement in the meetings will include weekly attendance by the Construction Manager and conference call attendance by the Project Manager and Structural Engineer Lead.

Task 3.8 – Semi-Final and Final Punch Lists

The Consultant will conduct a final compliance inspection with the contractor. The Contractor will prepare a final list of items to be completed or corrected. When the Contractor believes the project is substantially complete, we will review the Contractor's remaining items on the punch list and may add additional items to correct. We anticipate that the final compliance inspection will also include the City's project manager and operations and maintenance staff.

Task 3.9 – Pay Request Review

It is assumed that Kennedy/Jenks will provide review of six contractor pay requests and provide recommendations to the City regarding payment to the contractor based on progress vs. the Schedule of Values.

Task 3.10– Final Project Review and Closeout

After completion of construction, the Consultant will:

Discuss completion of the project with the City's project manager and operations and maintenance staff, discuss whether items on the final list have been completed or corrected and make recommendations to the City concerning acceptance. Prepare the final pay estimate and close out and deliver the project files. Assist the City with preparation of a certificate of Substantial Completion, and other completion documentation required by the City and State agencies.

Prepare and submit to the City a final construction closeout report describing the construction project, costs, changes, problems, schedule, and recommendations for future projects.

Task 3.11 – System Startup

8 hours of time have been budgeted for coordination between the Consultant and Contractor. It is assumed that this project will not require the Consultant to provide O&M manuals beyond the manuals provided by vendors. It is also assumed that the Contractor will be responsible for development of a Disinfection Plan which will be reviewed by Consultant and City operations staff.

Phase 4 – Post Construction Services

Task 4.1 – Record Drawings

Record drawings will be prepared for the project to incorporate modifications related to change orders and other project modifications. Record drawings will be prepared based on mark-ups provided by the contractor and reviewed by the City's inspector. These will be

submitted electronically in AutoCAD (.dwg) format. Two hardcopy sets of half size drawings will also be provided.

Task 4.2 – Troubleshooting/Operations Support

During the first year of operation, the Consultant will provide support to operations staff regarding process nuances, answer other questions that may come up regarding performance of facilities, and address other needs as they arise. An allowance of 24 hours has been included for troubleshooting and operations support which includes a visit to the site 11 months after substantial completion where Consultant and City will review the project site and identify any follow-up/warranty items that may need to be addressed.

II. Deliverables

Consultant shall provide the following deliverables:

- Electronic (PDF) copy of monthly status reports and invoices.
- One electronic (PDF) copy of the Draft Biddability Technical Memorandum
- One electronic (PDF) and four hard copies of the Biddability Technical Memorandum
- One electronic (PDF) and two hard copies (Project Manual with specifications and half size drawings) of the Final Design Documents for City's review prior to the Final Design Review workshop
- One electronic (PDF) and four hard copies (Project Manual with specifications and half size drawings) of the Bid Documents
- Two sets of wet stamped full size drawings to be submitted for structural and building permit applications
- One electronic (PDF) copy of the PreBid conference agenda, PreBid conference sign in list, and all addendums.
- Eight (8) hardcopy Conformed Sets (Project Manual with half size drawings) will be provided (assumed 4 for the City and 4 for the Contractor). Two sets of full size conformed drawings will be provided (assumed 1 for the City and 1 for the Contractor)
- One electronic (PDF) copy of the Pre-Construction Conference agenda and meeting notes.
- One electronic (PDF) copy of the weekly construction meeting agenda and notes
- One electronic (PDF) copy of Project Records including final construction closeout report.
- One electronic (PDF and AutoCAD .dwg) copy of Record Drawings. Two (2) hardcopy sets of half size drawings.
- Project Records including final construction closeout report.
- One electronic (PDF) copy of shop drawing review letters, RFI responses, RFCs, and RFQs

Proposal Fee Estimate

CLIENT Name:	City of Newberg	
PROJECT Description:	N.Valley Reservoir Seismic Upgrades	
Proposal/Job Number:		Date: 6/8/2015

February 1, 2015 Billing Rates	Project Manager - E7	Structural Lead - E8	Structural Staff - E4	Construction Manager - E5	Senior Review E9	Eng-Sci-4	Eng-Sci-3	Eng-Sci-2	Designer	Eng-Sci-1	Project Admin-Khouri	Admin. Assist. - Flury	Aide	Total	KJ	KJ	Sub	Sub	Sub	KJ	KJ	KJ	Total Expenses	Total Labor + Expenses
Classification:	\$190	\$195	\$160	\$175	\$205	\$160	\$145	\$125	\$110	\$95	\$95	\$90	\$60	Hours	Total Labor Fees	Comm. Charges 4%	Rush Survey Fees	Specialty Inspector Fees	Shannon/W Fees	Sub-Markup 10%	ODCs Fees	ODCs Markup 0%	Total Expenses	Total Labor + Expenses Fees
Phase 1 - Project Management																								
1.1 Project Management and Coordination	44	11			4								8	67	\$12,045	\$482				\$0		\$0	\$482	\$12,527
Subtotal	44	11	0	0	4	0	0	0	0	0	0	8	0	67	\$12,045	\$482	\$0	\$0	\$0	\$0	\$0	\$0	\$482	\$12,527
Phase 2 - Final Design																								
2.1 Biddability Technical Memo	8	28	12		4						8			60	\$10,480	\$419				\$0	\$200	\$0	\$619	\$11,099
2.2 Site Survey	2		2						16					20	\$2,460	\$98	\$8,990			\$899		\$0	\$9,887	\$12,447
2.3 Final Design Documents and Review Meeting																								
- Addition of Paving/Drainage Design to Design Documents	1				4	20			20		4			49	\$6,790	\$272				\$0		\$0	\$272	\$7,062
- Basic Modifications to Documents to Allow Rebidding	1	4	4		2	4			4		4			23	\$3,480	\$139				\$0		\$0	\$139	\$3,619
- Review Meeting	4	4				4					0			12	\$2,180	\$87				\$0	\$200	\$0	\$287	\$2,467
- Significant Modifications to Design Documents (if required)	2	8	12		6	8			16		8			60	\$8,890	\$356		\$3,000	\$300	\$0		\$0	\$3,656	\$12,546
2.4 Bid Documents	1	1	8		2				4		4			20	\$2,895	\$116				\$0	\$400	\$0	\$516	\$3,411
2.5 Permitting Support - KJ will provide document support only	4	4	4						2		2			16	\$2,590	\$104				\$0	\$200	\$0	\$304	\$2,894
2.6 Bid Phase Support	2	4	8		4				2		2			22	\$3,670	\$147				\$0		\$0	\$147	\$3,817
Subtotal	25	53	50	0	22	36	0	0	64	0	32	0	0	282	\$43,435	\$1,737	\$8,990	\$0	\$3,000	\$1,199	\$1,000	\$0	\$15,926	\$59,361
Phase 3 - Construction Phase Services																								
3.1 Conformed Drawings	1	1	4						4		4			14	\$1,845	\$74				\$0	\$1,200	\$0	\$1,274	\$3,119
3.2 Pre-Construction Conference	8				8									16	\$2,920	\$117				\$0	\$250	\$0	\$367	\$3,287
3.3 Submittal Review	8	8	24	60	8						24			132	\$21,340	\$854				\$0		\$0	\$854	\$22,194
3.4 Requests for Information and Requests for Clarifications	4	4	8	24	1				8					49	\$8,105	\$324				\$0		\$0	\$324	\$8,429
3.5 Requests for Quote and Change Order Evaluation	4	4	8	16	1				8					41	\$6,705	\$268				\$0		\$0	\$268	\$6,973
3.6 Construction Observation*	16	24		720	8									768	\$135,360	\$5,414		\$3,600		\$360	\$9,700	\$0	\$19,074	\$154,434
3.7 Progress Meetings	20	10									10			40	\$6,700	\$268				\$0		\$0	\$268	\$6,968
3.8 Semi-Final and Final Punch Lists	1				4						2			7	\$1,080	\$43				\$0	\$50	\$0	\$93	\$1,173
3.9 Pay Request Review (Not Included)														0	\$0	\$0				\$0		\$0	\$0	\$0
3.10 Final Project Review and Closeout	4				4						2			10	\$1,650	\$66				\$0	\$50	\$0	\$116	\$1,766
3.11 System Startup	8	1			8									17	\$3,115	\$125				\$0		\$0	\$125	\$3,240
3.12 Wage Determination / Prevailing Wage Support (If Required)	2				6						6			14	\$2,000	\$80				\$0		\$0	\$80	\$2,080
Subtotal	76	52	44	850	18	0	0	0	20	0	48	0	0	1108	\$190,820	\$7,633	\$0	\$3,600	\$0	\$360	\$11,250	\$0	\$22,843	\$213,663
Phase 4 - Post-Construction Services																								
4.1 Record Drawings	4	4	16						24		4			52	\$7,120	\$285				\$0	\$200	\$0	\$485	\$7,605
4.2 Trouble Shooting / Operations Support	4	4	4	4										16	\$2,880	\$115				\$0		\$0	\$115	\$2,995
Subtotal	8	8	20	4	0	0	0	0	24	0	4	0	0	68	\$10,000	\$400	\$0	\$0	\$0	\$0	\$200	\$0	\$600	\$10,600
TOTAL	153	124	114	854	44	36	0	0	108	0	84	8	0	1992	\$256,300	\$10,252	\$8,990	\$3,600	\$3,000	\$1,559	\$12,450	\$0	\$38,851	\$296,000

*Task 3.6 includes 20-days full time observation during concrete repairs as well as an average of 2.5 days/week over 20 weeks and 24 hours of specialty subcontractor support