

RESOLUTION NO. 2010

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY MANAGER TO SIGN A MODIFICATION OF THE SCOPE OF WORK TO THE PROFESSIONAL SERVICES AGREEMENT WITH MACKAY & SPOSITO, INC. FOR THE BOECKMAN ROAD EXTENSION PROJECT.

WHEREAS, on June 5, 2006, the Wilsonville City Council adopted a Capital Improvement Program for the City that includes a FY 2006-07 appropriation of \$17,764,275.00 to fund the Boeckman Road extension design and construction from 95th Avenue to 110th Avenue (Project No. 540.950.45030.00000.4048) and \$6,235,000.00 to fund the water line for Boeckman Road Extension (Project No. 530.950.45030.00000.1073); and

WHEREAS, on December 1, 2003, the City Council adopted Resolution No. 1852, authorizing the City Engineer to enter into a Professional Services Agreement with MacKay & Sposito, Inc. to provide professional services for Project Management for the design of Boeckman Road Extension project; and

WHEREAS, on the 22nd day of February, 2005, the City of Wilsonville adopted Ordinance No. 578 which amends the Wilsonville Code Sections 2.310-2.319 related to procedures of public contracting and the Local Contract Review Board; and

WHEREAS, ORS 279C.115(2) states that a local contracting agency may enter into a professional services contract directly with a consultant, if the project described in the earlier contract was awarded, and the new contract is a continuation of that project; and

WHEREAS, WC 2.315(7) states that for Personal Service Contracts, the selection process may be waived by the Contracting Agency where... (3) a change in contractor to do follow-up work would clearly result in increased costs or increased time; and

WHEREAS, MacKay & Sposito, Inc. had proposed to accomplish certain professional engineering services as the owner representative up to completion of bidding services for an estimated fee of \$365,000 which has been completed (Phase 1); and,

WHEREAS, staff requested MacKay & Sposito, Inc. to continue to provide certain professional engineering services, beyond the scope of work in Phase 1, but associated with the Project, up to and including additional coordination between the City,

including legal, HDR, Inc., Villebois developers, ODOT and Metro, permit applications assistance for the U.S. Army Corps of Engineers (COE) and Oregon Department of State Lands (DSL), assistance with ROW acquisitions, preliminary design of the water line improvement initially caused by negotiations with Sherwood for increased distribution line capacity, as well as other work, as noted, in the attached Exhibit A. This additional work has been completed in FY 2005-06. The costs ranged from \$10,000 to \$50,000 for the various services provided with an aggregate cost of \$331,000.00. Given the aggregate costs, staff wanted to bring them to the Board's attention and recommends that they be ratified as part of the contract modification ; and

WHEREAS, the City Engineer seeks the services of an engineering firm to provide owner's representation for the construction period (Phase 2) of the referenced project; and

WHEREAS, MacKay & Sposito, Inc. has proposed to accomplish the professional services, including surcharge monitoring, construction staking and owner's representation for the construction phase for an estimated fee of \$672,105.00 (Phase 2); and

WHEREAS, this contract modification to the scope of work with MacKay & Sposito, Inc. is a total estimated fee of \$1,003,105.00; and

WHEREAS, MacKay & Sposito, Inc. have provided over 4,000 hours of specialized technical assistance directly related to this project, including building and maintaining relationships with ODOT, Metro, Clackamas and Washington Counties, the permitting agencies, utilities companies, property owners, developers, Railroad company, and other associated engineering firms. In addition, they provided the preliminary design of the 48" water line to meet ODOT timeline to begin the surcharge monitoring, when HDR was unable to provide the staff. They possess extensive knowledge of the area's survey control and therefore can easily establish and maintain the construction staking as well as monitor the surcharge status. They possess broad knowledge related to Wilsonville's infrastructure and adjacent projects; and

WHEREAS, staff has determined that the fees for the services as proposed by MacKay & Sposito, Inc. are fair and reasonable, reflecting the extensive and valuable information which will not have to be reconstructed or duplicated at public cost; and

prompt execution of the request will allow for the construction of these improvements in a timely manner; and

WHEREAS, MacKay & Sposito, Inc. specialized knowledge particular to the work, its capacity and capability to perform the work within tight time lines, cost savings associated with transferable experience and background and past record of performance, all promote the public interest in a way that soliciting other Project Management Companies would not.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council, acting as the Local Contract Review Board, does hereby approve and authorize the City Manager or designee to sign the Modification of Scope of Work for the Professional Services Agreement between the City of Wilsonville and MacKay & Sposito, Inc., a copy of which is marked Exhibit "A", attached hereto and incorporated herein, to provide the project management services recited within for the referenced project.
2. The City Council hereby authorizes the expenditures for the completed, outside of scope work for a fee of \$331,000.00 from the Fiscal Year 2005-06 budget as follows:

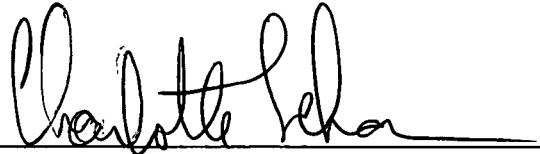
Account	Budget Amount
540.950.45030.00000.4048	\$11,000,000.00
530.950.45030.00000.1073	\$ 2,964,000.00

3. The City Council hereby authorizes the expenditures for this contract for an estimated fee of \$672,105.00 from the Fiscal Year 2006-07 budget as follows:

Account	Budget Amount
540.950.45030.00000.4048	\$17,764,275.00
530.950.45030.00000.1073	\$ 6,235,000.00

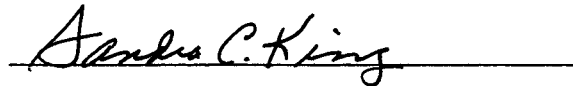
4. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a special meeting thereof this 10th day of July, 2006, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Charlotte Lehan	Yes
Council President Kirk	Abstain
Councilor Holt	Yes
Councilor Ripple	Yes
Councilor Knapp	Yes

www.mackaysposito.com

MacKay & Sposito, Inc.

ENGINEERS SURVEYORS PLANNERS
VANCOUVER KENNEWICK



1325 S.E. Tech Center Drive, Ste. 140, Vancouver, WA 98683 (360) 695-3411 (503) 289-6726 PTLD (360) 695-0833 FAX

June 20, 2006

Jadene Stensland
City of Wilsonville
30000 SW Towncenter Loop East
Wilsonville, OR 97070

RE: PROPOSAL FOR PROFESSIONAL LAND SURVEYING FOR CONSTRUCTION, AND OWNERS REPRESENTATIVE SERVICES FOR THE BOECKMAN ROAD – TOOZE ROAD CONNECTOR PROJECT (CITY OF WILSONVILLE PROJECT NO. 540.000.29740.00000.4048)

Dear Jadene,

In accordance with your request, we are pleased to submit this proposal to provide Professional Land Surveying, and Owners Representative services needed for the Boeckman Road – Tooze Road Connector Project. Based on our current knowledge of the project, we have prepared a full service scope of work to provide construction staking and services of the owner's representative through the completion of construction. The attached Exhibit "A", scope of work lists the specific tasks included in this proposal and lists the fees associated with each task.

The proposed cost is \$1,003,105.00. This proposal, along with the attached Exhibits and the City of Wilsonville Professional Services Agreement (PSA), represents our agreement and contract for this work. If this proposal is acceptable to you, please let me know and I will get signatures on the PSA document and return it for City signatures. We appreciate the opportunity to provide this proposal for your consideration.

If you have any questions or concerns, please feel free to call.

Sincerely,
Mackay & Sposito, Inc.

Patrick Carroll, PE

(EXHIBIT "A")
PROPOSED SCOPE OF WORK
BOECKMAN ROAD CONSTRUCTION SURVEYING AND OWNERS REPRESENTATIVE SERVICES

MacKay & Sposito, Inc. will provide Construction Surveying and Owners Representative services for the public infrastructure improvements necessary for Boeckman Road – Tooze Road Connector Project. The services will be provided for the following proposed improvements:

1. Construction staking of improvements for Boeckman Road from Boberg Road westerly to the project limits west of 110th Avenue.
2. Serving as the owners representative of the project through completion and the final submittal of documentation.

SERVICES:

MacKay & Sposito, Inc. will provide the following services for the items listed above.

- 1.0 Owners Representative Services:
 - 1.1 Meetings with the City.
 - 1.2 Meetings with ODOT/Consultant.
 - 1.3 Provide monthly status reports to the City's project manager.
 - 1.4 Separate costs between those paid with City and state/federal funds.
 - 1.5 Review documentation submitted on project progress, schedules, and materials.
 - 1.6 Site visits.
 - 1.7 Review monthly payment requests from Consultant.

- 2.0 Surveying:
 - 2.1 Construction Surveying Project Management.
 - 2.1.a Site Visit/Pre-construction conference.
 - 2.1.b Travel.
 - 2.1.c Copies/filing.
 - 2.1.d Data collector.
 - 2.1.e Schedule.
 - 2.2 Construction Staking Management/Setup.
 - 2.2.a Drawing Setup
 - 2.2.a.1 Slope/PUE Line
 - 2.2.a.2 Temporary construction easement.
 - 2.2.a.3 Cut/Fill line
 - 2.2.a.4 Construction fence
 - 2.2.b Erosion control
 - 2.2.c Rough grading.
 - 2.2.d Gravity sanitary sewer.
 - 2.2.e Storm sewer retention/detention facilities
 - 2.2.f Water
 - 2.2.g Curb/ADA ramps
 - 2.2.h Power/lights/conduits
 - 2.2.i Irrigation crossings

- 2.2.j Traffic signals
- 2.2.k Edge of pavement (driveways)
 - 2.2.k.1 Wetland contours
 - 2.2.k.2 Ditches
 - 2.2.k.3 Wildlife crossings
- 2.2.l Walls (Amphibian and landscape)
- 2.3 Construction Staking of Improvements.
 - 2.3.a Erosion control
 - 2.3.a.1 Temporary construction easement.
 - 2.3.a.2 Cut/fill line
 - 2.3.a.3 Construction fence
 - 2.3.b Storm sewer.
 - 2.3.c Storm water retention/detention facilities.
 - 2.3.d Water
 - 2.3.e Curb/ADA ramps
 - 2.3.f Power/lights/conduits
 - 2.3.g Irrigation crossings
 - 2.3.h Traffic signals
 - 2.3.i Edge of pavement (driveways)
 - 2.3.j Walls
 - 2.3.j.1 Bridge
 - 2.3.j.2 Bridge monitoring
 - 2.3.j.3 Surcharge monitoring
 - 2.3.j.4 Pre-construction surcharge topo
 - 2.3.j.5 Post-construction surcharge topo
- 2.4 As-Built Surveying
 - 2.4.a Interim sanitary sewer as-builts.
 - 2.4.b Final sanitary sewer as-builts.
 - 2.4.c Storm water retention/detention facility as-builts.
 - 2.4.d Final water system as-builts
 - 2.4.e Utility vault as-builts
- 3.0 Previous Completed Out of Scope Work:
 - 3.1 Management and coordination between the consultant hired by the City to design the Boeckman Road Extension Project, the City, Villebois project team, ODOT and Metro.
 - 3.2 Coordination with utility companies
 - 3.3 Review of consultant contracts, billings and progress reports.
 - 3.4 Review all designs, studies and reports submitted by the consultant.
 - 3.5 Assistance in processing of permit applications
 - 3.6 Assistance in right of way acquisition and preparation of cost to cure estimates.
 - 3.7 Survey staking of existing and proposed easements and right of way lines.
 - 3.8 Prepare plans, specifications and estimates for the:
 - 3.8.a Surcharge fill design plan sheets and details
 - 3.8.b 24", 18" and 12" water main construction
 - 3.8.c Future vaults and conduits for utilities
 - 3.9 Processing bore permit application

SUBCONSULTANTS:

MacKay & Sposito, Inc. is not proposing to use sub consultants on this project.

SCHEDULE:

MacKay & Sposito, Inc. will make every attempt to meet the proposed schedule to complete construction of the Boeckman Road – Tooze Road Connector project in accordance with the current approved ODOT construction schedule. MacKay & Sposito, inc. will review the schedule to see if there is any possibility of expediting the project to completion earlier than the 2008 construction season. Corps of Engineer and DSL permits may substantially affect the schedule.

PROPOSED FEE BUDGET

**Boeckman Road Construction Surveying and Owners Representative Services
Wilsonville, OR**

1. <u>Task 1.0 Owners Representative</u>	<u>\$ 339,120.00</u>
2. <u>Task 2.0 Surveying</u>	<u>\$ 394,467.00</u>
3. <u>Task 3.0 Previous Completed Out of Scope Work</u>	<u>\$ 330,064.00</u>
<u>Expenses</u>	<u>\$ 9,686.00</u>

TOTAL ESTIMATED BUDGET FOR SERVICES:.....**\$ 1,003,105.00**

Reimbursable expenses and application fees are included in this amount. We will bill our services on a time and materials basis and we will not exceed this scope or the fee budget without prior written authorization from you.

MACKAY & SPOSITO, INC.
City of Wilsonville
 PROJECT NAME: BOECKMAN ROAD - TOOZE ROAD CONNECTOR
 Construction Surveying and Owners Representative Services Proposal (22 Months)
 20-Jun-06

Task No.	Description	PIC	EM	PM	PE	FSCM	LS1	3PSC	CL	Total Hrs	Labor	Non-Labor		Task
		\$160	\$128.00	\$123.00	\$100.00	\$101.00	\$77.00	\$198.00	\$53.00		Total	Expenses	Sub-Consult.	Total
		djm	pec	ay	lo	rs	jl		amc					
Task 1.0 Owners Representative														
1.1	Meetings with the City	8	240							248	\$32,000.00	\$1,000		\$33,000.00
1.2	Meetings with ODOT/Consultant		130	320						450	\$56,000.00	\$1,000		\$57,000.00
1.3	Provide monthly status reports to the City's project manager		80	200					120	400	\$41,200.00			\$41,200.00
1.4	Separate costs between those paid with City and state/federal funds		80	160					120	360	\$36,280.00			\$36,280.00
1.5	Review documentation, submittals and reports.	16	80	160						256	\$32,480.00			\$32,480.00
1.6	Site Visits	40	80	160						280	\$36,320.00	\$1,500		\$37,820.00
1.7	Review monthly payment requests from Consultant		60							60	\$7,680.00	\$250		\$7,930.00
Subtotal Task 1.0 Owners Representative:		64	750	1000	0	0	0	0	240	2054	\$241,960.00	\$3,750.00	\$0.00	\$245,710.00
Task 2.0 Surveying														
2.1	Surveying Project Management	68				105		165		338	\$54,155.00			\$54,155.00
2.2	Construction Staking Management/Setup					290		30		320	\$35,230.00			\$35,230.00
2.3	Construction Staking of Improvements					26	400	1400		1826	\$310,626.00	\$3,500		\$314,126.00
2.4	As-Built Surveying						36	94		130	\$21,384.00	\$1,500		\$22,884.00
Subtotal Task 2.0 Surveying:		68	0	0	0	421	436	1689	0	2614	\$421,395.00	\$5,000.00	\$0.00	\$426,395.00
Task 3.0 Previous Completed Out of Scope Work														
3.1	Management and coordination between the consultant hired by the City to design the Boeckman Road Extension Project, the City, Villebois project team, ODOT and Metro		240	160						400	\$50,400.00			\$50,400.00
3.2	Coordination with utility companies		160							160	\$20,480.00			\$20,480.00
3.3	Review of consultant contracts, billings and progress reports		80							80	\$10,240.00			\$10,240.00
3.4	Review all designs, studies and reports submitted by the consultant	2	160							162	\$20,800.00			\$20,800.00
3.5	Assistance in processing of permit applications		160							160	\$20,480.00			\$20,480.00
3.6	Assistance in right of way acquisition and preparation of cost to cure estimates	2	160							162	\$20,800.00			\$20,800.00
3.7	Survey staking of existing and proposed easements and right of way lines		40			16	40	120		216	\$33,576.00			\$33,576.00
3.8	Prepare plans, specifications, and estimates for the improvements	4	240	480	480					1204	\$138,400.00	\$936.00		\$139,336.00
3.9	Processing bore permit application		40	40	40				16	136	\$14,888.00			\$14,888.00
Subtotal Task 3.0 Previous Completed Out of Scope Work:		8	1280	680	520	18	40	120	16	2680	\$330,064.00	\$936.00	\$0.00	\$331,000.00
M&S Total Hours		140	2030	1680	520	437	476	1809	256	7348	\$993,419.00	\$9,686.00	\$0.00	\$1,003,105.00
Labor Totals		\$22,400	\$259,840	\$206,640	\$52,000	\$44,137	\$36,652	\$358,182	\$13,568					

M&S Total Labor: (2007 COLA incl.)	\$993,419.00
Direct Non-Labor:	\$9,686.00
Total Non-Labor:	\$9,686.00
Total Estimate:	\$1,003,105.00

- M & S Descriptions**
 PIC - Principal-In-Charge
 EM - Engineering Manager
 PM- Project Manager
 PE- Project Engineer
 FSCM - Field Survey Crew Manager
 LS1 - Land Surveyor I
 3PSC - 3 Person Survey Crew
 CL - Clerical

ENGINEERING DEPARTMENT
STAFF REPORT & RECOMMENDATION

DATE: July 10, 2006

TO: Honorable Mayor and City Councilors

FROM: Jadene Stensland, PE
Deputy City Engineer

SUBJECT: Modification of Scope of Work to the Professional Services Agreement with MacKay & Sposito, Inc. for the Boeckman Road Extension project (Project No. 540.000.29740.00000.4048)

SUMMARY

The Boeckman Road Extension Project includes extending Boeckman Road from 95th Avenue to 110th Avenue. The proposed extension of Boeckman Road crosses an environmentally sensitive area in the Coffee Lake Creek wetland complex. The Modification of Scope of Work (MSW) of the Agreement with MacKay & Sposito, Inc. extends Owner's Representative Services through the construction phase.

RECOMMENDATION

Staff respectfully recommends that the City Council adopt Resolution No.2010, thereby authorizing the City Manager or designee to sign a Modification of Scope of Work to the Professional Services Agreement with MacKay & Sposito, Inc. for an estimated fee of \$1,003,105.00 (Phase 2).

DISCUSSION

Since 2003, City staff has worked with MacKay and Sposito, Inc to provide the owner's representative during the design engineering services for the Boeckman Road Extension Project. The Professional Engineering Services for Phase 1 to provide services through the design phase was for an estimated fee of \$365,000.

Staff requested MacKay & Sposito, Inc. to continue to provide certain owner's representation services, beyond the scope of work in Phase 1. Additional work resulted from extended negotiations during ROW acquisition and on-going permit applications assistance for the U.S. Army Corps of Engineers (COE) and Oregon Department of State Lands (DSL). Further work was necessary to change the water line design and prepare for the surcharge work. This additional work has been completed in FY 2005-06 for a fee of \$331,000.00. This additional outside of scope of work was necessary to continue moving the project forward and valuable considering the limited City Staff resources.

For the construction phase, MacKay & Sposito, Inc. has proposed to accomplish the professional services, including surcharge monitoring, construction staking and owner's representation for the for an estimated fee of \$672,105.00 (Phase 2) Therefore, this contract modification to the scope of work with MacKay & Sposito, Inc. is a total estimated fee of \$1,003,105.00.

Due to the magnitude of this project and staff's current workload, City staff continues to need the Owner's Representation Services for this large and complex project. With their success in past projects and coordination efforts with the City, MacKay & Sposito, Inc. is best suited for this work.