



INFORMATIONAL MEMORANDUM

TO: **Transportation and Infrastructure Committee**
 FROM: **Henry Hash, Public Works Director**
 BY: **Mike Perfetti, Habitat Project Manager**
 CC: **Mayor Ekberg**
 DATE: **May 29, 2020**
 SUBJECT: **Surface Water Fund – Riverton Creek Flapgate Removal Project**
Project Number 99830103, Contract 17-070
Amendment No. 6 for Construction Management Services

ISSUE

Approve Amendment No. 6 to Contract No. 17-070 with OTAK, Inc. for additional engineering services and a time extension.

BACKGROUND

In May 2017, the City entered into a consultant agreement with OTAK for design and permitting services for the Riverton Creek Flap Gate Removal Project, which will improve habitat conditions and increase salmonid accessibility to rearing habitat in Riverton Creek. Project design and permitting is complete. The City advertised the project for construction and opened bids on May 21, 2020. The City is concurrently, and via a separate informational memorandum, being asked to award the the construction contract to the lowest responsive bidder.

DISCUSSION

OTAK’s Amendment No. 6 will add construction support services to OTAK’s existing contract. Staff will provide the lead role in managing the construction contract to be supported by OTAK, who will supplement in-house capabilities in providing field engineering, limited inspection, technical support, submittal review, limited contractor communications (RFIs) and coordination, documentation compliance support, materials testing and record drawing production. The scope includes a \$15,000 management reserve contingency for use if pre-authorized additional services become necessary.

FISCAL IMPACT

The Riverton Creek Flapgate Removal Project has surface water construction management (CM) funds budgeted at \$184,000 for the current biennium, and remaining design budget in the amount of \$25,548. In addition, the project has remaining grant funding from the State Recreation and Conservation Office (RCO) and King County totaling \$1,021,894.

<u>Contract</u>	<u>Contract Amount</u>	<u>Budget</u>
Current OTAK Design	\$ 318,452.00	\$ 344,000.00
OTAK CM Am No. 6	199,965.00	184,000.00
Total	<u>\$ 518,417.00</u>	<u>\$ 528,000.00</u>

RECOMMENDATION

Council is being asked to approve Amendment No. 6 with OTAK, Inc. for the Riverton Creek Flap Gate Removal Project in the amount of \$199,965 and consider this item at the Consent Agenda at the June 15, 2020 Regular Meeting.

Attachments: CIP Page 93
OTAK Amendment No. 6

CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2019 to 2024

PROJECT: Riverton Creek Flap Gate Removal Project No. 99830103

DESCRIPTION: Remove two culverts and flap gates at Duwamish River; install pipe arch, create open channel confluence, install trail bridge over new channel, restore/revegetate 200 feet of creek channel and 450 ft. of pond shoreline.

JUSTIFICATION: Increase available salmonid rearing habitat and increase flood refuge in lower Duwamish River. Improve fish access to Riverton Creek and enhance salmon rearing and resting area.

STATUS: Design underway in 2018. Construction grant of \$846k from WA State RCO.

MAINT. IMPACT: Expected to increase maintenance.

COMMENT: Project used as mitigation for East Marginal Way Pipe Replacement Project and HPA Control #133763-1 requires work to be completed by June 11, 2019, which will need to be extended.

FINANCIAL (in \$000's)	Through		Estimated							BEYOND	TOTAL
	2017	2018	2019	2020	2021	2022	2023	2024			
EXPENSES											
Design	204	100	40								344
Land (R/W)											0
Monitoring				15	15	15	15	15	15	15	90
Const. Mgmt.			184								184
Construction			918								918
TOTAL EXPENSES	204	100	1,142	15	15	15	15	15	15	15	1,536
FUND SOURCES											
Awarded Grant	72		847								919
Proposed Grant											0
Mitigation Actual											0
Mitigation Expected											0
Utility Revenue	132	100	295	15	15	15	15	15	15	15	617
TOTAL SOURCES	204	100	1,142	15	15	15	15	15	15	15	1,536

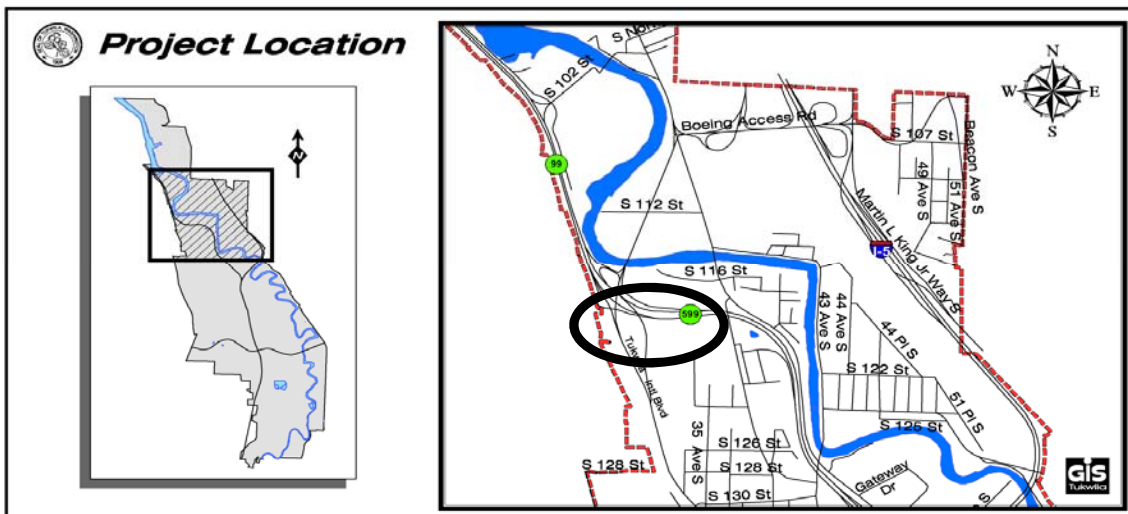


EXHIBIT A-6

SCOPE OF WORK DESIGN/ENGINEERING SERVICES

City of Tukwila
Riverton Creek Flapgate Removal
OTAK Project No. 32740
May 2020

Amendment No. 6

Introduction and Background

LOCATION: 3225 S 116th St

DESCRIPTION: Provide engineering support during construction of the Riverton Creek Flapgate Removal Project. Otak previously provided analysis, final design, and bid support services for this project.

SCHEDULE: The anticipated project schedule is to have notice to proceed in June 2020 with Construction closeout for construction support to occur by January 30, 2021. The City will provide continued construction management through the plant establishment period.

This Scope of Work provides additional services for construction support and is described in detail in the following sections.

The following table provides a summary of the contract value for the project as modified by Amendment No. 6.

Contract	Authorized Fee
Original Contract	\$105,363.00
Amendment No. 1	\$39,993.00
Amendment No. 2	\$37,064.00
Amendment No. 3	\$0.00
Amendment No. 4	\$37,920.00
Amendment No. 5	\$98,112.00
Amendment No. 6	\$199,965.00
Total	\$518,417.00

Scope and Budget Modifications

1.0 Project Management

1.1 Project Management and Coordination

OTAK will coordinate with the City of Tukwila on a regular basis by phone and email to keep the City's project manager informed about project progress, project issues and schedule. Regular communication with the City will occur on a bi-weekly basis, and a status report will be provided to the City before each meeting summarizing the status of action items and deliverables.

Project monitoring and reporting will include the coordination of construction engineering support team members, internal project scheduling, and the preparation of a monthly progress report and a monthly billing statement.

Task 1 Deliverables

- Bi-weekly project reports submitted to the City by email (electronic PDF file format)
- Monthly progress report and monthly invoice

Task 1 Assumptions

- The duration of this task is estimated at nine months, assuming a June 2020 start to construction, Physical Completion for the Contractor by November 2020, and project closeout for Construction Support completed with the City by January 30, 2021. The City will provide continued construction management beyond this date through the Plant Establishment Period.

9.0 Construction Administration Support (New)

9.1 Construction Administration

Otak's Office Engineer will assist the City of Tukwila in administration of the construction contract in accordance with the following:

- Attend the preconstruction conference and set up daily report forms and other forms as needed.
- Prepare the initial Draft Record of Materials Log and Submittals Log (electronic spreadsheet file).
- Review material submittals, construction sequence schedules, and other items to verify compliance with the contract plans and specifications.
- Coordinate with the Construction Inspector throughout the duration listed under Assumptions. Otak will provide support including field meetings with the Construction Inspector as necessary.
- Attend progress meetings or make site visits at the frequency deemed necessary to promote effective communication between the City, the Inspector, engineering support staff, and the Contractor.
- Review and respond to correspondence and RFI's from the Contractor and others.
- Make recommendations to the City regarding changes and with the City's input and approval, negotiate change orders.

Scope of Work Continued

- Prepare construction files and photos for project closeout.

Task 9.1 Assumptions

- The duration of this task is estimated at nine months, assuming a June 2020 start to construction, Physical Completion for the Contractor by November 2020, and project closeout completed with the City by January 30, 2021.
- The City will provide the Resident Engineer and the primary Construction Inspector.
- The City will be the primary point of contact for the Contractor unless approved by the City to communicate directly with the Contractor.
- Otak will not be reviewing pay estimates or payroll information.
- The City will provide the primary construction administration role including record keeping, submittal intake and approval logs, and tracking of quantities.

10.0 Construction Observation Support (New)

10.1 Site Civil Construction Observation

10.1.A Site Construction Observation

The City will provide the primary Construction Inspector to cover the Contractor's schedule on a daily basis. Otak will provide general construction observation support, as requested by the City, for project elements such as:

- Temporary Erosion and Sediment Control
- Temporary Stream Diversion
- Channel Excavation
- Streambed and scour protection material placement
- Large Woody Debris

Inspectors will perform the following tasks:

- Observe construction.
- Provide field review for items requiring review by Engineer.
- Attend the preconstruction conference.
- Attend weekly progress meetings.
- Complete daily inspection reports. Otak will provide daily inspection reports to the City within one week of the completed work week (electronically and hard copies prior to Contractor pay estimates).
- Measure quantities, if requested.
- Maintain a photograph log.
- Maintain a set of plans, noting changes to the work, to be used as the basis for construction record drawings, along with the Contractor's as-built records.

Scope of Work Continued

When notified by the Contractor, Otak will participate in a final inspection with the City and compile a punch list. After the Contractor(s) has completed all punch list items, the design team will again inspect the project and establish the physical completion date.

Otak's Site Construction Inspector support time is estimated as for 5 days part-time for the Project Engineer (PE), 3 days part-time for a Water Resources Engineer (PE), and 15 days part-time for an Engineering Designer (EIT) with additional time for report preparation. Otak's Construction Observation Support also include 12 days part-time for the Project Engineer to attend weekly progress meetings in the field.

10.1.B Structural Construction Observation

Otak will provide general construction observation support, as requested by the City, for project structural elements such as:

- Retaining Wall Demolition
- Rebar
- Concrete Placement
- Bridge Installation

This scope assumes 5 days part-time for the Structural Project Engineer (PE) and 5 days part-time for a structural engineering inspector (PE) with additional time for report preparation.

10.1.C Water Quality Monitoring for In-water Work

An Otak water resources engineer that is a Certified Erosion and Sediment Control Lead (CESCL) will provide turbidity testing of the Duwamish River per the monitoring plan that was presented to Department of Ecology during design. This plan includes monitoring turbidity levels from the river embankment upstream and downstream of the mixing zone during in-water work along the Duwamish River.

This scope assumes 3 full-time field days for the CESCL and office time for report preparation.

10.1.D Fish Removal

An Otak biologist and supporting environmental staff will provide fish removal services, as required, such as:

- Inspection for fish presence prior to and after Fish Screen and Temporary Stream Diversion installation by the Contractor.
- Removal of fish entrapped due to Temporary Stream Diversion System
- Fish removal during installation of floating silt curtain within the Duwamish River

This scope assumes 4 site visits for two Otak environmental staff (one biologist, one support staff).

10.1.E Concrete Testing (Vendor – Mayes Testing)

Otak will engage Mayes Testing as a vendor to provide concrete testing for cast-in-place concrete project elements such as:

- Pile Caps

Scope of Work Continued

- Bridge Abutment Walls
- Existing Retaining Wall Cap

The concrete testing services will include field testing of materials and collection of samples and laboratory analysis.

Task 10.1 Assumptions

- The duration of this task is estimated at six months, assuming a June 2020 start to construction, Physical Completion for the Contractor by November 2020.
- The City will provide the primary Inspector with as-requested support from Otak.

10.2 Geotechnical Construction Observation (Subconsultant – GeoEngineers)

GeoEngineers will provide geotechnical support as a subconsultant as described in the attached scope and fee estimate.

11.0 Record Drawings (New)

The Contractor is responsible for providing as-built survey and record drawing markups during construction. Otak will review the record drawing markups and will revise the Construction Plans to conform to the information supplied by the Contractor. The Record Drawings will be prepared in accordance with the City's Record Drawing Requirements.

Task 11.0 Deliverables

- Record Drawings: Hardcopies – One Set of Mylars (full-size); Electronic – .pdf and CAD files

Management Reserve Contingency

If directed by the City, consultant will provide services needed to assist the City for unforeseen tasks related to this project that were not specifically addressed in this scope of work. When requested by the City, the consultant will provide a scope and budget for the task identified by the City. The consultant will not proceed with the task until written authorization has been provided by the City. The allotted amount for this task is \$15,000.

Direct Expenses

Direct expenses to be submitted for reimbursement include:

- Mileage/Travel for site investigations and meetings
- Reproduction for hard copies
- Postage and Courier
- Equipment and Materials for fish removal and water quality monitoring work
- Other Misc. Expenses



City of Tukwila

6200 Southcenter Boulevard, Tukwila WA 98188

Agreement Number: 17-070

CONTRACT FOR SERVICES

Amendment #6

Between the City of Tukwila and OTAK, Inc.

That portion of Contract No. 17-070 between the City of Tukwila and OTAK, Inc. is hereby amended as follows:

Section 1: Scope of Services. Work under this contract shall be amended to include reimbursement for direct expenses and costs associated with the additional contract scope of services as described in Exhibit A-6, attached.

Section 4: Payment. Payment is hereby changed to include an additional \$199,965 for this additional scope of services. See Exhibit B-6. The maximum amount payable under this contract as amended inclusive of all fees and other costs shall not exceed \$518,417.00 without express written modifications of the Agreement signed by the City.

All other provisions of the contract shall remain in full force and effect.

Dated this _____ day of _____, 2020.

CITY OF TUKWILA

CONTRACTOR

Allan Ekberg, Mayor

Printed Name: _____

ATTEST/AUTHENTICATED

APPROVED AS TO FORM

Christy O’Flaherty, MMC, City Clerk

Office of the City Attorney