



# INFORMATIONAL MEMORANDUM

TO: **Transportation and Infrastructure Services Committee Meeting**  
 FROM: **Hari Ponnekanti, Public Works Director/City Engineer**  
 BY: **Mike Perfetti, Senior Surface Water Project Manager**  
 CC: **Mayor Ekberg**  
 DATE: **April 1, 2022**  
 SUBJECT: **Riverton Creek Flapgate Removal Project**  
**Project No. 99830103, Contract No. 20-075**  
**Change Order No.1**

### ISSUE

Approve Change Order No. 1 to Contract 20-075 with AtWork! Commercial Enterprises, LLC of Bellevue, WA.

### BACKGROUND

At Work! Commercial Enterprises is nearing completion of the initial clearing, planting and 1-year maintenance period associated with the Riverton Creek Flapgate Removal Project, Phase 2. This phase restored 1.48 acres of native riparian vegetation along Riverton Creek and 0.45 acres along the Duwamish River.

### DISCUSSION

To protect this investment, enable success, and meet grant commitments, the City will maintain the restoration work for a 10-year period. Generally, the first 3 or so years are the most critical periods of plant establishment, where plants need supplemental water and weed control to survive and outcompete invasive, non-native plants such as Himalayan Blackberry and Reed Canary grass. Change Order No. 1 will increase the contract amount and provide a two-year contract extension ending on April 30, 2024, which will allow AtWork! to provide restoration during this critical establishment period.

### FISCAL IMPACT (All amounts include sales tax)

The Riverton Creek Flap Gate Removal Project construction, including both phases, was initially budgeted at \$918,000. The low bid for the first phase, which was recently awarded, exceeded the budget and is utilizing all CIP funds dedicated for this project. The initial AtWork! contract was funded through Surface Water Utility Funds transferred from the 205 Levee Certification CIP and WRIA 9/CWM grant funds.

Change order No. 1 includes additional compensation of \$57,031.80, raising the tax-inclusive contract total to \$163,122.40. This compensation will utilize project contingency allocated in the initial contract and the remainder from the 2022 CIP of the Green the Green Program CIP. The City has a pending no-match grant application for \$40,000 to assist with funding this work.

	<u>Contract Amount</u>	<u>Fund Source</u>	<u>Budget</u>
Initial Contract	\$106,090.60	205 Levee CIP	\$66,669.66
Change Order No. 1	<u>\$57,031.80</u>	Green the Green CIP	46,452.74
		WRIA 9/CWM Grant	<u>50,000.00</u>
<b>Total</b>	<b>\$163,122.40</b>		<b>\$163,122.40</b>

### RECOMMENDATION

Council is being asked to approve Contract 20-075 Change Order No. 1 for the Riverton Creek Flap Gate Removal Project Restoration Phase II to AtWork Commercial Enterprises, LLC in the amount of \$57,031.80 and consider this item on the Consent Agenda at the April 18, 2022 Regular Meeting.

Attachments: 2021 CIP Pages 82,86,96  
Change Order No. 1

# CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2021 to 2026

**PROJECT:** Green the Green Program

Project No. 91641202

**DESCRIPTION:** Interdepartmental effort to provide trees along the Green River and its tributaries in order to provide shade and cooler water temperatures to threatened salmon and steelhead.

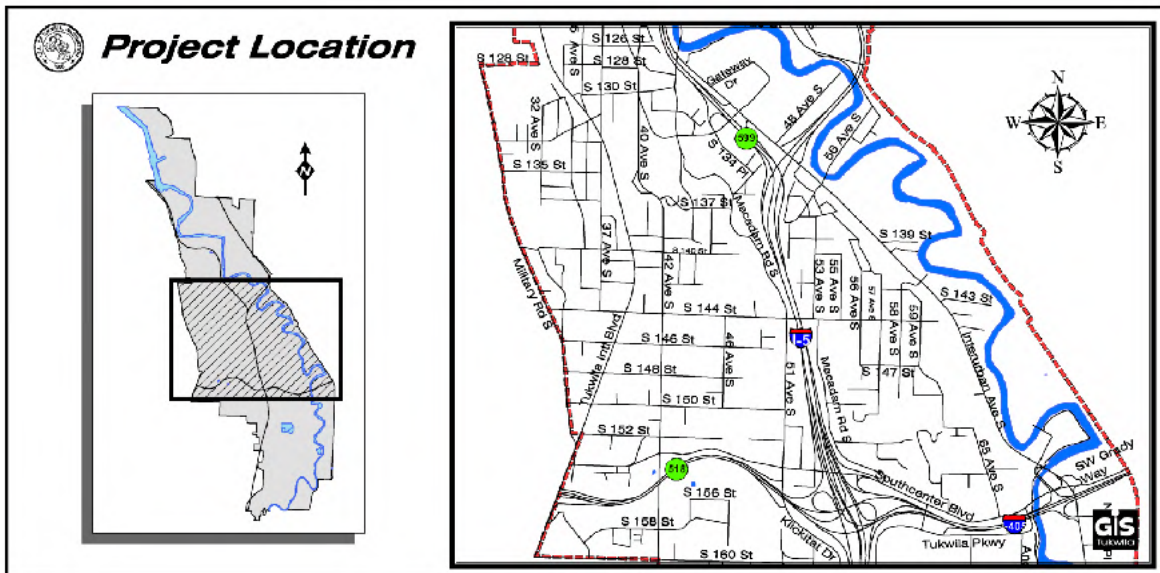
**JUSTIFICATION:** WRIA 9 has identified warm water temperatures as an impediment to salmon recovery, and has also started a funding program called, "ReGreen the Green" which aims to support revegetation projects along the river.

**STATUS:** CIP utilized for restoration at NC Machinery & Southcenter Plaza. Planting completed and maintenance began in 2020. Other opportunities are being identified in a collaborative effort between Public Works and DCD.

**MAINT. IMPACT:** Expected to increase maintenance.

**COMMENT:** Grant funding ongoing. Funding to date has come from WRIA9, King Co., and the Rose Foundation.

FINANCIAL (in \$000's)	Through Estimated									
	2019	2020	2021	2022	2023	2024	2025	2026	BEYOND	TOTAL
<b>EXPENSES</b>										
Design	30	5	20	5	20	5	20	5	30	140
Land (R/W)			5		5			3	5	18
Monitoring		10	20	20	30	30	20	45	45	220
Const. Mgmt.	2	7		20		20		20	20	89
Construction	45	136		100		100		100	100	581
<b>TOTAL EXPENSES</b>	<b>77</b>	<b>158</b>	<b>45</b>	<b>145</b>	<b>55</b>	<b>155</b>	<b>40</b>	<b>173</b>	<b>200</b>	<b>1,048</b>
<b>FUND SOURCES</b>										
Awarded Grants KC	19	113								132
Proposed Grants				50		50		50	50	200
Rose Foundation	13	12								25
Mitigation Expected										0
City Oper. Revenue	45	33	45	95	55	105	40	123	150	691
<b>TOTAL SOURCES</b>	<b>77</b>	<b>158</b>	<b>45</b>	<b>145</b>	<b>55</b>	<b>155</b>	<b>40</b>	<b>173</b>	<b>200</b>	<b>1,048</b>



## CITY OF TUKWILA CAPITAL PROJECT SUMMARY

2021 to 2026

**PROJECT:** Tukwila 205 Levee Certification

Project No. 91341203

**DESCRIPTION:** Reconstruct the Tukwila 205 Levee to provide 500-year level of flood protection and obtain levee certification.

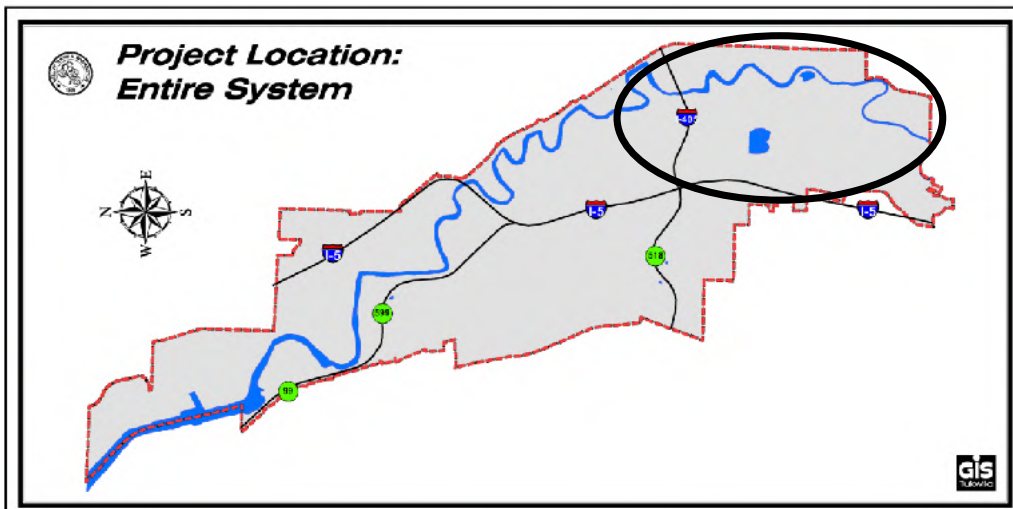
**JUSTIFICATION:** The US Army Corps of Engineers no longer provides levee certification services to federally authorized levees. The existing certification expired in August 2013. Certification is required for the Federal Emergency Management Agency to accreditate the levee system as providing a 100-year level of flood protection. A study of the Tukwila 205 Levee found approximately 80% of the levee could not be certified in its current condition and will require repair or reconstruction.

**STATUS:** A levee assessment has been completed.

**MAINT. IMPACT:** Certification process is expected to lead to additional levee repair projects that are required to meet the certification criteria. Certification is valid for a 10-year period.

**COMMENT:** The City has petitioned the King County Flood Control District to make levee improvements to upgrade the 205 Levee to provide a minimum of 100-year level of protection, and where construction is needed, construct to a 500-year level of protection. KCFCD has agreed to begin design of several projects in 2020, which will take approximately 15 years to complete and will require extensive work with the City of Tukwila and property owners. A full time employee to monitor this project will be required and listed in 2021 through 2026.

FINANCIAL (in \$000's)	Through 2019	Estimated 2020	2021	2022	2023	2024	2025	2026	BEYOND	TOTAL
<b>EXPENSES</b>										
Certification Phase I	350									350
Certification Phase II	229		500	500	500	500	500	500		3,229
Design										0
Const. Mgmt.					150	150	150	150		600
Construction										0
<b>TOTAL EXPENSES</b>	<b>579</b>	<b>0</b>	<b>500</b>	<b>500</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>0</b>	<b>4,179</b>
<b>FUND SOURCES</b>										
KC Flood Control	236				150	150	150	150		836
Proposed Grants										0
Mitigation Actual										0
Mitigation Expected										0
Utility Revenue	343	0	500	500	500	500	500	500	0	3,343
<b>TOTAL SOURCES</b>	<b>579</b>	<b>0</b>	<b>500</b>	<b>500</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>0</b>	<b>4,179</b>



City of Tukwila  
**CAPITAL IMPROVEMENT PROGRAM**  
 for  
 2021 - 2026

**SURFACE WATER**  
**412 Fund**

Page #	PROJECT TITLE	2021	2022	2023	2024	2025	2026	TOTAL	**Other Sources	After Six Years
78	Annual Small Drainage Program	900	900	900	900	970	970	5,540	0	673
79	Storm Water Quality Retrofit Program	115	3,314	105	105	110	105	3,854	2,160	115
80	NPDES Program	100	50	55	55	60	60	380	110	65
81	WRIA 9 Watershed Planning	20	21	21	21	22	23	128	87	23
82	Green the Green Program	45	145	55	155	40	173	613	150	200
83	Surface Water Monitoring	35	37	37	38	38	39	224	0	39
84	East Marginal Wy S Stormwater Outfalls	1,276	0	0	0	0	0	1,276	842	0
85	Gilliam Creek Fish Barrier Removal	936	536	405	5,952	2,400	0	10,229	7,076	0
86	Tukwila 205 Levee Certification	500	500	650	650	650	650	3,600	600	0
87	Nelsen Side Channel	225	240	1,825	0	0	0	2,290	1,550	0
88	Surface Water Comprehensive Plan	200	0	0	0	0	0	200	0	250
89	S 131st PI Drainage Improvements	150	1,000	0	0	0	0	1,150	250	0
90	Riverton Creek Flap Gate Removal	55	0	0	0	0	0	55	50	0
91	Chinook Wind Public Access	59	357	0	0	0	0	416	137	0
92	Surface Water GIS Inventory	0	100	0	150	0	0	250	0	0
93	Northwest Gilliam Storm Drainage System	0	100	840	0	0	0	940	0	0
94	Tukwila Pkwy/Gilliam Creek Outfalls	0	0	60	415	0	0	475	0	0
	S 146th St Pipe & 35th Ave S Drainage	0	0	0	0	0	0	0	0	1,066
	Soils Reclamation Facility	0	0	0	0	0	0	0	0	1,375
	S 143rd Street Storm Drainage System	0	0	0	0	0	0	0	0	1,096
	Nelsen PI/Longacres Surface Water Phase II	0	0	0	0	0	0	0	0	345
	Duwamish Rvrbk Stabilization at S 104th St	0	0	0	0	0	0	0	0	595
	TUC Surface Water Conveyance	0	0	0	0	0	0	0	0	541
<b>Grand Total</b>		4,616	7,300	4,953	8,441	4,290	2,020	<b>31,620</b>	13,012	6,383

\*\* Denotes other funding sources, grants, or mitigation.

Project sheets scheduled beyond 2026  
 can be found in the City's website under  
 Public Works Capital Improvement Program.

Changes from 2019 to 2021 CIP:

Additions

83 Surface Water Monitoring

25

**Surface Water Lift Station Locations**

Storm Lift Station No. 15	5910 S 180th St - Mizuki Grill
Storm Lift Station No. 16	7420 S 180th St (underpass)
Storm Lift Station No. 17	530 Strander Blvd - Bicentennial Park
Storm Lift Station No. 18	4225 S 122nd St - Allentown
Storm Lift Station No. 19	Fort Dent Park (Parks Dept.)



# CITY OF TUKWILA CONTRACT CHANGE ORDER NO. 1

DATE: February 24, 2022  
PROJECT NO.: 99830103  
PROJECT NAME: Riverton Creek Flapgate Removal Project Phase 2  
BUDGET NO.: 412.98.594.382.65.00  
CONTRACT NO.: 20-075

TO: At Work! Commercial Enterprises

You are hereby directed to make the herein described changes to the plans and specifications or do the following described work not included in the plans and specifications on this contract:

NOTE: This change order is not effective until approved by the "Owner" and a notice to proceed is issued.

Conditions:

- A. The following change, and work affected thereby, are subject to all contract stipulations and covenants;
- B. The rights of the "Owner" are not prejudiced;
- C. All claims against the "Owner" which are incidental to or as a consequence of this change are waived; and
- D. The Contractor must submit all Field Overhead and Home Office Overhead Rates for approval in advance of all change orders.

**CHANGE: See Attached Exhibit "A"**

We the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above and below.

ACCEPTED: Date _____	Contractor _____
By _____	Title _____

Original Contract (without tax)	\$ 96,446.00	APPROVED BY THE CITY OF TUKWILA
Previous Change Order	\$ NA	Date _____
This Change Order (without tax)	\$ 51,800.00	By _____
REV. CONTRACT AMOUNT	\$ 148,246.00	Mayor

Original Contract Time: ended April 30, 2022	City Engineer _____
Additional Contract Time for this Change Order: 2 years	
Updated Contract Time: April 30, 2024	

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ORIGINAL: City Clerk (1 of 2)	cc: Finance Department (w/encumbrance)
Contractor (2 of 2)	Project Management File
PW Project Finance File	

## **EXHIBIT “A”**

### **CHANGE:**

#### ***2 years of restoration maintenance***

Provide weed control of blackberry, Reed Canary Grass, Knotweed, Ivy, Black Hawthorne, and any other invasive weeds growing in the buffer. Perform weed control three times per year or as needed, typically in spring, late summer and fall.

Weed control methods will include minimizing competing grasses and invasive vegetation throughout the buffer especially 3 feet surrounding each plant by spraying an approved herbicide and/or mechanical weeding.

#### ***Adaptive Management***

At the direction of the Engineer, the Contractor will procure, install and maintain, within the project area native plants to fill in gaps or respond to changing site conditions. This item will be paid on a time and materials basis not to exceed \$5,000, plus 10.1% sales tax.

### **COST AND TIME CONSIDERATIONS:**

The scope of services are valued at \$51,800.00 plus \$5,231.80 in taxes for a total of \$57,031.80.

Extend the contract by two years, ending on April 30, 2024.

## **Atwork! Commercial Enterprise LLC**

Headquarters: 1935 152<sup>nd</sup> PI Ne Bellevue, WA 98007

Operations Center: 690 NW Juniper Street Issaquah WA 98027

(425) 274-4026, (206) 434-6623

Contract Extension Proposal City of Tukwila

[Johns1@atworkwa.org](mailto:Johns1@atworkwa.org)

2/27/2022

### **RIVERTON CREEK FLAPGATE REMOVAL PROJECT**

#### **Contract Extension**

**Project No. 99830103**

#### **Scope of Work for Maintenance**

##### **Contract Extension**

2 year extension of existing contract (May 2022 to April 2024)

##### **Invasive Weeds Maintenance**

Provide weed control of blackberry, Reed Canary Grass, Knotweed, Ivy, Black Hawthorne, and any other invasive weeds growing in the buffer. Perform weed control three times per year or as needed, typically in Spring, late Summer, Fall. Weed-control methods will include minimizing competing grasses and invasive vegetation throughout the buffer especially 3 feet surrounding each plant by spraying an approved herbicide and/or mechanical weeding.

##### **Watering**

Provide watering for newly installed plantings as needed. Watering to include all costs including labor, equipment, water meter and its costs, water use charges.

##### **Litter Control**

Remove litter and debris from the work areas two time per year, once in the spring/summer and once in summer/fall. Haul off and dispose.

##### **Pricing**

\$20,900.00 Per Year - plus appropriate taxes