



City Commission Agenda Item

Meeting Date: January 21, 2025
From: Randy Frazer, City Manager
Item: Agreement No. 884-24 Federal-Aid Construction Engineering Inspection Services – Hike Bike Trail Project. No. 18 TE-0471-01

Motion: A Resolution authorizing the City of Arkansas City enter into Agreement No. 884-24 with Smith & Oakes, Inc. and the Kansas Department of Transportation (KDOT) for Federal-Aid Construction Engineering Services for Hike Bike Trail Project No. 18 TE-0471-01. **(Voice Vote)**

Purpose: To approve Agreement No. 884-24 between the City of Arkansas City, Smith & Oakes, Inc., and the Kansas Department of Transportation (KDOT) for construction engineering inspection services on Project No. 18 TE-0471-01, ensuring compliance with federal and state requirements and timely project completion.

Background: The City of Arkansas City (LPA) is undertaking Project No. 18 TE-0471-01 under the Federal-Aid Program administered by the Kansas Department of Transportation (KDOT). This project is funded through federal and state resources to construct and enhance the Hike-Bike Trail, promoting pedestrian and bicycle connectivity.

As the LPA does not have sufficient engineering staff to conduct the required construction engineering inspection services, the City has engaged Smith & Oakes, Inc., a qualified consulting engineering firm. The consultant will provide construction engineering services in compliance with KDOT standards, ensuring adherence to all applicable regulations and specifications.

Agreement No. 884-24 outlines the responsibilities of the parties involved, the scope of services, and the allocation of costs. Payment terms are as follows:

Basis of Payment:

1. The table below reflects the funding commitments of each Party under this Agreement. Costs and contributions are estimates for encumbrance purposes and may change. The LPA will notify the Bureau of Local Projects if costs increase by more than 10% over the estimate.
 - **Secretary's Responsibility:** 80% of Participating Costs of Construction Engineering (CE), including \$15,953.43 net fee, up to the upper compensation limit of \$130,377.66.
 - **LPA's Responsibility:** 20% of Participating Costs of CE until the Secretary's funding limit is reached; 100% of Participating Costs of CE after the Secretary's funding limit is reached; and 100% of Non-Participating Construction Engineering Costs.
2. The Consultant will be paid as set forth in the Specific Construction Provisions Attachment, which includes full compensation for services performed, labor, materials, supplies, equipment, and incidentals necessary to complete the work. The Consultant agrees to provide the LPA with expenditure status by sending copies of vouchers submitted to KDOT.
3. Extra work will be compensated separately per approved supplemental agreements.
4. The Consultant must submit its current indirect (overhead) cost rate annually for audit and adjustment by the Secretary as necessary.
5. Invoices and final statements shall itemize charges by individual projects if the Agreement covers multiple projects.
6. Final payment will be issued upon completion and acceptance of the work, and submission of all required documentation to KDOT.

Commission Options:

1. Approve the Resolution
2. Disapprove the Resolution
3. Table the Resolution for further discussion

Fiscal Impact: Amount: **None. Prev. budgeted with matching funds under Resolution No. 2024-11-3656.**
See explanation below.

Fund: 68-Capital Improvement Department: 100-General Government Expense Code: 6220-Engineering

Included in budget Grant Bonds Other Not Budgeted

CIP Fund is not budgeted for this project, but this project has been in the planning stages for several years. The city is responsible for the associated LPA CE funding costs, as reflected in previously budgeted matching funds in the amount of \$269,000.00 under Resolution No. 2024-11-3656 Hike Bike Extension Phase 2.

Attachments: Resolution, KDOT Letter, Agreement

Approved for Agenda by:



Randy Frazer, City Manager