



## STAFF REPORT

DATE: August 30, 2023  
TO: Ty Lasher, City Manager  
FROM: Anne Stephens, City Engineer  
RE: Woodlawn Construction Services

### **Proposal Focus:**

#### Our Mission

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- Attractive growth and safe living – Encourage attractive neighborhoods and new developments.

#### Our Values

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- Working Together – Departments working together as one team. Staff working with residents, HOA's and neighborhoods. Citizens working with each other.

### **Current Situation:**

Garver is running out of fee for their work on the Woodlawn Construction project and is presenting an 'Hourly, Not to Exceed' fee for continued work on the Woodlawn project.

### **Goals:**

- To work with the Developer to grow the City in an attractive, safe manner that is consistent with City standards.

### **Discussion:**

Per KDOT's guidelines, Garver based their fee on the initial working day count for the project as provided by KDOT. Since then, the project has been granted an additional 70 working days. Not only is a qualified construction inspector required to oversee this project as part of the City's agreement with KDOT for the funding, Garver's personnel has been a tremendous help to me in navigating through this project. Their knowledge of the KDOT process, requirements and specifications has saved me a considerable amount of time and allowed me to work on other projects. They have gone over and beyond their specific duties when requested to help work through questions and issues that have arisen on the project. Their public involvement team has taken a considerable load off not only myself, but also Tristin in assisting both of us with answering questions from the public and providing timely information to help communicate with our residents.

Garver will be at the September 5<sup>th</sup> City Council meeting to provide a presentation to further inform Council of their role in this project and what they are continuing to do to not only support City Staff, but also meet KDOT requirements and look out for the City's best interest as construction progresses.

The original agreement with Garver for Construction Engineering/Inspection Services was for \$873,896.61. Garver initially presented a supplemental agreement for \$219,323.08 for their additional time on the project. Anne and Ty met with Garver to negotiate their fee. After negotiations, Garver agreed to lower their fee to \$199,297.70. Please keep in mind that this is an

‘Hourly, Not to Exceed’ fee. If time is not spent on the project, the City will not be charged the entire fee. Garver has a history of not using their entire construction observation fee on City subdivision projects and I expect the same amount of diligence about providing good service to the City while being cognizant about the amount of time and effort that is spent on the project to do what they can to limit costs to the City.

**Financials:**

The additional cost associated with this Supplemental Agreement will be included in the bonds and paid for out of the general fund. This Supplemental Agreement will increase the total annual debt service payment by approximately \$17,650.

**Recommendation:**

City Staff does not have the necessary qualifications or time to be able to fulfill the construction engineering/inspection requirements of the contract between the City and KDOT. Staff recommends that the Council approve the Supplemental Agreement with Garver for their continued work on the Woodlawn project.

**WORK ESTIMATE FORM**  
**Cost plus Net Fee**

**Work Scope Defined by Project Plans**

Date 8/29/2023

Consultant's Name Garver, LLC (Project # 19C07000.2) Project No. 087 N 0685-01

Mailing Address 1995 Midfield Dr  
Wichita, KS 67206 County/City Sedgwick/Bel Aire

Working Days 70

Work Estimate No. \_\_\_\_\_ CMS Contract No. 521092575

Project Location Woodlawn Avenue from 37th to 45th

Name of Project Manager Patrick Herman Phone Number 316-207-5239

Name of Chief Inspector Eric Strecker Phone Number 316-305-5379

1. Pre-construction preparation	Eng(s) &/or Mang.	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Techn(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Coordinator(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Clerical	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
Subtotal				<u>\$0.00</u>

2. Field Inspection daily contract documents	Eng(s) &/or Mang.	<u>28 @</u>	<u>\$82.00 =</u>	<u>\$2,296.00</u>
	Techn(s)	<u>1470 @</u>	<u>\$32.60 =</u>	<u>\$47,922.00</u>
	Coordinator(s)	<u>105 @</u>	<u>\$42.00 =</u>	<u>\$4,410.00</u>
	Clerical	<u>14 @</u>	<u>\$23.00 =</u>	<u>\$322.00</u>
Subtotal				<u>\$54,950.00</u>

3. On-site Testing	Eng(s) &/or Mang.	<u>3.5 @</u>	<u>\$82.00 =</u>	<u>\$287.00</u>
	Techn(s)	<u>105 @</u>	<u>\$32.60 =</u>	<u>\$3,423.00</u>
	Coordinator(s)	<u>21 @</u>	<u>\$42.00 =</u>	<u>\$882.00</u>
	Clerical	<u>3.5 @</u>	<u>\$23.00 =</u>	<u>\$80.50</u>
Subtotal				<u>\$4,672.50</u>

4. Surveying	Eng(s) &/or Mang.	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Techn(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Coordinator(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Clerical	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
Subtotal				<u>\$0.00</u>

5. Final Paper Preparation	Eng(s) &/or Mang.	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Techn(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Coordinator(s)	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
	Clerical	<u>0 @</u>	<u>\$0.00 =</u>	<u>\$0.00</u>
Subtotal				<u>\$0.00</u>

Total Direct Payroll Costs \$59,622.50

Summary Total Direct Payroll Costs

	Hours	Rate	Extension
Eng(s) &/or Mang.	31.5 @	\$82.00 =	\$2,583.00
Techn(s)	1575 @	\$32.60 =	\$51,345.00
Coordinator(s)	126 @	\$42.00 =	\$5,292.00
Clerical	17.5 @	\$23.00 =	\$402.50
Total Direct Payroll Costs			\$59,622.50
B. Salary Related Overhead	183.49 %		\$109,401.33
C. Total Payroll plus Overhead			\$169,023.83
D. Net Fee			\$25,353.57

E. Direct Expenses (Travel, Postage, Misc.)

Per Diem & Subsistence	Days	@	=	\$0.00
Mileage	miles	\$0.66/mile		
Auto	@			\$0.00
Pickup	7455 @	\$0.66		\$4,920.30
Postage	@			\$0.00
Testing Laboratory or Consulting Firm to Assist				
(Name of Lab or Firm)	@			\$0.00
(Details Needed)				
Equipment Rental	@			\$0.00
(Details \$500 +)				
Total Other Direct Expenses				\$4,920.30

TOTAL COST PLUS NET FEE ESTIMATE \$199,297.70

Consultant Representative



Date 8/29/23

LPA Authorized Representative

\_\_\_\_\_

Date \_\_\_\_\_

Approving KDOT Representative

\_\_\_\_\_

Date \_\_\_\_\_