



STAFF REPORT

DATE: October 8, 2024
TO: Ted Henry, City Manager
FROM: Anne Stephens, PE, City Engineer
RE: Woodlawn Construction Services

Current Situation:

Even though there is no active construction on Woodlawn, it is still an active, open project with KDOT. Due to this, KDOT requires daily inspections for traffic control and weekly inspections for stormwater pollution protection. 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.

Discussion:

Per KDOT's guidelines, Garver based their fee on the initial working day count for the project as provided by KDOT. A Supplemental Agreement was approved due to the additional working days that were added during the course of construction. At this point, the project is now in what is considered a "States Delay", which means that no work is currently being accomplished on the project. Unfortunately, the project is still considered to be an active and open project through KDOT which continues the requirement for daily inspections. Garver has had multiple discussions with KDOT's construction management staff regarding ways to reduce the frequency of inspections, but KDOT is not bending on their requirements primarily since this is a federal aid project. Required inspections include daily traffic control and weekly stormwater pollution prevention device inspections. These inspections also include documentation via daily diaries and necessary communication with various parties if anything is found amiss. These inspections are not something that City Staff can take over since no staff currently have the required certifications from KDOT.

The original agreement with Garver for Construction Engineering/Inspection Services was for \$873,896.61. A supplemental agreement was approved in September 2023 for \$109,480.82 for a total contracted fee of \$983,377.43. As of October 2, 2024, Garver has billed a total of \$977,070.59.

The additional supplemental presented at this time represents part time inspection beginning October 15, 2024 through October 14, 2025. An additional supplemental agreement will be presented to cover the reconstruction efforts once the reconstruction plans are completed.

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 \$89,608.45.