



## TOWN OF ELIZABETH

PATRICK G. DAVIDSON, TOWN ADMINISTRATOR

TO: Honorable Mayor, Mayor Pro Tem, and Board of Trustees  
FROM: Patrick Davidson, Town Administrator  
DATED: April 2, 2024  
SUBJECT: Change Order – CORE Engineering – Main Street Streetscape Project

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### BACKGROUND

This project has varied over time with regard to the designs involved with the Main Street Streetscape. Most recently, as the Board will recall, questions arose with regard to unanticipated costs associated with tying in existing drainage to the bulb-design for pedestrian crossings. The Board most recently reviewed and approved a modified design which would consider existing curb and gutter, as well as existing storm drainage. While not as originally planned, it does complete a variation of the project at substantial cost savings.

### ANALYSIS

The Town and Board of Trustees have limited options available to it in this process. In order to finalize the streetscape, plans must be completed. They may be completed by CORE or may be completed by another party. Under either scenario, the proposed change order of \$76,060.00 is likely the most economical.

Second, the Town has been awarded grants of \$1.25M in which to assist in the downtown project including the Street Scape Project. These funds are potentially in jeopardy if the design and construction cannot be completed in a timely manner. As such, the proposed change order is still the most logical way to proceed.

Finally, the Town is unable to receive finalized plans necessary for the construction bid, or completion of the 444 S. Main Parking Lot without the information either in CORE's possession, or to be completed by CORE. As the Town intends to put the 444 S. Main Parking Lot project to bid and construction this year, receiving timely updates from CORE is again the most efficient way to proceed.

### STAFF RECOMMENDATION

Town Staff is deeply concerned about the overall costs which have escalated through the development of this project. There have been revisions and change orders undertaken with this project that resulted in previous change orders, and with it, additional costs. CORE asserts that it has written off approximately \$37,000 in billable hours as a means of compromise for this project, and this is very much appreciated in reaching a resolution.

At this time, unfortunately, the Board of Trustees has limited options available to it. Staff is recommending proceeding with CORE Engineering to complete this project and recommends the Board of Trustees approve the change order in the amount of \$76,060.00.

**BUDGET CONSIDERATION**

This change order was not, and could not, have been anticipated during last Summer/Fall's budget meetings. At that time, the Town had just acquired 444 S. Main, and the development of the Streetscape project was largely conditioned upon the award of grant funding. Additionally, the engineering design issues were not fully analyzed and resolved in time for completion of the budget.

The Main Street Projects in general have been funded from the Capital Improvement Fund and the Street Capital Improvement Fund. Account #21-80-0100 was budgeted in the total amount of \$250,000 for future land acquisition. Currently, there is no anticipated expenditures from this account in the immediate future. It is recommended that this funding for the change order come from this account, which would leave a balance of \$173,940.00. In the event future land acquisitions were considered this calendar year, the Board would need to consider accessing unallocated and unbudgeted funds moving forward.

**ATTACHMENT(S)**

Resolution Authorizing the Mayor of the Town of Elizabeth to Execute Change Order 3 with CORE Engineering in Furtherance of the Main Street Streetscape Project.

## RESOLUTION 24R21

### **A RESOLUTION AUTHORIZING THE MAYOR OF ELIZABETH TO EXECUTE CHANGE ORDER 3 WITH CORE ENGINEERING IN FURTHERANCE OF THE MAIN STREET STREETScape PROJECT.**

WHEREAS, the Town of Elizabeth has used the services of CORE Engineering to provide professional engineering services regarding the Town's Main Street Streetscape Project; and

WHEREAS, additional design work is anticipated to be undertaken by CORE Engineering for furtherance of the project as more fully reflected in attached **Exhibit A**; and

WHEREAS, the Board of Trustees authorizes the Mayor of the Town of Elizabeth to execute Change Order 3, otherwise identified in Exhibit A in furtherance of the Main Street Streetscape Project.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ELIZABETH, COLORADO AS FOLLOWS:

SECTION 1. The Board of Trustees authorizes the Mayor of the Town of Elizabeth to execute Change Order 3, otherwise identified in Exhibit A in furtherance of the Main Street Streetscape Project.

PASSED, APPROVED, and ADOPTED this 9th day of April 2023, by the Board of Trustees of the Town of Elizabeth, Colorado, on first and final reading, by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

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Tammy Payne, Mayor

ATTEST:

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Michelle M. Oeser, Town Clerk

## EXHIBIT A

### ADDITIONAL SERVICES / SERVICE AUTHORIZATION

Additional Services / Service Authorization No. 3  
CORE Project No. 10-010-069 (the "Project").

This Exhibit A, Service Authorization No. 3, executed by and between CORE Consultants, Inc., a Colorado corporation whose principal place of business is located at 3473 S. Broadway, Englewood, CO 80113 ("CORE") and Town of Elizabeth ("Client"; CORE and Client, the "Parties"), shall become incorporated into and be part of that certain Professional Service Agreement between the Parties, dated 1/11/2022 (the "Agreement").

This Service Authorization identifies the Scope of Services, Assumptions and Clarifications, Exclusions, Client Responsibilities, Compensation, and Schedule related to Services to be provided by CORE for the Main Street Streetscape project.

### SCOPE OF SERVICES

Based on the following Scope of Services and fee for this additional service request represent current changes to the original roadway design concepts, outlined in the original 1/11/2022 agreement and accepted by the Town Board of Trustees. The change in scope includes multiple changes to the roadway configuration and parking layouts as described below:

#### Item 6: Roadway Plans

Provide a revised roadway grading plan and construction documents to comply with the recent chosen alternative within the Concept Pedestrian Safety Zone alternatives analysis.

The original scope of work was to design the roadway cross section with bulb out areas to be at the same elevation as sidewalk with the addition of directional ped ramps. The bulb outs were removed in February 2023 and placed back within the project in June 2023. The Town's direction was to design the bulb outs to help accommodate snow plowing. The roadway grading plan has been modified with each Town instructed change. The revised grading plan illustrating the bulb outs location as approved by the Town Board in June 2023 has been accepted by the Town's Public Works Department. CORE is now proceeding with final design. After discussions with the Town regarding potential cost impacts created by significant grading to incorporate the at grade bulb outs, CORE was directed by the Town to develop alternatives for the pedestrian crossings. The main design criteria was to have a maximum roadway width of 24-feet at the crossings. CORE prepared an alternatives analysis and the Town made a decision on the alternative selected and the preparation of the roadway plans and construction documents will proceed accordingly.

#### 1.1. Revised street layout and horizontal control based upon parking layout changes.

The roadway base map and horizontal control plans were revised to accommodate curb line changes that reflected new parking layouts and new bulb out configurations as approved by the Town.

#### 1.2. Create Phasing Plan for Roadway Construction

The Town desires to construct the Main Street improvements in three separate phases.

Phase 1 will extend from Walnut Street to Spruce Street, Phase 2 will extend from Spruce Street to E Elm Street. Phase 3 will extend from E Elm Street to E Kiowa Ave. The plans will be modified to delineate Phase 1

#### **Item 7: Final Drainage Report**

##### 7.1 Revise and Update Drainage Report

Revise Final Drainage report to accommodate new curb transitions to allow for an at-grade bulb out within the roadway configuration. The report will also include the proposed storm outfall locations.

#### **Item 8: Bid Process**

##### 6.1 Bid Process

Decrease this line item amount and transfer proposed fee to.

#### **Item 10: Landscape Architecture Streetscape:**

##### 10.1 Update Landscape and Streetscape Plan

Revisions to landscape and streetscape plans based on revised roadway cross section and addition of revised pedestrian bump-outs.

#### **Item 14: Preparation of Drainage Easements**

##### 14.1 Easement Preparation

Create drainage easement descriptions and exhibits for all required areas where the storm drain falls outside of the roadway right-of-way. Fee assumes three (3) descriptions.

### **ASSUMPTIONS AND CLARIFICATIONS**

The following Assumptions and Clarifications are provided relative to the Scope of Services, Compensation, and Schedule herein:

1. The proposed fee is valid for 30 days. Beyond that, pricing will require review/revision by CORE.
2. This Agreement and all contents expressed herein are confidential and cannot be disclosed to parties outside of CORE and Client without the specific written permission of CORE.
3. The fee and Scope of Services are based on the work schedule attached hereto identified therein. Any work extending beyond the schedule indicated due to revisions directed by Client is not included.
4. If the Scope of Services is increased, the fee will also increase based on requirements dictated by the schedule and requirements.
5. CORE services will be provided with a standard of care similar to other professional service firms providing these services within the region.
6. Payment and performance bonds costs are not included.

7. The Topographic Survey deliverable will be an AutoCAD base file that will be used in-house for future design and verification.
8. The pothole information will be used in-house for SUE certification and include copies of the field notes and a spreadsheet with each pothole number, surface coordinates and surface elevation.

**SPECIFIC EXCLUSIONS**

This Agreement specifically excludes the following items, and all items not listed in the Scope of Services presented herein:

1. Construction Administration
2. Any required CDOT improvements to the intersection of Highway 86 and Main Street based upon Main Street Station Development Plans
3. Utility Service Connections / Additional Fire Hydrants
4. Structural retaining wall design

**CLIENT RESPONSIBILITIES**

The following items will be provided by Client:

1. Client shall cooperate with CORE in good faith, as necessary to allow CORE to perform the services defined in the Agreement.
2. Client shall provide CORE with information and criteria of Client's requirements for the Project. Information needed includes direction for the proposed storm drain outfall, no parking sign locations along the residential homes south of Poplar and roadway phasing limits.
3. Client shall provide access to the Project site as necessary for CORE's performance of the Scope of Services.
4. Client shall examine and respond promptly to CORE's submissions to the Client.
5. The client shall consult with CORE on a regular basis concerning the timeliness, cost, and adequacy of services as the service progress, and promptly furnish to CORE written notice of any noncompliance with the terms of the Agreement.

**COMPENSATION**

The Scope of Services provided herein will be provided on a combination Fixed Fee (FF) and Time and Materials Estimate ("TME") basis. Each Scope of Services item is noted by either FF or TME as

appropriate. FF items will be invoiced on a percent-complete basis as the Project and services progress.

| Phase         | Phase Description  | Previous Fee        | New Additional Fee | Total               | Type |
|---------------|--|---------------------|--------------------|---------------------|------|
| 1             | Detailed Field Survey  | \$29,500.00         |                    | \$29,500.00         | FF   |
| 2             | Ownership Research   | \$4,000.00          |                    | \$4,000.00          | FF   |
| 3             | Existing Utility Locates   | \$8,000.00          |                    | \$8,000.00          | FF   |
| 4             | Public Meetings  | \$9,500.00          |                    | \$9,500.00          | FF   |
| 5             | Geotechnical Design  | \$10,000.00         |                    | \$10,000.00         | FF   |
| 6             | Roadway Plans  | \$70,000.00         | \$61,510.00        | \$131,510.00        | FF   |
| 7             | Final Drainage Report  | \$27,000.00         | \$8,500.00         | \$35,500.00         | FF   |
| 8             | Bid Process  | \$15,000.00         | <\$8,500.00>       | \$6,500.00          | TME  |
| 9             | Reimbursable Expenses  | \$3,000.00          |                    | \$3,000.00          | TME  |
| 10            | Landscape Architecture Streetscape                                     | \$92,000.00         | \$9,300.00         | \$101,300.00        | FF   |
| 11            | Street Light and Powerline Relocation (additional fee approved in CO4) | \$24,800.00         |                    | \$24,800.00         | FF   |
| 12            | Conceptual Parking Analysis (CO2)                                      | \$18,000.00         |                    | \$18,000.00         | FF   |
| 13            | Concept Pedestrian Safe Zone (CO4)                                     | \$23,560.00         |                    | \$23,560.00         | FF   |
| 14            | Drainage Easement Descriptions (3)                                     | \$0.00              | \$5,250.00         | \$5,250.00          | FF   |
| <b>Total:</b> |  | <b>\$334,360.00</b> | <b>\$76,060.00</b> | <b>\$410,420.00</b> |      |

All TME NTE, TME, and FF items will be invoiced pursuant to the Terms and Conditions and at the Schedule of Rates, both as in effect at the time services are rendered and expenses incurred.

## SCHEDULE

It is anticipated at this time that the completion of the roadway construction drawings will take approximately four weeks from signed contract amendment and notice to proceed to complete.

CORE is hereby authorized by Client to proceed with the Scope of Services as set forth herein.

**CORE Consultants, Inc.**

**Client:** Town of Elizabeth

|                   |                   |
|-------------------|-------------------|
| <b>Signature:</b> | <b>Signature:</b> |
| <b>Name:</b>      | <b>Name:</b>      |
| <b>Title:</b>     | <b>Title:</b>     |
| <b>Date:</b>      | <b>Date:</b>      |

