

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Heather McDowell, Special Projects Manager  
Matt Fater, Director of Civil Engineering  
Gerry Paul, Director of Purchasing

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## SUBJECT

**Second Reading of Ordinance No. 026, 2024, Authorizing the Purchasing Agent to Enter into a Contract for Professional Services in Excess of Five Years for the Proposed Oak Street Stormwater Improvements Project.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on February 6, 2024, authorizes the City's purchasing agent, pursuant to City Code Section 8-186(a), to enter into contracts greater than five years in length, for professional services for the proposed Oak Street Stormwater Improvements Project. The contract authorized under the proposed ordinance could be extended up to the life of the project. Design for the project began in 2020, construction is anticipated to begin in 2024 with a 2-year duration, and project close-out may take several months, making the overall duration of the project seven (7) years or more. Under this scenario and without this proposed ordinance, the design contract would expire while the project is under construction, a situation that would result in logistical and cost ramifications for the City and the project.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## BACKGROUND / DISCUSSION

Anderson Consulting Engineers, Inc. is the lead engineer for the Oak Street project. Although the current contract with Anderson Consulting Engineers, Inc. will not expire until August 2025, the project construction is not anticipated to be completed until Fall 2026. As the lead engineer, Anderson Consulting Engineers, Inc. support during construction is critical. City Code Section 8-186(a) states no contract for materials, services or professional services, including all renewals, shall be made by the City for a period longer than five (5) years, unless authorized by ordinance, which ordinance shall not be passed as an emergency ordinance.

Design and construction for a project the size and complexity of the Oak Street Stormwater Improvements Project takes several years and is conducted in many phases. With that, it is essential to have a consistent team of design professionals throughout the life of the project so that their collective and in-depth knowledge of the project can be used to guide the project until its final completion and close-out.

The timeline of the project is approximately seven (7) years, as follows:

- Conceptual (30%) Design and Outreach: September 2020 – July 2021
- Preliminary (60%) Design and Cost Confirmation: August 2021 – February 2022
- Final (100%) Design and Bid Documents: June 2022 – July 2023
- Construction RFP and Contract: August 2023 – January 2024
- Pre-construction and Outreach: January 2024 – Aug 2024
- Construction: August 2024 – Winter 2026 (total anticipated duration is 24-30 months)
- Post-construction: Winter 2026 – Spring 2027

The project was initiated in August 2020 with the hiring of the design consultant firm, Anderson Consulting Engineers, Inc. This firm is under contract through a Professional Services Agreement with an effective date of August 3, 2020. The contract can be renewed for additional one-year periods for up to 4 years (5 years total), making the final expiration date of the contract no later than August 2, 2025. Anderson Consulting Engineers, Inc. is the design firm under contract with the City, however, it should be noted that there are several other professional subconsultants listed in the contract. These subconsultant services are for public engagement, landscape architecture, irrigation, structural engineering, geotechnical engineering, surveying, and tunnel engineering. The design professional team plays an integral role during construction because of their in-depth knowledge of the project, goals and objectives of the project, standards and design guidelines, technical information, design decisions and clarifications, and risks associated with the project. The team of professionals that are hired for a project of this size are expected to participate in all stages of the design process and to have continued involvement throughout the duration of construction and close-out.

The adoption of this ordinance will allow continued services, as needed, from Anderson Consulting Engineers, Inc. as well as the subconsultants included within their Professional Services Agreement, for the life of the project.

### **CITY FINANCIAL IMPACTS**

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This is a cost avoidance measure. Cost efficiencies will be realized by the City if the purchasing agent can enter into contracts for professional services in excess of five years for the Oak Street project.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

### **PUBLIC OUTREACH**

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None.

### **ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance for Consideration