



COUNCIL ACTION SUMMARY SHEET

MEETING DATE: August 26, 2024

TOPIC Park Avenue Retaining Wall Replacement Project

BACKGROUND BRIEF:

Administration is requesting that Village Council (1) approve a budget amendment for the Park Avenue Retaining Wall Replacement Project; (2) approve the design plans for the Park Avenue retaining wall replacement project; (3) approve the cost sharing agreement between the Village and the affected abutting property owners; and (4) award the contract for the construction of the project.

As Council is aware, the retaining wall at the end of Park Avenue is failing and is in urgent need of replacement. The wall failure is causing roadway damage. Council requested that Administration meet with the affected property owners to negotiate an acceptable cost sharing agreement, and this work has been completed. The property owners opted to contribute equally to the project and agreed to pay for the roadway repair and guardrail portion of the project, with the Village to pay for the costs of the replacement of the retaining wall itself and to cover any contingencies in excess of the base contract price. Village Attorney Kucharek prepared cost sharing agreements for each property owner, and the agreements have been executed by the owners. The Village has received the payments required under the agreements.

The project involves the removal and replacement of the retaining wall at the end of Park Avenue situated on Village right-of-way and along a portion of the McMaken property to the east, as well as repairs to a portion of Park Avenue and installation of guardrail. Attached are the design plans for the project.

The project was advertised for bids on the MITN bid system in early July, and bids were received and opened on July 30, 2024. The Village received three (3) bids. The responsible and responsive low bidder is JB Contractors Inc. of Detroit, Michigan. The engineer's recommendation on award of contract, bid tabulation sheet, and contract documents are attached.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

The construction cost of the project will be \$76,722.00. The three property owners will each pay \$6,807.33 for a total of \$20,421.99 to cover the costs associated with the repair of the roadway and installation of guardrail. The Village will pay the remaining \$56,301.01 for the cost of the retaining wall removal and replacement. Administration is also including contingencies (\$12,243.30) and construction engineering observation (\$4,900) in the project budget. The Village will also pay any additional costs resulting from change orders and engineering fees approved by the Village Council that increase the cost of the project above the base bid amount. Administration recommends providing an appropriation of \$100,000 for the project, up to \$80,000 of which will be funded from the Local Street Fund reserves.

RECOMMENDED MOTION:

#1 – To approve budget amendment BA-2025-203-01 to increase Local Street Fund revenues by \$20,422.00 and to increase Local Street Fund expenditures by \$100,000.00 to provide an appropriation for the Park Avenue Retaining Wall Replacement Project.

#2 – To approve the construction plans for the Park Avenue Retaining Wall Replacement Project base bid scope of work as prepared by the Village Engineer.

#3 – To approve the Park Avenue Retaining Wall Replacement Project Cost Sharing Agreement in Lieu of Special Assessments between the Village of Lake Orion and Randall Gilbert and Sue Delgado, 359 Park Avenue; Benjamin McKenzie and Lisa McKenzie, 365 Park Avenue; and Timothy McMaken and D. Claire Beaudet, 354 Park Avenue and authorize the Village Manager and Clerk to execute the agreement on behalf of the Village.

#4 – To award the contract for the construction of the Park Avenue Retaining Wall Replacement Project, without the alternate of the additional milling and paving of Park Avenue and with the use of RediWall LedgeStone (tan), to JB Contractors, Inc., of Detroit, Michigan, in the amount, of \$76,722.00 subject to the following conditions: (1) the Park Avenue Retaining Wall Replacement Project Cost Sharing Agreement in Lieu of Special Assessments is fully executed by all parties; (2) payment of costs in lieu of special assessments is received by the Village from all affected property owners; and (3) all required fully executed temporary construction easement agreements are received by the Village from affected property owners; and to authorize the Village Manager and Village Clerk to execute the contract on behalf of the Village when all conditions are met.