



CITY OF LAKE FOREST PARK

CITY COUNCIL

AGENDA COVER SHEET

Meeting Date	December 14, 2023
Originating Department	Public Works
Contact Person	Andrew Silvia, Senior Project Manager
Title	Resolution 23-1939/Authorizing the Mayor to sign Amendment No. 2 to the Professional Services Contract Agreement AG 21-002 with Transportation Solutions, Inc. for Design and Construction Management Services for the SR104 and 40 th Place NE Roundabout Project

Legislative History

- First Presentation – November 9, 2023, Work Session
- Second Presentation/Action – December 14, 2023 – Regular Meeting

Attachments:

1. Resolution 23-1939/Authorizing the Mayor to Sign Amendment No. 2 to the Professional Services Contract Agreement AG 21-002 with Transportation Solutions, Inc. for Design and Construction Management Services for the SR104 and 40th Place NE Roundabout Project
2. Amendment No. 2 to Professional Services Agreement 21-002 with Transportation Solutions, Inc.

Executive Summary

The Department of Public Works (“DPW”) recommends amending the professional services agreement with Transportation Solutions, Inc. (“Consultant”) to support additional services necessary to complete the design of the SR104 and 40th Place NE Roundabout project (“Project”). These services are not included in the Consultant’s contract scope of work. Amending the contract scope of work to include these additional services would increase the contract price by \$163,304.00. Funding to support this additional cost is available in the City’s Transportation Capital Fund; however, a capital budget amendment will be necessary, as described in the “Fiscal & Policy Implications” below.

Background

The City retained the Consultant to provide engineering design, permitting, and right-of-way acquisition services supporting the Project in January 2021. The City amended the Consultant's contract in January 2023 to include additional design, permitting, and right-of-way acquisition services, the necessity of which was primarily driven by increases in the project size. As project design advanced in 2023, several new project requirements emerged that have required or will require the Consultant's support to address. A complete list and description of these changes and their associated, proposed changes in the Consultant's contract scope of work are provided in Attachment 2. Generally, these changes include:

- New Code Requirements (31% of additional cost)
Two new ordinances (23-1271 and 23-1272) enacted by Council have modified permitting requirements related to tree removal and installation of retaining walls. The Project scope of work includes both activities and is therefore subject to the new code requirements. Addressing new tree code requirements will require the Consultant to complete a canopy coverage study and canopy replacement plan, update project site plans to reflect additional tree planting, and complete other, ancillary tasks. Addressing new retaining wall code requirements will require the Consultant to complete a noise study, complete the City's permitting process including a neighborhood meeting, update retaining wall design and other site plans to meet code and permitting requirements, and complete other ancillary tasks.
- Seattle City Light (SCL) Utility Relocation Requirements (48% of additional cost)
Where SCL's electric distribution infrastructure are to be installed through or near private property, SCL requires the establishment of easements that preserve their ability to maintain their assets as needed. The final design for relocation of SCL's facilities triggers this requirement, resulting in the addition of several new easements affecting three additional private properties. The Consultant must provide additional right of way acquisition negotiation support to address this new requirement. The Consultant has also provided outsized and reasonably unanticipated design coordination effort to obtain SCL's approval of the utility relocation design.
- Other Utility Relocation Support (21% of additional cost)
At DPW's request, the Consultant has provided additional support to coordinate the planned relocation of several utility facilities during construction, including developing a relocation sequencing plan and working to obtain utility purveyors' acceptance thereof, and supporting DPW's efforts to integrate the relocation of potable water facilities into the scope of the City's project and develop an associated interlocal agreement with the Lake Forest Park Water District. This additional coordination effort is intended to reduce risk of delays that may arise from disparate, uncoordinated utility relocation processes during construction.

DPW staff have reviewed the Consultant's request to amend the Project design contract and have found the proposed fees to be appropriate for the related services and agree that the services are necessary to complete the Project design.

Fiscal & Policy Implications

The approved 2023-2024 capital budget includes \$633,700 for the Project's estimated soft costs including design, right-of-way acquisition support, construction engineering, permitting fees, and other miscellaneous soft costs. The approval of design contract amendment #1 increased this budget to \$997,588. The proposed contract amendment would increase this budget to \$1,160,892. Funding sufficient to support this increased budget is available to transfer from the Transportation Capital Fund (302) balance to this Project's account.

As described in the 2023-2024 capital budget, there is currently a funding deficit to support the Project's total estimated cost. The \$1.2M± deficit cited in the capital budget increased by \$363K± following approval of the first design contract amendment and would increase an additional \$163K± if the

proposed, second design contract amendment is approved. City staff are pursuing numerous external funding opportunities to close this funding gap.

Alternatives

<i>Options</i>	<i>Results</i>
<ul style="list-style-type: none">• Adopt Resolution	The City will execute Amendment No. 2 to the PSA AG 21-002 with Transportation Solutions, Inc. and advance the Project by completing the work described in the amendment.
<ul style="list-style-type: none">• No Action	The City will not execute Amendment No. 2 to PSA AG 21-002. The Project's future is uncertain in this scenario, given the necessity of completing the proposed additional services for the completion of the Project as currently defined.

Staff Recommendation

Approve Resolution 23-1939 authorizing the Mayor to sign Amendment No. 2 to the Professional Services Agreement with Transportation Solutions, Inc. for the roundabout project.