



CITY OF LAKE FOREST PARK

CITY COUNCIL

AGENDA COVER SHEET

Meeting Date	January 12, 2023
Originating Department	Public Works
Contact Person	Andrew Silvia, Senior Project Manager
Title	Resolution 23-1882/Authorizing the Mayor to sign Amendment No. 1 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 – 12/8/2022 Work Session
 - Action – 1/12/2023 Regular Meeting
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Attachments:

1. Resolution 23-1882/Authorizing the Mayor to Sign Amendment No. 1 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. 1 to Professional Services Agreement 21-002 with Transportation Solution, Inc.
 3. Graphic Illustrating Assumed Roundabout Layout vs. Current Design
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Executive Summary

The Department of Public Works (“DPW”) recommends amending professional services agreement 21-002 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 generally include additional design, local permitting, and right-of-way acquisition support services that were not included in the initial Project scope of work or the Consultant’s contract. The fee for these services would increase the contract price from \$516,329 to \$880,216.75. 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” summary.

Background

The City retained the Consultant to provide engineering design, permitting, and right-of-way acquisition support services supporting the Project in January 2021. During Project design development, the Consultant has identified Project requirements that were not envisioned as part of the original Project scope of work and, therefore, not addressed in the Consultant's contracted scope of services. Effectuating these changes to the Project will require additional design support from the Consultant. A comprehensive description of the proposed additional services and associated fees is provided in Attachment 2. The most significant increases in the Consultant's contract price and related justifications include:

- The Project must occupy a significantly larger footprint than was assumed based on the City's Safe Highways Study and pre-design construction cost estimate. The larger footprint has created several new and/or larger-than-anticipated Project impacts, including but not limited to grade changes that require the custom design of retaining walls, greater stormwater-related impacts requiring design of stormwater management facilities and additional permitting, and additional right of way acquisition area for temporary and permanent use for which additional land surveying support is needed (combined 50%± of additional cost).
- The Consultant's original contract did not include support for the acquisition of a Tree Removal permit from the City, which will require the development of an arborist report, and the provision of additional land surveying and landscape design services (13%).
- Additional project management costs are necessary to support the additional design and permitting efforts (12%).

DPW staff have reviewed the Consultant's request to amend their 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.

At the December 8, 2022, Council Work Session, DPW staff were asked to provide an illustration showing the project layout per the current design vs. the conceptual layout from the City's 2018 Safe Highways Study, the latter of which was part of the basis for the Consultant's original contract fee. A new attachment (Attachment 3) has been included with this revised cover sheet that addresses Council Members' requests.

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 management, permitting fees, and other miscellaneous soft costs. This amount includes a \$100,000 reserve for the proposed design contract amendment based on an early estimate of the amendment cost. The actual amendment cost exceeds this early estimate and would increase the amount budgeted for 2023-2024 Project soft costs to \$890,593. 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 \$1.2M± funding deficit to support the Project's total estimated cost. City staff is pursuing numerous external funding opportunities to close this funding gap, including a WSDOT grant and state capital budget appropriation.

Alternatives

<i>Options</i>	<i>Results</i>
• Adopt Resolution	The City will execute Amendment No. 1 to the PSA AG 21-002 with Transportation Solutions, Inc. and advance the Project by completing the work described in the amendment.
• No Action	The City will not execute Amendment No. 1 to PSA AG 21-002. The Project's future is uncertain in this scenario, given the necessity of completing the proposed additional services to the completion of the Project as currently defined.

Staff Recommendation

Move to adopt Resolution 23-1882.