

AGENDA



Thursday, October 28, 2010

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 14**

Subject: Authorize negotiation and execution of Supplemental Amendment #1 to the Professional Services Agreement with BURY + PARTNERS, INC., Austin, TX for engineering services for the South IH-35 Water and Wastewater Infrastructure Improvements Program, Segment 1, IH-35 from Slaughter Lane to Slaughter Creek, 36-Inch Water Main in the amount of \$42,947.50, for a total contract amount not to exceed \$83,009.45.

Amount and Source of Funding: Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.

Fiscal Note: A fiscal note is attached.

For More Information: Phillip Jaeger, 972-0232; Joe Hoepken, 974-1171; Sarah Terry, 974-7141

MBE/WBE: The original contract was awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract was originally awarded through Administrative Authority; therefore was exempt from establishing MBE and WBE goals and no subcontracting opportunities were identified.

Boards and Commission Action: Recommended by the Water and Wastewater Commission.

This water transmission main was conceptually introduced in 2004, when City Council adopted a motion authorizing the City Manager to negotiate an agreement with Walters Southwest to design and construct approximately 6,500 linear feet of 36-inch water line along the western frontage of South IH-35 from Slaughter Lane to just south of Slaughter Creek. This was originally a Service Extension Request (SER) project which included cost reimbursement for the actual construction costs and costs incurred for engineering, design and project management. Walters Southwest initiated engineering and design of the water line and unexpectedly encountered environmental features that would have caused significantly higher costs to the project. It was determined at that time to have the City of Austin assume responsibilities for the southern portion of the water project and use the Walters Southwest design for the northern 4,000 feet, later renamed as the Segment 1, IH-35 from Slaughter Lane to Slaughter Creek, 36-Inch Water Main project after creation of the South IH-35 Water and Wastewater Infrastructure Improvements Program in late 2007.

Bury + Partners, Inc. is the engineer of record for the design and therefore is responsible for issuing a letter of concurrence for acceptance if the engineer determines that construction of the water transmission main was in accordance with the approved plans and specifications. In October 2009, City staff determined it was essential to retain the design engineer in order to ensure the quality of the final constructed product. It was for that reason that the City determined Bury + Partners, Inc. was the most qualified firm to perform the construction phase engineering services for this project, and a contract in the amount of \$40,061.95 was executed with Bury + Partners, Inc. in early 2010.

Notice To Proceed for construction was issued in April 2010 and substantial completion is scheduled for December 2010. This project has encountered numerous subsurface utilities that had not been correctly identified in records or located by the subsurface utility engineering firm; as a result, Bury + Partners, Inc.

has performed work outside of the current construction phase services scope of work. This additional work includes significant additional site visits and construction plan revisions.