

# REQUEST AUTHORIZATION FOR MAYOR AND FINANCE OFFICER TO SIGN PROFESSIONAL SERVICES AGREEMENT OR AMENDMENT

Date: May 6, 2013

**Project Name & Number:** Northridge Water Storage Reservoir, Project No. W09-1792 **CIP #:** 50754

**Project Description:** The general scope of this project is to provide engineering services for the City of Rapid City for the design, bidding and construction of a new steel spheroid water storage reservoir and associated appurtenances. The project will additionally include evaluating the existing Highway 16 elevated water storage reservoir's (1MG capacity) interior and exterior coatings, providing recommendations and bidding documents for necessary repairs and re-coating, and providing construction services for the re-coatings.

**Consultant:** Banner Associates, Inc.

<b>Original Contract Amount:</b> \$268,800.00	<b>Original Contract Date:</b> May 18, 2010	<b>Original Completion Date:</b> July 30, 2010
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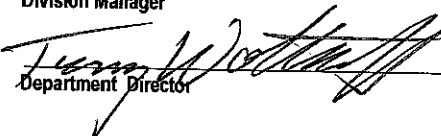
**Addendum No: Two**

**Amendment Description:** The project has been delayed approximately 11 months due to problems associated with the prime contractor's painting sub-contractor. The painting sub-contractor failed to comply with project drawings and specifications. The consultant had to duplicate services and expend additional effort as a result of these delays. In addition the City of Rapid City requested additional start-up services associated with the Northridge Water Booster Station project.

<b>Current Contract Amount:</b> \$286,778.00	<b>Current Completion Date:</b> October 31, 2012
<b>Change Requested:</b> \$66,792.00	
<b>New Contract Amount:</b> \$353,570.00	<b>New Completion Date:</b> April 30, 2013

**Funding Source This Request:**

Amount	Dept.	Line Item	Fund	Comments
\$66,792.00	934	4223	602	Water Enterprise - Expansion
\$66,792.00	<b>Total</b>			

<b>Agreement Review &amp; Approvals</b>			
	4/23/13		4-24-13
<small>Project Manager</small>	<small>Date</small>	<small>Division Manager</small>	<small>Date</small>
	4/23/13		4-24-13
<small>Compliance Specialist</small>	<small>Date</small>	<small>Department Director</small>	<small>Date</small>
 <small>City Attorney</small>	 <small>Date</small>		

**ROUTING INSTRUCTIONS**

Route **two** originals of the **Agreement** for review and signatures.  
 Finance Office - Retain one original  
 Project Manager - Retain second original for delivery to Consultant  
 cc: Public Works  
 Engineering  
 Project Manager

**FINANCE OFFICE USE ONLY**

(Note to Finance: Please write date of Agreement in appropriate space in the Agreement document)

<small>Date</small>	<small>Initials</small>	<small>Approved</small>
4/29/13	[Signature]	(Y) N Y N
<small>Appropriation</small>		
<small>Cash Flow</small>		

**AMENDMENT NO. 2 TO AGREEMENT**

**Project:** Northridge Water Storage Reservoir. Project No. W09-1792, CIP No. 50754

**Background Data:** Effective Date of Agreement: May 18, 2010  
Owner: City of Rapid City  
Engineer: Banner Associates, Inc.

**Nature of Amendment:**

The project has been delayed approximately 11 months due to problems associated with the prime contractor's painting sub-contractor. The painting sub-contractor failed to comply with project drawings and specifications. The consultant had to duplicate services and expend additional effort as a result of these delays. In addition the City of Rapid City requested additional start-up services associated with the Northridge Water Booster Station project.

**Current Contract Amount:** \$286,778.00      **Completion Date:** October 31, 2012

**Change Requested:** \$ 66,792.00

**New Contract Amount:** \$353,570.00      **Completion Date:** April 30, 2013

Owner and Engineer hereby agree to modify the above referenced Agreement as set forth in this Amendment. Exhibit A, B, and C are incorporated in the Amendment by reference. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The effective date of this Amendment is: April \_\_, 2013.

CITY OF RAPID CITY:

ENGINEER:

By: \_\_\_\_\_  
Mayor

By: [Signature]  
Banner Associates, Inc.

Date Signed: \_\_\_\_\_

Date Signed: 4-23-13

ATTEST:

REVIEWED BY:

By: \_\_\_\_\_  
Finance Officer

[Signature] 4/23/13  
Stacey Titus, Project Manager

Date Signed: \_\_\_\_\_



## EXHIBIT "A"

**Scope of Services for Amendment Two (2) – Northridge Water Tower & Northridge Facility Startup****GENERAL SCOPE:**

The City of Rapid City has asked Banner Associates to provide additional services on the Northridge Water Tower Project (W09-1792). This Amendment is for professional services provided on two components of the Northridge water Tower Project.

**HIGHWAY 16 & NORTHRIDGE WATER TOWER:**

The first component of this Amendment is reimbursement of the additional time and expenses Banner Associates incurred due to problems associated with the Highway 16 painting sub-contractor. Problems occurred with the performance of the Highway 16 sub-contractor that resulted in unforeseen delays in the Contract. These delays caused the General Contractor to become delinquent on work at the Highway 16 water tower; therefore, prevented him from completing the Northridge Water Tower by the completion dates established in the Contract. The General Contractor has agreed to Liquidated Damages on the project as result of the problems caused by his sub-contractor.

The following is a list of the Tasks included in the original scope of work for the Northridge Water Tower Project. Additional time was spent on the following tasks below:

**TASK 4: BASIC CONSTRUCTION SERVICES:**

Task 4.3 *"Provide written clarification regarding drawing and specification questions"*: Banner Associated provided additional documentation and correspondence to the General Contractor on his sub-contractor's inability to comply with the project specifications.

Task 4.5 *"Review and take action on shop drawings, product submittals, test results and other submittals. Work under this task includes reviewing coating and welding submittals and other technical responses to the Contractor's request"*: Due to the delay, the General Contractor was required to submit on different coating systems due to the changing weather conditions. Contractor considered and submitted documentation on cold-weather applied coatings.

**TASK 5: EXPANDED CONSTRUCTION SERVICES:**

Task 5.4 *"Conduct appropriate progress meetings. Record minutes and distribute to all attendees"*: The original Contract was to be Substantially Complete no later than November 18, 2011. Due to the delay of the painting sub-contractor, the project was not considered Substantially Complete until October 5, 2012 or approximately 11 months later than anticipated. Banner Associates conducted weekly progress meetings during all construction activities.

Task 5.5 *"Provide daily on-site observation to assure that the methods and materials used by the Contractor meet the intent of the plans and specifications"*: The original Contract was to be Substantially Complete no later than November 18, 2011. Due to the delay of the painting sub-contractor, the project was not considered Substantially Complete until October 5, 2012 or approximately 11 months later than anticipated. Banner Associates provided daily site observations whenever significant construction activities were occurring on the project site. Banner Associates also utilized additional professional services from RustNot during this time.

Task 5.6 "Provide daily reports": Banner Associates provided daily site observations whenever significant construction activities were occurring on the project site. Banner Associates also provide written daily observations for all activities observed on the project site during the 11 months of additional construction.

Task 5.9 "Provide assurance testing (or witness Contractor) testing according to Standard Specifications": Additional testing was required to determine that the coating applied at the highway 16 water tower did not conform to the project specifications. Banner Associates utilized additional professional services from RustNot during this time.

Task 5.10 "Prepare and submit monthly pay request information": Due to the delay of the painting sub-contractor, the project was not considered Substantially Complete until October 5, 2012 or approximately eleven (11) months later than anticipated. Banner Associates reviewed and processed five (5) additional pay requests during the 11 months of additional construction.

Task 5.11 "Prepare change orders, and extra work orders for Contractor on City of Rapid City forms and make recommendations for their approval or denial": Banner Associates spent additional time determining liquidated Damages with the Contractor and the Owner.

Task 5.19 "Prepare and deliver Project Manual": City of Rapid City requested that Banner Associates provide a project Manual for the Water Tower project. Included in the Project Manual is daily inspection reports, meeting minutes, RFP's, RFI's, construction photos, change orders, pay requests and all pertinent correspondence associated with major construction activities. Banner Associates will compile, bind and reproduce three (3) copies of the Project Manual for delivery to the City.

#### **NORTHRIDGE FACILITY STARTUP:**

The second component of this amendment is for additional time spent by Banner Associates providing start-up services for the Northridge Facilities. The City of Rapid City has requested that Banner Associates, Inc. assist City staff with startup of three separate but related projects, Rainbow Ridge Water Main Extension (DDI 08-0505.1), Northridge Water Tower Project (W09-1792) and the Northridge Water Booster Station Project (W10-1898).

The following is a list of the Tasks included in Amendment One (1) for the Northridge Facility startup. Additional time was spent on the following tasks below:

#### **TASK 1: INFORMATION GATHERING**

Task 1.3 "Oversee bacterial testing on Water Main": One (1) additional trip from Brookings to Rapid City was needed to oversee the bacterial testing on the 12-inch piping. Contractor was unable to startup the pumps in the Northridge Pump Station to fill the water line. Additional coordination was needed to complete this task.

#### **TASK 2: PRE-DEMONSTATION COORDINATION**

Task 2.3 "Oversee Functional and Performance Testing": Two (2) additional trips from Brookings to Rapid City are needed to oversee the functional and testing requirements associated with the instrumentation and Controls. Siemens has performed two separate trips as related to startup of the facilities. Siemens still has one trip remaining to complete the installation of pressure switches and to finish training associated with the VFD's and the MCC.

Task 2.3.1 "Coordination with Siemens on Startup of Instrumentation and Controls": Additional effort was needed to coordinate project requirements with Siemens. Siemens was very unresponsive on coordinating efforts between the City and the Contractor; therefore, requiring Banner to spend additional time and effort to complete the necessary tasks indicated in the project documents.

## EXHIBIT "B"

### Amendment 2 - Northridge Water Tower & Startup Services

Project Name: Rapid City - Northridge Water Tower & Startup Services  
 City Project No. N/A  
 BAI No: 21186.00.01  
 Manager: Slg Zvejnieks, PE

TASK OUTLINE	TASK TOTAL
<b><u>NORTHRIDGE WATER TOWER</u></b>	
<b>4.0. TASK 4: BASIC CONSTRUCTION SERVICES</b>	
4.3. Provide written clarification regarding drawing and specification questions	\$ 3,004
4.5. Review shop drawings, product submittals, test results, and other submittals	\$ 1,740
<b>5.0. TASK 5: EXTENDED CONSTRUCTION SERVICES</b>	
5.4. Conduct progress meetings, including minutes	\$ 5,612
5.5. Provide daily on-site observation	\$ 13,152
5.6. Prepare daily reports and submit to Engineering Services weekly	\$ 4,372
5.10. Prepare and submit monthly pay request information	\$ 3,136
5.11. Prepare change orders and provide recommendations for approval/denial	\$ 7,124
5.19. Prepare Project Manual	\$ 2,632
<b><u>NORTHRIDGE FACILITIES STARTUP SERVICES</u></b>	
<b>1.0. TASK 1: INFORMATION GATHERING</b>	
1.3. Oversee Bact-t Tests (Water Line)	\$ 1,616
<b>2.0. TASK 2: PRE-DEMONSTRATION COORDINATION</b>	
2.3. Oversee Functional and Performance Testing (PS)	\$ 3,232
2.3.1 Coordination with Siemens on Startup of Instrumentation & Controls	\$ 808

<b>TOTALS:</b>	
TOTAL LABOR DOLLARS (Banner Associates only):	\$ 46,428

SubConsultants (included in above totals) Who/What	Cost
1. RustNot Corrosion Specialists	\$ 17,984.19
	\$ -
	\$ -
	\$ -
<b>Total SubContracts</b>	<b>\$ 17,984.19</b>

**CONTRACT SUMMARY**

**BANNER ASSOCIATES, INC.**

Task 4.0	\$	4,744
Task 5.0	\$	36,028
Task 1.0	\$	1,616
Task 2.0	\$	4,040
<b>Banner Associates, Inc. Subtotal</b>	<b>\$</b>	<b>46,428</b>
<b>RustNot (subconsultant)</b>	<b>\$</b>	<b>17,984</b>
<b>Reimbursibles</b>	<b>\$</b>	<b>2,380</b>

**TOTAL (on "Hourly Not-to-Exceed" Basis ): \$ 66,792**

**EXHIBIT "C"**

**SCHEDULE OF LABOR RATES AND EXPENSES – Amendment #2**

Northridge Water Storage Reservoir Project & Startup Services

<u>EMPLOYEE CLASSIFICATION</u>	<u>ID</u>	<u>Rate/Hr</u>
Sr. Project/Project Managers	1637	\$152.00/Hour
	1654	\$139.00/Hour
	2057	\$124.00/Hour
	1705	\$101.00/Hour
	2023	\$ 92.00/Hour
	2043	\$117.00/Hour
	2087	\$108.00/Hour
Project Engineer/ Staff Engineer	1757	\$ 82.00/Hour
	2021	\$ 72.00/Hour
	1758	\$ 81.00/Hour
	2074	\$ 86.00/Hour
	2108	\$ 66.00/Hour
	2061	\$ 68.00/Hour
	2058	\$ 66.00/Hour
	2063	\$ 68.00/Hour
GIS Specialist	2102	\$ 76.00/Hour
Sr. CADD Technician/ CADD Technician	1701	\$ 67.00/Hour
	1658	\$ 61.00/Hour
	2025	\$ 53.00/Hour
	2028	\$ 51.00/Hour
	2076	\$ 47.00/Hour
CADD Drafter	2092	\$ 46.00/Hour
	2106	\$ 45.00/Hour
Administration	1718	\$ 64.00/Hour
	1742	\$64.00/Hour
	2085	\$ 33.00/Hour

1. Transportation at \$0.50 per mile in addition to the above hourly rates.
2. Meals at State Rates.
3. Lodging at actual cost.
4. Reproduction:
 

Photocopy.....	\$0.05/Copy
Color Copies.....	0.30/Copy
Black & White Laser Prints.....	0.10/Sheet
Vellabond & Plain Paper Plots .....	0.25/Sq.Ft.
Mylar Film Copies and Plots.....	0.75/Sq.Ft.
5. Subcontracts ..... Actual Cost
6. All other direct project expenses at actual cost of materials.