

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Jason Moore, Assistant to the City Manager
Date: October 4, 2016
Subject: Baker Blvd Intersection Project - Change Order and Amendment to Contract

Council Action: Authorize the City Manager to execute a change order and contract amendment with Halff Associates in an amount not to exceed \$53,200.

Background Information: Due to additional design services required and modifications to the original scope for the Baker Blvd intersection project, a change order is needed to compensate Halff Associates for their additional efforts in utility coordination prior to the project letting this coming February. Attachment "A" provides a thorough description of those changes.

As you will recall from October 2015, city staff worked with the consultant and TxDOT in applying for additional federal funding for this project. It was formally approved this past spring and we received updated agreements with TxDOT. The grant funding still provides an 80/20 (federal/local) split. The city pays the engineering services up front and then requests reimbursement from TxDOT for the 80% match.

In February, TxDOT will put the project out to bid and will manage the project until its completion. The City will not play a part in financing any portion of the construction phase.

For this change order, however, TxDOT has concluded that utility coordination is not an authorized use of the federal funds, under the PS&E (plans, specifications, and engineering) definition based on the Local Advanced Funding Agreement. While Halff Associates and City staff believes this task should be considered "engineering services", TxDOT Fort Worth District personnel disagree.

So, the total impact to the City of Richland Hills is that local funds must pay for 100% of this change order. However, it should be noted that our agreement with Tarrant County provides up to a 50% match of all design costs. Therefore, Richland Hills will have a \$26,600 add, while Tarrant County would bear the same amount.

This project is scheduled to let this February 2017, with construction beginning in March/April 2017. This is dependent on weather and utility relocation, since TxDOT will not bid the project until all private utilities are declared “clear”.

City staff will continue pursuing clarification from TxDOT’s Austin office and NCTCOG on the determination that this work is, or is not, reimbursable with federal funds.

Board/Citizen Input: N/A

Financial Impact: \$53,200 (\$26,600 City & \$26,600 County)

Staff Contacts: Jason Moore, Assistant to the City Manager, jmoore@richlandhills.com

Attachments: Attachment “A”; & Attachment “B”

**City of Richland Hills, Texas
Baker Blvd. (SH-183) Improvements**

Change Order and Amendment to Consultants Contract

**Attachment "A"
Scope of Work**

This Attachment "A" further defines the additional services to be performed by Halff in conjunction with the design and construction of the Baker Blvd. (SH-183) Improvements.

The following is a formal scope of services for additional effort to complete franchise utility coordination and complete additional Subsurface Utility Engineering.

General Description

In meeting with TxDOT and the City of Richland Hills on August 5, 2016, TxDOT requested that the City provide Franchise Utility Coordination Services for the construction of the Baker Blvd. (SH-183) project. Additionally, TxDOT asked to have the option to obtain additional Level "A" Subsurface Utility Engineering where necessary in order to make a determination on potential conflicts.

Additional Services

The additional services included in this agreement are as follows:

A. Utility Engineering and Utility Coordination

Halff will perform Utility Coordination and Utility Engineering to address the relocation of franchise utilities through the limits of the Baker Blvd. (SH -183) Improvements from Rufe Snow Drive to Handley Ederville Road. Tasks include:

Utility Coordination & Meetings:

The Engineer shall perform utility coordination and liaison activities with involved utility owners, their consultants, and the State to achieve timely project notifications, formal coordination meetings, conflict analysis and resolution.

The Engineer shall advise utility companies and owners of the general characteristics of the project and provide a copy of the Plans Adequate for utility relocation.

The Engineer shall implement a schedule of periodic meetings with each utility company and owner or owner's representatives for coordination purposes to discuss conflicts, schedules, and utility relocation status. Such meetings shall continue until completion of

the project. The Engineer shall notify the State at least two (2) business days in advance of each meeting to allow the State the opportunity to participate in the meeting. The Engineer shall provide and produce meeting minutes of all meetings with said utility companies, owners or owners' representatives within seven (7) business days. The frequency of such meetings shall be appropriate to the matters under discussion with each utility owner.

Conflict Analysis:

The Engineer shall maintain a utility layout in the latest version of Microstation used by the State. This layout shall include all existing utilities which are to remain in place or be abandoned, and all adjusted utilities. The Utility Engineer shall utilize the layout of existing utilities as prepared and prepare a conflict analysis to identify potential conflicts with the proposed project that may need to be relocated.

The Engineer shall coordinate with utilities which have a potential to conflict with highway construction or the "Utility Accommodation Rules" (UAR), and make the utility company aware of these potential conflicts. The Engineer shall coordinate with the utilities and make a determination as to which utilities are actually in conflict. The Engineer shall coordinate with utilities to discuss concepts and options for construction.

Utility Relocation Plan Review:

The Engineer shall evaluate the adjustment of utilities balancing the needs of both the State and the Utility. The Engineer shall review plans to ensure compliance with Utility Accommodation Rules and ensure the proposal will not conflict with highway construction. The Engineer shall review the plans for compliance with the regulations of the most recent edition of the "Texas Manual on Uniform Traffic Control Devices" (TMUTCD). The Engineer must obtain approval from the State concerning the proposed method of handling traffic prior to allowing commencement of work. The responsibility for quality and accuracy of Utility adjustment plans will remain with the Utility Company.

Permits:

The Engineer shall assist the utility companies in the preparation of required agreements associated with the occupation of state right of way. For this project, all Non-Reimbursable Utility Adjustments shall be submitted with the form ROW-U-JUAB "Utility Joint Use Acknowledgement, Non-Reimbursable Utility Adjustment. This form replaces the Notice of Proposed Installation" (Form 1082). The utility company should submit the Utility Joint Use Acknowledgement and adjustment plans to the Engineer for review.

The Engineer shall submit the Utility Joint Use Acknowledgement to the State by letter recommending approval. The Engineer shall submit upon request from the State, a Utility Certification or a Special Provisions report. The Utility Certification or Special Provisions report will certify that all utilities are clear for highway construction. However, if the utility adjustments are not complete prior to highway project letting, a Special Provision shall be required outlining all outstanding utility conflicts and their affects on highway construction. Furthermore, a Utility Clearance schedule, signed by the utility owner shall be provided with

the certification as noted above. The formats for the Certification and the Clearance schedule will be provided by the State.

B. Subsurface Utility Engineering (SUE)

Halff will perform SUE in accordance with ASCE CI/ASCE 38-02 "Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data." This standard defines the following Quality Levels:

Quality Level A: Precise horizontal and vertical location of utilities obtained by the actual exposure (or verification of previously exposed and surveyed utilities) and subsequent measurement of subsurface utilities, usually at a specific point. Minimally intrusive excavation equipment is typically used to minimize the potential for utility damage. A precise horizontal and vertical location, as well as other utility attributes, is shown on plan documents.

Quality Level B: Information obtained through the application of appropriate surface geophysical methods to determine the existence and approximate horizontal position of subsurface utilities. Quality Level B data should be reproducible by surface geophysics at any point of their depiction. This information is surveyed to applicable tolerances defined by the project and reduced onto plan documents.

Quality Level C: Information obtained by surveying and plotting visible above-ground utility features and by using professional judgment in correlating this information to Quality Level D information.

Quality Level D: Information derived from existing records or oral recollections.

Locating (Vacuum Excavation) – Level A

Up to ten (10) test holes will be performed on various subsurface utilities at locations specified by the City. Halff will dig an 8" x 8" test hole, record the depth, backfill and compact the hole, and restore the surface to its original condition. An iron rod with cap or "x-cut" will be set to mark the location of the test hole.

Halff's services will be performed in a manner consistent with that degree of skill and care ordinarily exercised by members of the same profession currently practicing under similar circumstances. Halff will make a good faith effort to locate all utilities, but shall be compensated for work performed even if the utility is not located.

Designating – Level B

Halff will designate the utility lines for the purpose of marking the test hole locations using geophysical prospecting equipment and mark with paint and/or pin flags. Designating adjacent utilities not scheduled for a test hole is not included in this proposal.

Surveying – Level C

The locating work (iron rod with cap or “x-cut”) will be surveyed and tied to the project survey control.

Records Research – Level D

Available Records were compiled as part of a previous phase of this project.

SUE Field Manager / Professional Engineer

A SUE Field Manager will be on-site for a portion of this project for field crew supervision, field quality control, and coordination with on-site personnel. A Professional Engineer will be responsible for QA/QC, management of the contract, sealing the final deliverables and coordination with the project team.

SUE Deliverables / CADD

Deliverables for the designating portion of this project will include color plots containing the horizontal locations of the designated utilities. The utilities will be overlaid onto the base map. Electronic files will also be provided in Microstation and/or AutoCAD format along with PDFs.

Right-of-Entry

Right-of-entry is not included under this task as work is anticipated within the right-of-way. If right-of-entry is required, it will be performed and provided to Halff by the City. Halff will coordinate with property owner(s) once right of entry has been obtained.

Permitting

Street cut permits will be coordinated with the City and TxDOT.

Traffic Control

Halff will provide routine/ordinary traffic control consisting of cones, free-standing signage, and arrow board(s) for this project per standard City or TCMUD traffic control details. It does not include lane closure(s), flag person(s), and changeable message board(s).

As the exact hole locations relative to the travel lanes are unknown at this time, Halff will use standard City or TCMUD traffic control details for the permitting process. If an engineered traffic control plan is required by the City for permit approval or if unique traffic control situations are required, Halff will notify the City and submit a supplemental agreement for authorization to increase the fee prior to proceeding on additional work.

**City of Richland Hills, Texas
Baker Blvd. (SH 183) Intersection Improvements**

**Attachment "B"
Basis of Compensation**

This Attachment "B" further defines the additional basis of compensation to the Consultant for the services rendered.

A. Basic Services

1. The fee for the design services as described in Attachment "A" will be based on an hourly, not-to-exceed fee of **\$53,200**, for additional efforts necessary to complete the utility engineering, utility coordination and SUE services for this project. This includes printing and direct costs normally associated with production of these services.

The basis of compensation for design services shall be as follows:

Design Services will be billed hourly, not-to-exceed amount based on actual time spent on utility engineering and coordination. SUE services will be billed based on the number of test holes performed at a rate of **\$1,350** for each test hole completed.

The total maximum fee for all services is **\$53,200**.