THE CITY OF ASHEVILLE

# Staff Report

**Council Meeting Date:** August 25, 2020

**Subject:** Carter-Ann Stormwater Improvements Project - Contract Amendment # 3 (Phase 2)

**Staff Resource(s):** Greg Shuler, Public Works Director, and Lee Morrison, Project Manager

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a contract amendment with The John R. McAdams Company Inc. in the amount of $182,970 and to enter into change orders to this contract phase, if needed, not to exceed a contingency amount of $27,445.50 (15%) for a Phase 2 professional services budget of $210,415.50 for the Carter-Ann Stormwater Improvements Project - Contract Amendment # 3.

**Background**:

- The approved Professional Services Phase 1 budget for this project was $73,410 with a contingency of $14,682 for a total budget of $88,092. Amendment # 1 utilized the contingency and increased the contract amount by $15,500 for a total contract amount of $88,910.
- Amendment #2 Increased the time frame for the completion of Phase 1 without increasing the budget.
- This project is to replace, improve, and bring parts of the existing Stormwater system along Carter Street through Patton Avenue and down Ann Street within the City Right of Way. This project is aimed to reduce flooding, replace failing infrastructure and make the system easier to maintain. The overall construction phase of this project would last approximately 5 months.
- The RFQ for this project was advertised on February 16, 2019, with Statements of Qualifications received on February 28, 2019.
- Ten (10) consulting firms submitted Statement of Qualifications. After qualifications were reviewed, a short list was made and on April 11, 2019 city staff conducted interviews. The John R. McAdams Company Inc. was selected as the best qualified firm.
- The Contract between the City of Asheville and The John R. McAdams Company Inc. was entered into on December 26, 2019.
- Without knowing the extent of failures, capacity of the existing infrastructure, or influence on the surrounding utilities, Phase 1 was to conduct due diligence and preliminary engineering design, so that a determination could be made on how best to move forward with Phase 2 to complete the design and take the project through construction. The first phase was under the threshold for the City Manager's signature authority.
- Professional Services, including Final Design, Permitting and Construction Administration for the contract would proceed immediately after approval of the Contract Amendment.
- The phase 2 design of this project should be completed by the first part of November. The schedule for Construction Administration would be through June 2021, dependent on any issues that might arise during Permitting.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women-owned businesses through solicitation processes which included posting on the State's Interactive Purchasing System, City of Asheville website, City of Asheville Twitter Account, and requiring engineering firms to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Past engineering firms who have shown interest in bidding on City of Asheville projects were informed about the project's advertisement. During preparation for advertising this RFQ, the contract was shared with the Business Inclusion staff in the Community & Economic Development Department.

- Out of the ten (10) qualifications received, no consultant firm was Minority Business or Women Owned Business certified. Eight (8) of the firms submitting qualifications proposed reaching out and utilizing MWBE subcontractors for portions of the project.
- The John R. McAdams Company was chosen for the design because of their qualifications specific to the needs of this project.
- Although we conducted outreach, there was not any minority participation.

**Council Goal(s):**
- A Financially Resilient City

**Committee(s)**:
- None

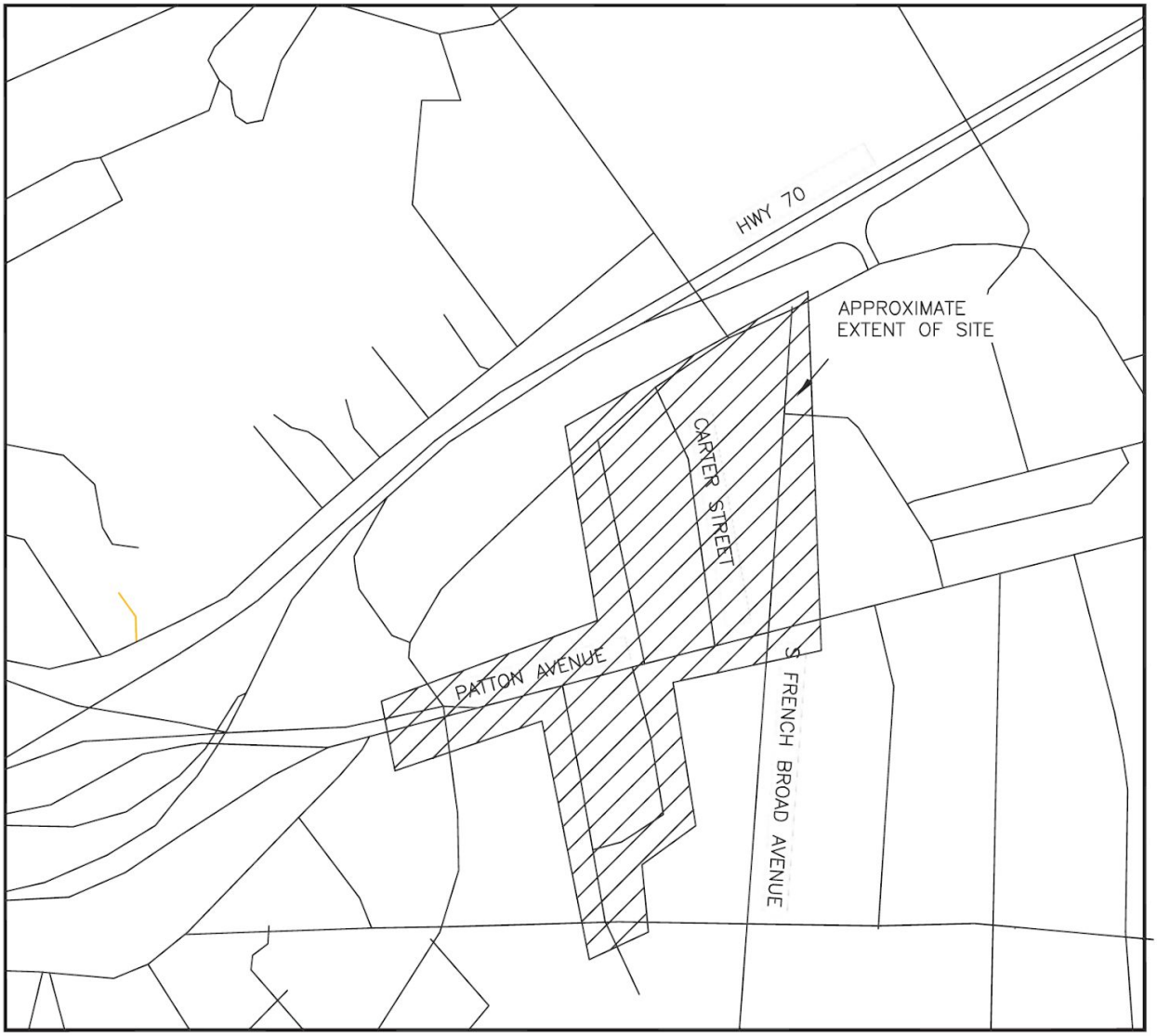
**Pro(s):**
- The contract amendment will allow The John R. McAdams Company to continue with the design and construction phase of this infrastructure project.
- The Stormwater improvement project will replace failing infrastructure.
- Increase the performance and conveyance of Stormwater along this corridor.
- Make these systems easier to maintain in the future.

**Con(s):**
- Construction may be somewhat disruptive to nearby residences.
- Efforts will be made to notify the public and minimize disruptions.

**Fiscal Impact**:
- Funding for this contract is already budgeted in the Stormwater Utility Fund Capital Improvement Program (CIP).

**Suggested Motion:**
- Motion to adopt a resolution authorizing the City Manager to execute a contract amendment with The John R. McAdams Company, Inc. in the amount of $182,970 and to enter into change orders to this contract phase, if needed, not to exceed a contingency amount of $27,445.50 (15%) for a Phase 2 budget of $210,415.50, and for a total professional services budget amount of $299,325.50 for the Carter-Ann Stormwater Improvement Project.

**Attachment(s):**
- Vicinity Map
- Resolution




# VICINITY MAP

**N.T.S.**

RESOLUTION NO. 20-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH THE JOHN R. MCADAMS COMPANY, INC. FOR THE CARTER-ANN STORMWATER IMPROVEMENTS PROJECT

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WHEREAS, the City of Asheville has authority pursuant to Article 2 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, qualifications were solicited for the Carter-Ann Stormwater Improvement Project, City of Asheville Project #298-S1905; and

WHEREAS, the qualifications were reviewed by the Public Works Department and The John R. McAdams Company, Inc. was the most qualified firm for the project; and

WHEREAS, The John R. McAdams Company, Inc. provided professional services for Phase 1 of this project and Public Works desires for them to continue to provide professional services for Phase 2 of this project in order to complete the design and take the project through construction; and

WHEREAS, the additional amount needed for the contract amendment is $182,970 and the monies have been budgeted in the Stormwater Capital Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute on behalf of the City of Asheville a contract amendment in the amount of $182,970 with The John R. McAdams Company, Inc. and to enter into change orders to this contract phase, if needed, not to exceed a contingency amount of $27,445.50 (15%) for a total Phase 2 budget amount of $210,415.50 resulting in a total revised professional services budget amount of $299,325.50 for the Carter-Ann Stormwater Improvements Project.

Read, approved, and adopted this the 25th day of August 2020.

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City Clerk Mayor

Approved as to form:

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City Attorney