THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: February 24, 2026

Subject: Amend Contract (*Design / Engineering*) with Hazen and Sawyer, P.C. for the Edwin Place, Celia Place and Canterbury Drive Drainage Improvements Project

Staff Resource(s): Amy Deyton, Director, Public Works Department
Derek Wainscott, Stormwater Division Manager, Public Works
Nicole Peterson, Stormwater Capital Program Manager, Public Works

Action Requested: Adoption of a resolution authorizing the City Manager to execute a contract amendment and any associated change orders with Hazen and Sawyer, P.C. increasing the contract amount to $932,832.34 with a contingency amount of $51,671.55 (15%) for a total revised budget amount of $984,503.89 for the Edwin Place, Celia Place and Canterbury Drive Drainage Improvements Project.

Background:

- The City Council initially authorized the City Manager, through Resolution No. 16-245 on November 8, 2016, to execute a contract for $602,000 with Hazen and Sawyer. This authorization included the power to approve change orders up to 15% of the original contract amount, or $90,300 and time extensions for construction support tasks.
- The contract has been previously amended as follows:
    - Amendment 1 (August 2018): Modified the scope of services only.
    - Amendment 2 (July 2019): Revised the project limits, necessitating additional field survey work. This amendment increased the contract amount to $685,980, utilizing available contingency funds.
    - Amendment 3 (November 10, 2020): Via Resolution No. 20-201, the scope was amended to divide the project into three plan sets. This increased the contract amount by $97,833.58 to a new total of $783,813.58. A new 15% contingency of $117,572.00 was also established, bringing the total revised project budget to $901,385.58.
- Current status of the project:
    - The larger project was divided into 3 phases to better distribute funding across multiple years.
    - All phases are at 90% complete.
    - Extensive community engagement and input has previously been provided. Another community meeting will be scheduled to inform and update the community on the current status and next steps.
    - Staff must apply for and obtain regulatory and environmental permits.
    - Once final comments have been obtained from regulatory agencies, plans for all phases will be finalized to 100% complete.
- The three phases have also been submitted to FEMA for potential HMGP funding.
- Construction administration was removed from the contract and amendment 4 pending the result of the FEMA application for funding. Staff is expecting another future contract amendment to include construction administration services.
- Although the project was initiated almost nine years ago, it has been on hold for over four years due to several factors, including the COVID-19 pandemic, staffing vacancies, bond projects delivery priorities, and recovery efforts following Tropical Storm Helene. City staff are now prepared to resume and complete the work.
- The Consultant has received payment for all work performed to date and has been reengaged to continue with completing the work.
- The negotiated Amendment will increase the contract's total not-to-exceed amount to $932,832.34 by utilizing previous contingency of $117,575.04 and an additional $31,446.76 of funding from other projects' savings.
- Due to the complexities of the projects and permitting, staff is requesting a 15% contingency of $51,671.55 increasing the total budget amount to $984,503.89.

Vendor Outreach Efforts:

- Hazen and Sawyer, P.C. is already under contract.
- As this is a contract amendment, no further outreach was performed. All work described was contemplated in the original Request for Qualifications ("RFQ") under which Hazen and Sawyer was awarded the contract.

Council Goal(s):

- Infrastructure & Environment

Committee(s):

- N/A

Pro(s):

- Project goals include:
    - Reducing roadway flooding and protecting historic properties.
    - Reducing downstream flooding and erosion.
    - Preserving the historic and community character of the neighborhood.
    - Improving overall basin water quality.

Con(s):

- Construction impacts and detour routes for residents and property owners

Fiscal Impact:

- The additional funds needed have been identified within the Stormwater Capital Projects Fund.

Suggested Motion:

- Motion authorizing the City Manager to execute a contract amendment and any associated change orders with Hazen and Sawyer, P.C. increasing the contract amount to $932,832.34 with a contingency amount of $51,671.55 (15%) for a total revised budget amount of $984,503.89 for the Edwin Place, Celia Place and Canterbury Drive Drainage Improvements Project.

Attachment(s):

- Resolution

RESOLUTION NO. 26-____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT AND ANY ASSOCIATED CHANGE ORDERS WITH HAZEN AND SAWYER, P.C. INCREASING THE CONTRACT AMOUNT IN ORDER TO COMPLETE THE EDWIN PLACE, CELIA PLACE AND CANTERBURY DRIVE DRAINAGE IMPROVEMENTS PROJECT.

WHEREAS, the City of Asheville has authority pursuant to Article 3 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 Edwin Place, Celia Place and Canterbury Drive Drainage Improvements Project, City of Asheville (“RFQ”), in 2016 and Hazen and Sawyer, P.C. ("Contractor") was awarded by adopted resolution 16-245 on the 8th day of November, 2016 as the most qualified firm; and

WHEREAS, the City desires to amend certain terms and conditions set forth in the Contract and Contractor is willing to amend said terms and conditions set forth herein; and

WHEREAS, the contract between the City and Contractor authorizes amendments, supplements, or modifications to the contract in order to add to the scope of services under the contract; and

WHEREAS, this project was initiated nine years ago and has been delayed for various significant reasons including the COVID-19 Pandemic and TS Helene, and City staff are now prepared to resume and complete the work; and

WHEREAS, the Contractor has received payment for all work performed to date and has been reengaged to continue with completing the work; and

WHEREAS, this Amendment (Amendment 4) will increase the current contract by an additional $149,018.76 to $932,832.34 and have a budget contingency amount of $51,671.55 for a total revised budget amount of $984,503.89;

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

The City Manager is hereby authorized to execute a contract amendment and any associated change orders with Hazen and Sawyer, P.C. increasing the contract amount to $932,832.34 with a contingency amount of $51,671.55 (15%) for a total revised budget amount of $984,503.89 in order to complete the Edwin Place, Celia Place and Canterbury Drive Drainage Improvements Project.

Read, approved and adopted this the 24th day of February, 2026.

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City Clerk Mayor

Approved as to form:

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City Attorney