

Agenda Item: 7.b.

MEMORANDUM

TO: Programs, Projects and Operations Subcommittee

SUBJECT: Request from Olsson Associates for Additional Engineering Fees for Kramper Lake/Danish Alps Recreation Area construction inspection

DATE: April 4, 2014

BY: Terry Schumacher, Land & Water Programs Coordinator

In September of 2007, the P-MRNRD Board of Directors approved a contract with Olsson Associates for the Pigeon/Jones Site 15 Final Design in the amount of \$534,573. The contract for Phase I included the design of the dam, design of the County road improvements, design of the downstream levees and the off-line storage area. In March of 2009, the Phase I contract was amended to include \$51,300 for additional design of the dam using new Probable Maximum Precipitation values and preparation of a Nebraska Environmental Trust application.

The Phase II Amendment to the contract was approved in July of 2009 for an additional \$513,000. Phase II not only provided additional fees for environmental permitting and final land rights survey, but added new services for recreation area design and a subcontract with Midwest Right of Way to assist in land rights acquisitions.

Phase III, approved in October 2010 for \$114,150, only pertained to preliminary design services for upstream sediment and grade control structures and was partially funded by an EPA Section 319 Grant through NDEQ.

Phase IV, \$340,980, was approved in April of 2012 to provide administration, observation and testing for construction of the Phase I design: including the dam, county roads, in-lake fisheries, levee and offline storage. Like the amendment addressed by this memo, construction services were approved in a separate phase once construction plans were complete so that services could be better prescribed and estimated.

Phase V was approved in March of 2013 for \$179,000. This amendment covered increased costs in the design of the recreation area and provided additional funding to continue the design of upstream sediment and grade control structures supported by

additional 319 Grant funding. The current total contract cost approved by the Board is \$1,733,583.00.

Olsson Associates is requesting approval for, Phase VI, of the contract for services necessary to provide construction administration and inspection of the recreation facilities at Kramper Lake at a cost of \$142,270.00. These services would include contract administration, field survey, field observation and documentation and a migratory bird nesting survey. The Scope of Services provided in Phase VI of the contract with Olsson Associates has not been part of any of the previous phases of the contract approved to date.

The Kramper Lake/Danish Alps Recreation Area Project was advertised for bids in February 2014 with a goal to award a construction contract in March 2014. The construction of the recreation area amenities is planned to be substantially completed in the fall of 2014.

Attached is a letter from Olsson Associates that explains in detail their request for additional professional services in the not to exceed amount of \$142,270.00. If approved, it would increase the overall project contract to a not to exceed amount of \$1,875,853.00.

Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute an amendment to increase the maximum, not to exceed amount of the professional services contract with Olsson Associates for the Pigeon Jones Site 15 Project, by \$142,270.00 to \$1,875,853.00, subject to approval as to form by District legal counsel.



February 28, 2014

Mr. Terry Schumacher
Papio-Missouri River NRD
8901 S. 154th Street
Omaha, NE 68138-3621

Re: Pigeon-Jones Creek Dam Site 15 Phase VI Services
OA Project No. 007-1658

Dear Mr. Schumacher:

The purpose of this letter is to request an amendment to the referenced project for services necessary to provide construction administration and observation services during the construction of the Kramper Lake/Danish Alps Recreation Area near Hubbard, NE. The preliminary design, final design, and construction period services of this project have been completed in several phases which correspond to work currently under contract as summarized below.

Work Currently Under Contract

Phase I Design and Planning – Oct 2007:	\$534,573.00
Phase I Design Amendment – Mar 2009:	\$ 51,380.00
Phase II Amendment – July 2009:	\$513,000.00
Phase III CBWMP Upstream Structures – Oct 2010:	\$114,150.00
Phase IV Construction – April 2012:	\$340,980.00
<u>Phase V Rec Design and 319 Structures – March 2013</u>	<u>\$179,500.00</u>
Total Contract Cost:	\$1,733,583.00

As of the February invoice, Olsson has billed \$1,674,350.67, leaving approximately \$58,000 of available budget for completing remaining scope items for the preliminary and final design of upstream Community-Based Watershed Management Plan structures, sites 16 and 22. A sixth phase is necessary to provide professional construction administration and observation, soils testing, and survey for construction of the recreational facilities around the Kramper Lake/Danish Alps Recreation Area.

Olsson is proposing to provide the following professional services necessary to complete the construction process:

1. Construction Administration
2. Field Survey
3. Field Observation and Documentation
4. Environmental Services

The following paragraphs provide a short description for each of these services along with their respective costs. We respectfully request that you consider a total contract increase of **\$142,270** to accomplish all of these activities and move the project forward.

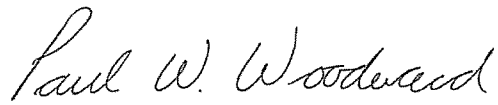
1. **Construction Administration (add \$22,200)** - Olsson Associates shall furnish a Construction Administrator/Project Engineer to manage and oversee the construction work, develop and maintain project documents and reporting procedures and respond to contract related questions or changes in conditions that may be encountered. It is assumed that the Construction Administrator will be utilized on an as needed basis. Specific services performed by the Construction Administrator include: holding a pre-construction conference, reviewing contractor's submittals and coordinating project modifications, review and process pay requests, document construction activities, hold monthly progress meetings, attend and document substantial completion and final completion visits, and complete project record drawings.
2. **Field Survey (add \$24,300)** – Olsson will conduct field surveys to establish horizontal and vertical control for construction, layout limits of construction and seeding, and provide topographic survey necessary to complete record drawings. This estimated cost is based on the following assumptions: provide monthly survey on an as needed basis (3 days per month for up to 9 months).
 - a. Construction survey shall generally include the following tasks:
 - i. Establish a horizontal and vertical control network
 - ii. Perform grade verification checks
 - iii. Stake water and sewer pipes and box culverts
 - iv. Layout LOC and seeding areas
3. **Field Observation and Documentation (add \$93,000)** – Olsson associates will provide daily construction observation and documentation using experienced staff out of its South Sioux City office. Olsson shall furnish a Resident Project Representative (RPR), assistants and other field staff to assist in observing performance of the construction. The RPR will document on-site observations of the work in progress and field checks of materials and equipment by the RPR to protect against defects and deficiencies in the work of contractor; but, the furnishing of such services will not make Olsson responsible for or give Olsson control over construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or responsibility for the contractor's failure to perform the work in accordance with Contract Documents. A copy of the Responsibilities of the RPR is attached for reference. The estimated cost for this task is based on the following assumptions: approximately \$13,000 will be needed per month for 5 months, another \$7,000 per month will be needed for 4 months during non-peak construction.
4. **Environmental Services (add \$2,770)** – Olsson Associates will conduct a migratory bird nesting survey within the project limits. The survey will be conducted using ground-based methods. The survey will occur no longer than 7 days prior to tree clearing to insure no migratory bird or raptor nests are taken. The survey is anticipated to take place in April 2014. Following the survey,

Olsson will prepare a technical report with text, tables, and figures to summarize the study including a list of migratory birds and raptor species observed nesting, the locations of nests and their status, and other information recorded on the datasheets.

All cost estimates are based on an assumed 9 month construction schedule. If approved, the increase of \$142,270 would bring the total contract amount to **\$1,875,853.00**.

Thank you for your consideration of our proposal. As always, feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Paul W. Woodward".

Paul W. Woodward, P.E., CFM
Omaha Water Resources Group Leader

Enclosures

SUGGESTED FORMAT
(for use with E-582, 2004 Edition)

This is **EXHIBIT K**, consisting of 1 pages, referred to in and part of the **Agreement between Owner and Program Manager** dated October 4, 2007.

Amendment to Owner-Program Manager Agreement

1. Background Data:

- a. Effective Date of Owner-Program Manager Agreement: October 4, 2007
- b. Owner: Papio-Missouri River NRD
- c. Program Manager: Olsson Associates
- d. Program: PMRNRD Pigeon/Jones Creek Watershed Site 15 Final Design

2. Nature of Amendment [Check those that are applicable and delete those that are inapplicable.]

- Additional Services to be performed by Program Manager
 Modifications to Services of Program Manager
 Modifications to Responsibilities of Owner
 Modifications to Payment to Program Manager
 Modifications to Time(s) for rendering Services
 Modifications to other terms and conditions of the Agreement

3. Description of Modifications

Attached letter and enclosures to Terry Schumacher dated February 28, 2014 detailing the nature of the requested additional services.

Owner and Program Manager hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is April 11, 2014.

OWNER:

By: John Winkler

Title: General Manager

Date Signed: _____

PROGRAM MANAGER:

Paul W. Woodward

By: Paul Woodward

Title: Omaha Water Resources Group Leader

Date Signed: 04.03.2014