

Subject: Resolution #786 – Authorizing Execution of Third and Fourth Amendments to the SCJ Alliance Agreement for Park Avenue

Dept. Origin: Public Works/Planning
Prepared by: Jennifer Robertson, City Attorney's Office
For Agenda of: February 6, 2024
Exhibits: **Resolution #786 & Amendment Agreements**

Proposed Council Action:

Approve Resolution #786.

	Initial & Date
Concurred by Mayor:	_____
Approved/form by City Atty:	<u>1-31-24/JSR</u>
Approved by _____ Director:	_____
Approved by Department Head:	_____

INFORMATION / BACKGROUND

Ruston entered into a Professional Services Agreement with SCJ Alliance on December 21, 2021 for on-call engineering services which was authorized by the City Council via Resolution No. 738. The Scope of Work for that Agreement was updated and expanded via Resolution No. 747 following the award of TIB funds to the City for the Park Avenue – End of Road to Bennett Street Improvement Project (SEP 22-00039) (hereinafter “Project”). The Agreement was amended again in October of 2023 via Resolution No. 777 in order to address stormwater system conflicts which required additional work related to the street lighting design and undergrounding of existing electrical facilities. The contract maximum was increased to \$110,542.48. On November 21, 2023, the Council passed Resolution No. 783 adding \$9,374.00 to the project budget for potholing for utility locate purposes (bringing the total to \$119,916.48).

Since November, costs have increased and the City also desires to also remediate the soil in the right of way. The City should be able to obtain grant funding for the soil remediation after more information is known in order to estimate the remediation costs. The amended work is described below:

Amendment #3: This Amendment #3 adds the following to the current scope of work: contaminated materials testing, redesign of the sidewalk at 5327 Shirley St, permitting, and bidding support. The work will be done by GeoEngineers as a subcontractor to SCJ Alliance. This work is estimated to add \$53,741.51 to the project budget. After this work is completed, the City will use the information to request additional funding to clean up the soil (remediation work) from Department of Ecology and will also be requesting inflation adjustments from TIB. The \$53,741.51 added cost will come from the general fund unless the City is successful in getting the State Legislature to provide this as part of a remediation funding appropriation.

Amendment #4: This Amendment changes the scope of work to provide full time construction inspection, half time administration, and material testing through the end of the Park Avenue Project. This work is estimated to add \$179,236.88 to the project budget. This work is expected to be funded by the increase request that will be made to TIB, for which Ruston has a five percent match. The City will not give a Notice to Proceed on this portion of the work until Ruston has confirmed the grant funding is approved by TIB and a contractor has been selected.

With these two amendments, the new contract maximum will increase to \$352,827.62. Resolution No. 786 authorizes the amendments of the Agreement to increase the project maximum to enable completion of the work.

FISCAL CONSIDERATION

By entering into this Agreement, the City will increase the engineering costs for this project by \$232,978.39 to a total maximum price of \$352,827.62. Due to the grant funding, the City has adequate funds in the budget to cover this increase.

RECOMMENDATION / MOTION

Adopt Resolution #786.

MOTION: I move to adopt Resolution #786 authorizing the Mayor to execute the Third and Fourth Amendments to the Agreement with SCJ Alliance to increase the maximum funding for the Park Avenue – End of Road to Bennett Street Improvement Project to \$352,827.62.

RESOLUTION NO. 786

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RUSTON, AUTHORIZING THE MAYOR TO SIGN THE THIRD AND FOURTH AMENDMENTS TO THE AGREEMENT WITH SJC ALLIANCE FOR THE PARK AVENUE – END OF ROAD TO BENNETT STREET IMPROVEMENT PROJECT.

WHEREAS, Ruston entered into a Professional Services Agreement with SCJ Alliance on December 21, 2021 (hereinafter “Agreement”) for purposes of allowing SJC Alliance to perform certain services involving on-call engineering work for the City; and

WHEREAS, the Agreement was authorized by the City Council via Resolution No. 738; and

WHEREAS, the Scope of Work for that Agreement was updated and expanded via Resolution No. 747 following the award of TIB funds to the City for the Park Avenue – End of Road to Bennett Street Improvement Project (SEP 22-00039) (hereinafter “Project”); and

WHEREAS, the Agreement was amended on October 17, 2023 via Resolution No. 777 in order to address stormwater system conflicts which required additional work related to the street lighting design and undergrounding of existing electrical facilities (increasing the contract maximum to \$110,542.48); and

WHEREAS, on November 21, 2023, the Council passed Resolution No. 783 adding \$9,374.00 to the project budget for potholing for utility locate purposes (bringing the contract maximum to \$119,916.48); and

WHEREAS, since November, costs have continued to increase due to inflation and the City also desires to also remediate the soil in the right of way; and

WHEREAS, the additional work in Amendment #3 includes contaminated materials testing, redesign of the sidewalk at 5327 Shirley St, permitting, and bidding support (estimated to add \$53,741.51 to the project budget); and

WHEREAS, once more information about the scope of the soil remediation, the remediation costs may be estimated, and the City can apply to Ecology for a grant for the remediation costs; and

WHEREAS, the additional work in Amendment #4 includes full time construction inspection, half time administration, and material testing through the end of the Park Avenue Project. This work is estimated to add \$179,236.88 to the project budget. This work is expected to be funded by the increase request that will be made to TIB. The City will not give a Notice to Proceed on this portion of the work until Ruston has confirmed the grant funding is approved by TIB and a contractor has been selected; and

WHEREAS, in order to complete the Project work, the new project maximum should be set at \$352,827.62 which requires an amending of the Agreement; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY RESOLVES AS FOLLOWS:

Section 1. Authorization to Execution Amendment. The Mayor is hereby authorized to execute the Third and Fourth Amendments with SCJ Alliance substantially in the forms attached to this Resolution as Exhibit “1”.

PASSED by the City Council of the City of Ruston, signed by the Mayor and attested by the City Clerk in authentication of such passage on this ___ February, 2024.

Bruce Hopkins, Mayor

ATTEST:

Laurie Cassell
City Clerk/Treasurer

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
RESOLUTION NO: 786