


# COUNCIL COMMUNICATION

	Number:	<b>24-071</b>	Meeting:	<b>February 19, 2024</b>
	Agenda Item:	<b>15</b>	Roll Call:	<b>24-0238</b>
	Submitted by:	<b>Benjamin R. Page, Park and Recreation Director and Steven L. Naber, P.E., City Engineer</b>		

## AGENDA HEADING:

Approving Supplemental Agreement No. 2 to the Professional Services Agreement (PSA) with Bolton & Menk, Inc. for additional professional services for Western Gateway Water Feature Improvements, not to exceed \$126,000.

## SYNOPSIS:

Recommend approval of Supplemental Agreement No. 2 to the PSA with Bolton & Menk, Inc. (Bradley C. DeWolf, P.E., President/CEO, 1960 Premier Drive, Mankato, Minnesota 56001-5900) for an amount not to exceed \$126,000, based on hourly labor rates and reimbursable costs, for construction administration and construction inspection services for Western Gateway Water Feature Improvements.

## FISCAL IMPACT:

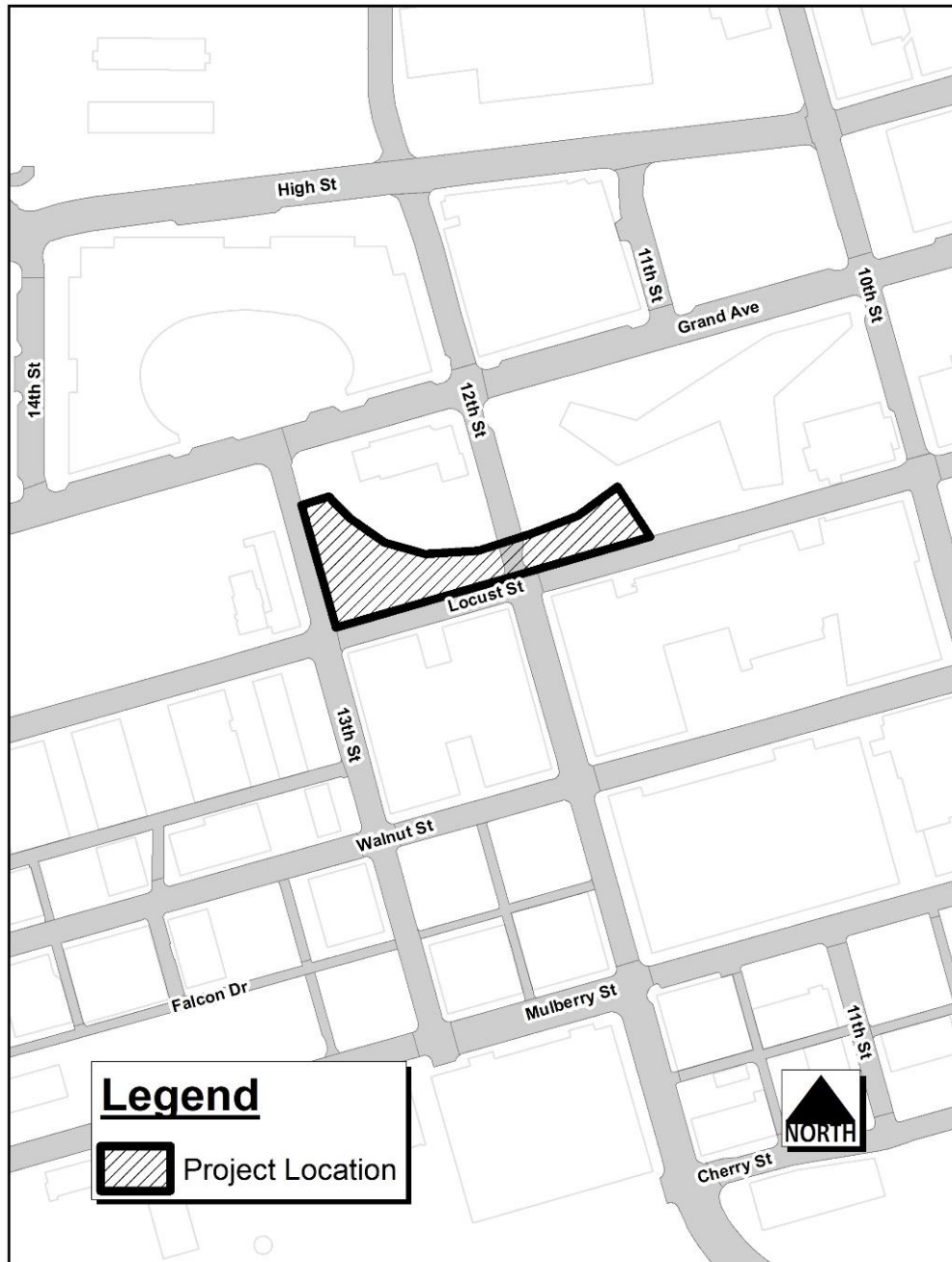
Amount: \$126,000

Funding Source: Fiscal Year (FY) 2023-2024 Capital Improvement Program (CIP), Page 74, Parks Improvements, PK137, Being: Tax Increment Funding Bonds and G.O. Bonds

## ADDITIONAL INFORMATION:

- On October 3, 2022, by Roll Call No. 22-1496, City Council approved the PSA with Bolton & Menk, Inc. for a total cost not to exceed \$71,000, based on hourly rates and reimbursable costs, to provide design services for Western Gateway Water Feature Improvements.
- The runnel water features in Western Gateway Park that were constructed in 2005 and 2006 need renovation. The electric pumps are aging, the chlorination system is not functioning, the waterproofing membrane through the runnel water feature is cracking and leaks, and concrete is heaving and deteriorating.
- The initial scope of the Western Gateway Water Feature Improvements project included:
  - Removal of the existing runnel water feature structures along the walkway between 12th Street and 13th Street and along Locust Street, east of 12th Street.

- Construction of decorative pavement along the alignment of the existing runnel.
  - Water spray feature systems including a play fountain area.
  - Aesthetic lighting incorporated with the water features.
  - Sidewalk improvements with improved accessibility.
  - Gateway seating features with repurposed limestone edge block.
  - Limestone seating areas along the runnel renovation path.
  - Landscaping improvements.
- On January 23, 2023, by Roll Call No. 23-0089, the City Council ordered construction of the Western Gateway Water Features.
  - On February 7, 2023, only two (2) bids were received, and the apparent low bid was submitted by MPS Engineers, P.C. dba Kingston Services, P.C., in the amount of \$1,371,813, which was 48%, or \$446,813, over the Engineer's estimate of \$925,000. Engineering and Parks Department staff reviewed the bids and recommended decreasing the scope of the project and rebidding the project in the future.
  - On February 20, 2023, by Roll Call No. 23-267, City Council rejected all bids.
  - On September 11, 2023, by Roll Call No. 23-1227, City Council approved Supplemental Agreement No. 1 to the Agreement for Professional Services with Bolton & Menk, Inc. for an additional amount not to exceed \$24,500 for additional construction design and estimation services for Western Gateway Water Feature Improvements.
  - On November 6, 2023, by Roll Call No. 23-1521, City Council reordered construction of the Western Gateway Water Feature Improvements and bids were received on December 5, 2023, with a low bid in the amount \$852,270.75 submitted by Caliber Concrete, LLC.
  - On December 18, 2023, by Roll Call No. 23-1800, City Council awarded a construction contract for this project to Caliber Concrete, LLC.
  - Construction of this project is anticipated to start in 2024 and be completed by end of spring 2025.
  - Staff has negotiated Supplemental Agreement No. 2 to the PSA with Bolton & Menk, Inc. for a total additional amount not to exceed \$126,000 based on hourly labor rates and reimbursable costs. The project scope revisions include the provision of construction administration and construction inspection services.



**PREVIOUS COUNCIL ACTION(S):**

Date: September 11, 2023

Roll Call Number: [23-1227](#)

Action: [Approving](#) Supplemental Agreement No. 1 to the PSA with Bolton & Menk, Inc. for construction design and interpretation services for Western Gateway Water Feature Improvements, not to exceed \$24,500. ([Council Communication No. 23-415](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-0.

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

City staff does not anticipate any future Council actions on this PSA at this time; however, unanticipated changes to this PSA will require a Supplemental Agreement, which may require Council action.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to [cityclerk@dmgov.org](mailto:cityclerk@dmgov.org).