



**Special Joint City Council & DDA Meeting
6 p.m., Wednesday, March 22, 2023**

JOINT MEETING AGENDA

- 1. Roll Call**
 - a. City Council**
 - b. Downtown Development Authority**
- 2. Approval of Agenda**
- 3. Amendment to Construction Oversight Services from OHM**
- 4. Other Business**
- 5. Public Comment**
- 6. Board & Council Comment**
- 7. Adjournment**

The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

Farmington City Council Staff Report	Council Meeting Date: March 22, 2023	Item Number 3
Submitted by: City Manager David Murphy and DDA Director Kate Knight		
Agenda Topic: Amendment to Construction Oversight Services from OHM		
<p>Proposed Motion: City Council Motion: Approve amended proposal for construction engineering services for an amount not to exceed \$144,600.</p> <p>DDA Motion: Approve amended proposal for construction engineering services for an amount not to exceed \$144,600.</p>		
<p>Background: OHM Advisors (OHM) has been administering the Farmington Road Streetscape project since it began last summer. This project is funded with federal Transportation Alternative Program (TAP) grant monies and requires an elevated level of service in terms of testing, inspection, and overall administration compared to local jobs. The original proposal provided assumed all construction would be completed in late 2022 (July to late October). Unfortunately, that was not possible due to material delays and other issues outside of OHM's, the contractor's, and the City's control. The project went from July to late December and started back up in March and could last until June (approximately 4-5 additional months). Because of this extension of work, the original contract budget is nearly exhausted and needs to be adjusted.</p> <p>OHM has provided a revised hourly not-to-exceed budget of \$144,600 for the remaining proposed work noted in the proposed attached agreement. They have established this cost based on evaluating the specific work that remains and their experience preparing similar documents for similar projects. OHM's team will work diligently to pursue each of the tasks outlined in the proposed attached agreement and minimize staff in order to deliver within the outlined amended budget. If other delays occur that put this budget at risk, they will immediately notify the City/DDA.</p>		
Materials: Proposed Amendment from OHM for Construction Engineering services.		



March 9, 2023

David Murphy
City Manager
City of Farmington
23600 Liberty Street
Farmington, MI 48335

RE: Farmington Road Streetscape
Amended Proposal for Construction Engineering Services

Dear Mr. Murphy:

OHM Advisors (OHM) has been administering the Farmington Road Streetscape project since it began last summer. As you know, this project is being funded with federal Transportation Alternative Program (TAP) grant monies and requires an elevated level of service in terms of testing, inspection, and overall administration compared to local jobs. The original proposal provided assumed all construction would be completed in late 2022 (July to late October). Unfortunately, that was not possible due to material delays and other issues outside of OHM's, the contractor's, and the City's control. The project went from July to late December and will start back up in March and last until June (approximately 4-5 additional months). Because of this extension of work the original contract budget is nearly exhausted.

OHM has met with both you and Finance Director Chris Weber to discuss the overall project budget. It should be noted that this construction budget is trending positively without utilizing much, if any, of the contingency budget. This is great news considering OHM typically recommends complicated projects have a contingency budget of 10% or more. With the construction contract being approximately \$3,400,000 that contingency would be \$340,000. The finance director has more specific budget numbers that he can share in terms of total project cost and how this project was budgeted for.

PROJECT DESCRIPTION AND REASON FOR AMMENDMENT

With the aid of the secured TAP grant, the City began to reconstruct Farmington Road from Grand River Avenue to Alta Loma Street in the downtown area last summer. To date, all construction has been completed except for the sidewalk improvements on the west side of Farmington Road and the final pavement striping to Freedom Road. This section of road is under the jurisdiction of the Road Commission for Oakland County (RCOC) which involved close coordination with their office throughout the design and construction process. Furthermore, and due to the TAP grant, this project contract is administered through the Michigan Department of Transportation (MDOT) meaning that coordination with them has been constant throughout construction as it was during the design phase. As part of the design for this project a necessary total of thirteen (13) easements were obtained, with four (4) of those being permanent easements. These easements were obtained to ensure the design and construction of the project would comply with all applicable sections of the Americans with Disabilities Act (ADA), TAP grant requirements, RCOC requirements, MDOT requirements, as well as any local ordinances.

The services provided by OHM Advisors in the original proposal included staking, construction observation, construction engineering, and contract administration. Grissim Metz Andriese Associates (GMA) will continue to



provide construction landscape architecture services specifically related to the streetscape design outside of the road. Additionally, materials testing services will continue to be completed by G2 Consulting Group throughout the project.

To date, there have been no major conflicts or unforeseen issues during construction. All delays have been a result of the national concrete shortage being experienced on almost every project requiring high volumes of concrete. Delays resulted in a short supply and instead of scheduling 10-12 trucks a day, the contractor was lucky to secure 1-2 trucks. This led to a massive decrease in production but still required the same level of service of inspection and testing. The contractor continued to run one crew and stay productive, and OHM continued to oversee the prime contractor as well as subcontractors. OHM experienced normal construction issues but nothing out of the norm with regards to the road reconstruction was a factor in this request.

In terms of the streetscape, OHM has played a larger role in overseeing the streetscape than GMA to date. GMA has attended progress meetings and have been called to the site when needed, but OHM covered the majority of the inspection and assisted in resolving any conflicts or issues. This is primarily why the GMA budget is healthy and on track.

Several minor issues did come up that required some additional unforeseen OHM time that could be considered out of scope. These included the following:

1. Firestone footing issue.
2. GLP parking lot and construction coordination.
3. MiMosa and Williams Gutter connections.
4. CVS sign relocation and coordination.
5. Modifications to the design in terms of VE and modifications to road closures (both in 2022 and 2023).

The above efforts, if quantified, constitute approximately \$35,000 in additional inspection and engineering effort. The rest of the amendment request is solely due to the loss in contractor production and additional testing requirements.

AMMENDED SCOPE OF SERVICES

Continued Survey Staking Services includes the OHM Survey Department to continue to provide staking ADA sidewalk ramps, drive approaches, and pavement construction where required.

Continued Construction Observation Services shall consist of full-time observation for all remaining paving operations, including the placement of aggregate base, ADA sidewalk and ramps, as well as all underground utility construction activities. Major traffic control and staging efforts will be coordinated with the Contractor. Inspector daily reports (IDR's) will be prepared documenting pay item quantities and the general work progress for the day. OHM will answer residents and/or business owner questions and attempt to resolve complaints daily during construction. OHM will also interact with the Contractor's supervisory personnel to notify them when work is unacceptable and in need of correction, or removal and replacement of specific work elements if the situation warrants. The specific tasks include are the same as in 2022 for the remaining work and worst case schedule:

- ▼ The Project Clause in the contract states that the entire project, except for delayed acceptance requirements for turf establishment, shall be sufficiently completed and open to traffic on or before November 15, 2022. Due to project delays, the granted extension of time states June 9, 2023 as the revised sufficiently complete and open to traffic date. Based on this, OHM has estimated an additional 7-weeks of full-time inspection, with 4-weeks of part-time inspection.



- ▶ Perform observations for the project consistent in accordance with the Specifications, Plans, Proposal, the MDOT Construction Manual, and all other applicable references, guidelines, and/or procedures manuals.
- ▶ Keep daily diaries, sketches, logs, and records as may be needed to record the Contractor's progress. Notify the Project Engineer of any anticipated Contractor's requests for extensions of time.
- ▶ Provide observation of all Contractor field construction work, provide quality control, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange for non-compliant work to be made whole by the Contractor or to find the non-compliance work acceptable to MDOT and the City.
- ▶ Complete a final inspection of all work, or such portions thereof eligible for acceptance, after notification by the Contractor that the work is completed or after OHM's records show the work is completed. The final inspection shall include notifying the Contractor in writing of defects to be remedied if work is not acceptable.
- ▶ Confirm the work has been performed in accordance with the plans and specifications, or such modifications, and recommend acceptance of the Project.

Construction Engineering Services that remain, include but are not limited to, the supervision of the construction inspection staff to provide appropriate project staffing and project documentation. The specific tasks include:

- ▶ Consulting with and advising the City or its designated representative during construction
- ▶ Answering Requests for Information (RFIs) from the Contractor.
- ▶ Coordinating the efforts of materials testing by G2 Consulting Group. It should be noted that G2 Consulting has exceeded their original budget and we expect additional testing will be necessary in order to meet the MDOT specifications and requirements. Their price has been factored into the amendment request (see below).
- ▶ Measure, compute quantities, and provide appropriate documentation of materials incorporated in work items. Maintain an item history using Field Book.
- ▶ Track failed material tests and notify the Contractor.
- ▶ Prepare final punch lists and confirmation of resolution for all punch list items.

Geotechnical and Materials Testing is included and will continue to be performed by G2 Consulting Group. G2 will be responsible for material and density testing for earthwork, storm sewer backfill operations, and testing and observation for aggregate base compaction, concrete placement, and HMA paving. G2 will also provide a mix design review to the Contractor ensuring that all required specifications are followed. This also includes the necessary equipment and lab testing fees. Both MDOT and RCOC require a high level of quality assurance and testing on this project.

Contract Administration Services shall consist of the utilization of MDOT's Field Book software to track pay estimates and project pay quantities, materials used, and testing results. Information tracked will be used in the resolution of claims and/or contract document interpretation along with reviews of project schedules to monitor compliance with deadlines. These services shall also include project closeout, consisting of final pay estimate preparation, obtaining closeout documents required from the contractor and a balancing change order reflecting all



increases, decreases, credits and/or extras to the contract. The specific tasks included in construction administration include:

- ▶ Facilitating progress meetings with the Contractor – continue with one (1) meeting every two (2) weeks. This project originally assumed 12 progress meetings based off the proposed 25-week project schedule.
 - The contractor is proposing to restart work the first week of March 2023 and complete all work/open to traffic by June 9, 2023. At the time of completion, the road will be reopened to all traffic. This schedule includes 14 weeks of work which results in an additional 7-8 progress meetings.
- ▶ Notify City immediately of any unanticipated field conditions and potential changes, extras, or adjustments to the contract before processing a Work Order and/or Recommendation.
- ▶ Resolve problems, issues, discrepancies, or other items brought to our attention by the Contractor or City. Provide written documentation of the resolution of such issues. Keep City informed of all such issues.
- ▶ Assist in coordinating work with MDOT and keep parties involved in communications.
- ▶ Continue assisting the City in reviewing and processing monthly payment estimates for the Contractor.
- ▶ Assisting with the preparation of contract modifications.

Record Drawings will be completed per the original scope of services once the construction is complete.

SCHEDULE

We will continue the work outlined in this proposal immediately upon authorization by the City. This project is anticipated to start back up either the first or second week of March (weather depending) and be sufficiently completed by June 9, 2023 with the exception of delayed acceptance items. The Project Clause in the contract originally stated that the entire project, except for delayed acceptance requirements for turf establishment, shall have been sufficiently completed and open to traffic on or before November 15, 2022, with contract close-out expected to extend into the spring of 2023.

FEE

It is understood that both the City and Downtown Development Authority (DDA) will share the budget listed below. Upon acceptance of this agreement by the City and DDA, services will be rendered as requested. Grissim Metz Andriese Associates is not requesting any additional funds for their involvement with the project currently.

OHM Advisors - 2023 Continued Services	\$109,000
G2 Consulting, Inc. (Materials Testing Services) – 2023 Continued Testing and QC	\$35,600
TOTAL AMMENDMENT	\$144,600
Original Contract OHM/G2 Construction Services	\$396,000
Total OHM/G2 Construction Services Contract with amendment	\$540,000
Percent of construction contract – 15.9%	

Note: It is very typical MDOT projects range to about 15% to properly administer. We were hopeful we could get below this with an expedited schedule, however that did not occur.



It is our understanding that the City and DDA split the costs of the original proposal. Based on the above, we have established a revised hourly not-to-exceed budget of \$144,600 for the remaining proposed work noted above. We have established this cost based on evaluating the specific work that remains and our experience preparing similar documents for similar projects. Our team will work diligently to pursue each of the tasks outlined above and minimize staff in order to deliver within the outlined amended budget. If other delays occur that puts this budget at risk, we will immediately notify the City.

ASSUMPTIONS/CLARIFICATIONS

The above fee is based on the following assumptions:

- Grissim Metz Andriese Associates will continue to perform shop drawing and material review for all project landscaping/streetscape components. Their budget also includes part-time as needed inspection.
- The City will be responsible for all review, permit fees, and agency inspection applicable to the project.
- Any meetings above and beyond those outlined in the scope of services are not included in the fee.
- Construction phase services assumes all work (except for complete turf establishment) is to be completed in 2023. If major items of work extend past June 2023 due to supply chain issues or delays, slight budget increases may be necessary.
- Attendance at additional public meetings other than noted above are not included.

ACCEPTANCE

If this proposal is acceptable to you, a signature on the enclosed copy of this letter will serve as our authorization to proceed. Please feel free to contact us if you have any questions or need any additional information at (734) 522-6711.

Thank you for giving us the opportunity to be of service. We look forward to working with you on this project.

Orchard, Hiltz, & McCliment, Inc.

CONSULTANT

City of Farmington

CLIENT

_____	(Signature)	_____
<u>Matthew D. Parks, P.E.</u>	(Name)	<u>David Murphy</u>
<u>Principal in Charge</u>	(Title)	<u>City Manager</u>
_____	(Date)	_____