

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon, P.E., City Engineer

VIA: Eric Ferris, Deputy City Manager

DATE: March 19, 2019

SUBJECT: **Approval of Professional Services Agreement Amendment #4 with Bridgefarmer & Associates, Inc. in the Amount of \$290,035 for Design Services Related to the Windhaven @ KCS Railroad Underpass; and Authorization for the City Manager to Execute the Agreement.**

BACKGROUND

The project consists of extending Windhaven Parkway, a 4-lane divided roadway underneath the KCS Railroad including storm sewer improvements, water and sewer line relocation and installing sidewalks, street lights and a storm water pump station. The original PSA executed in May 2010 was for \$499,130. Since that time, the project scope has changed to include a storm water lift station (gravity storm sewer not feasible as originally believed), relocation of City and UTRWD water mains and installation of a segment of future sanitary sewer force main resulting in Amendments # 1, 2 and 3 bringing the total design costs to \$735,142. Staff has negotiated amendment #4 with Bridgefarmer & Associates in the amount of \$290,035 to include additional revision to the plans as a result of multiple iterations of review comments from the KCS Railroad as well as railroad inspection services as required by KCS. The utility relocations have been completed and plans for the railroad bridge are 95% complete. Plans for the roadway and drainage improvements are at 90% completion. Bridgefarmer is working with KCS Railroad through lingering comments on both sets of plans and expect to have the plans approved before the end of the year. The total cost of design including the subject amendment is \$1,025,177. Ongoing negotiations between KCS Railroad and the City regarding the license agreement allowing a City roadway (Windhaven Parkway) to cross the railroad ROW can't be completed until the plans are approved. Based on Bridgefarmer's assessment that plan approval will be secured by the end of 2019, the project could optimistically bid as early as spring of 2020 with construction beginning in summer of 2020. The construction timing is almost entirely dependent on KCS review comments and timelines for the plans and license agreement.

ANALYSIS

KCS Railroad uses a third-party engineering firm, Trans Systems, to review plans. Trans Systems submits their comments to the KCS railroad who reviews the comments and plans and typically makes additional comments. There have been 7 iterations of plan review and comments from KCS Railroad. On two iterations of plan review, the KCS consultant made significant changes in the

Subject: Bridgefarmer Associates, Inc. Windhaven PSA
March 19, 2019
Page 2

design of the railroad bridge only later to come back to the original design parameters. The KCS Railroad recently indicated they wanted to review the roadway plans in addition to the bridge plans. According to Bridgefarmer & Associates, Railroad review of the roadway plans is not a common requirement and they are assuming the review of those plans should be limited to items adjacent to the bridge. The original PSA and subsequent amendments have not included third party railroad inspection services which KCS requires during construction. The additional cost will provide a third-party railroad inspector who will be present on the site any time a contractor is working in the railroad right of way. Given the estimated \$15 million construction cost for the project and the added inspection services which is something the City typically doesn't include in a PSA, the updated total PSA amount is still within the customary fee range for engineering services. Design funding is available in the Corporate Drive, FM 544 to Josey Capital Project.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.