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Steven Goodkind, P.E.
DIRECTOR OF PUBLIC WORKS
City Engineer

Date: January 17, 2013
To: Burlington Board of Finance
From: Steve Goodkind, Director Public Works
Peter Owens, CEDO Director
Cc: Norm Baldwin, DPW
Erin Demers, DPW
David Allerton, DPW
Kirsten Merriman Shapiro, CEDO
Subject: **Request to appropriate funds to complete final design for the Waterfront Access North project.**

Waterfront Access North is a \$7.9 million comprehensive transportation infrastructure improvement project that will enhance public access to and enjoyment of Burlington's greatest natural asset; the Lake Champlain waterfront. The City accepted \$3.5 million in Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users or "SAFETEAU" for transportation improvements on Burlington's waterfront. The initial planning and design for this project were all paid for using SAFETEAU funding under project number 5000(17). The attached spreadsheet details the expenditures relating to the completed design of the Waterfront Access North project that was funded from 5000(17). This funding has been exhausted and all other grant funding raised for the project is required to be used for construction activities only.

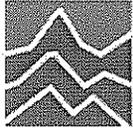
Final modifications of the location and width of the bike path, parking, undergrounding of utilities, Brownfield remediation and storm water requires a final contract amendment with RSG for \$132,000. See attached scope of work and budget from RSG. This will cap their overall contract at a maximum limiting amount of \$751,000.

The City has determined that the activities under this contract amendment are TIF eligible expenses and will be reimbursed from the bonding for the TIF funding recently approved by Burlington voters in November 2012 for the Waterfront Access North Project. We are requesting the Board of Finance approval and sponsorship of the attached resolution approving the City's contract amendment with RSG to \$132,000 to be paid with Waterfront TIF funds. We will seek full Council approval on January 28, 2013.

We will be at your January 22, 2013 Board of Finance meeting to answer any questions.

WATER FRONT NORTH; RSG INVOICE SUMMARY

Phase	Task	Date	TOTAL
1	WFN Design		
1.1	Original Contract	July 31, 2009	\$6,901.78
		August 31, 2009	\$6,737.25
		September 30, 2009	\$19,988.76
		October 31, 2009	\$13,074.57
		November 30, 2009	\$6,586.45
		December 31, 2009	\$16,665.91
		January 31, 2010	\$7,636.67
		February 28, 2010	\$5,704.86
		March 31, 2010	\$8,424.16
		April 30, 2010	\$6,466.92
		May 31, 2010	\$12,901.21
		June 30, 2010	\$19,763.21
		July 31, 2010	\$11,300.00
		August 31, 2010	\$7,288.75
		September 30, 2010	\$13,384.14
		October 31, 2010	\$16,124.12
		November 30, 2010	\$20,297.50
		December 31, 2010	\$1,170.82
		February 28, 2011	\$33,082.25
		May 31, 2011	\$7,390.25
		June 30, 2011	\$12,286.25
		July 31, 2011	\$39.41
		September 30, 2011	\$8,769.80
		October 31, 2011	\$9,851.25
		December 31, 2011	\$520.00
1.2	Value Engineering/Revised Plans	January 31, 2010	\$900.00
		October 31, 2010	\$16,033.37
		November 30, 2010	\$16,184.64
		April 30, 2011	\$6,675.00
		June 30, 2011	\$5,052.00
1.3	Water line conflicts/additional utility locating	May 31, 2010	\$512.50
		June 30, 2010	\$2,331.25
		June 30, 2011	\$8,162.50
		December 31, 2010	\$4,900.00
1.4	Parking payment units (Break into separate project)	June 30, 2011	\$2,004.80
1.5	Soil Management/CAP Assistance	October 31, 2010	\$12,025.00
		March 31, 2011	\$17,788.25
2	Permitting and Funding		
2.1	Development Review Board Process	July 31, 2010	\$16,323.81
		March 31, 2011	\$8,710.00
2.2	Permit Coordination (IP/Shoreland Encroachment/C/E)	July 31, 2011	\$4,788.89
2.3	Railroad ROW Permitting	August 31, 2011	\$5,000.00
		September 30, 2011	\$11,070.11
2.4	HUD Section 3 Coordination	December 31, 2011	\$6,404.65
2.5	BED/Utility System Design & Permitting	September 30, 2010	\$4,687.50
		January 31, 2011	\$20,239.55
2.6	Detailed Construction Cost Breakouts	August 31, 2011	\$20,770.61
3	Skatepark		
3.1	Incorporation of Skatepark Into WFN plans	February 28, 2011	\$12,323.95
3.2	Subsurface Design for Skatepark	May 31, 2011	\$24,710.54
		June 30, 2011	\$4,730.00
		July 31, 2011	\$2,207.00
3.3	Coal Tunnel Mitigation	August 31, 2010	\$2,642.10
		May 31, 2011	\$2,800.00
		September 30, 2011	\$2,641.00
3.4	Skatepark Prequalifications	August 31, 2010	\$1,500.00
3.5	Skatepark Pavilion & Fountain	August 31, 2010	\$4,389.71
		May 31, 2011	\$3,000.00
4	Moran Elements & Sailing Center		
4.1	Boundary & ROW Mapping; Deed Research	June 30, 2010	\$16,772.50
		August 31, 2010	\$8,074.50
		November 30, 2010	\$1,636.00
		December 31, 2010	\$11,440.23
		January 31, 2011	\$1,008.50
4.2	Incorporation of Moran elements	January 31, 2011	\$475.89
		March 31, 2011	\$1,062.14
		April 30, 2011	\$24,502.80
		May 31, 2011	\$250.75
		June 30, 2011	\$250.75
		September 30, 2011	\$15,447.50
4.3	Community Sailing Center Interim Relocation	August 31, 2010	\$2,462.10
5	Construction Phasing & Planning		
5.1	Construction phasing & planning	November 30, 2011	\$5,306.50
		October 31, 2011	\$8,455.79
		December 31, 2011	\$3,575.00
TOTAL INCURRED			\$618,767.97



SCOPE OF WORK

To: Erin Demers, DPW
From: David Saladino, PE
Date: 10 January 2013
Subject: **Waterfront North – Scope of Services & Budget**

The RSG team is very pleased to have the opportunity to work with the City to refine and finalize the Waterfront North design plans. We understand that this is a very important project for the City and have developed this scope of work to move through this phase of design modifications and preparation of bid documents as efficiently as possible.

SCOPE OF WORK

1.0 PROJECT MANAGEMENT

RSG will facilitate weekly project status conference calls with City staff to confer on schedule, project-related questions and issues. RSG staff will prepare and circulate meeting agenda prior to the weekly calls.

2.0 FINAL PLANS (85% PLANS)

- **Preparation of Final Plans, Specifications, and Estimate:** The current Waterfront North design plans will be revised based on our understanding of the relevant design changes as shown in the attached sketch plan. The modified 85% plans will comprise a full plan set and shall include layout, alignment, grading, utilities, quantities, typical sections, landscaping, demolition, and details sheets. Contract documents, including full specifications and any special provisions, will be prepared. A construction cost estimate, developed using Estimator software and current VTrans bid pricing, will be prepared. The Final (85%) plans, bid document, and construction cost estimate will be submitted to City, VTrans, and FHWA staff for review.
- **Permitting:**
 - Act 250: No action needed
 - Zoning/Development Review Board: No action needed
 - Stormwater: Engineering Ventures to present revised stormwater concept to ANR for concurrence that plans maintain spirit of current stormwater permit
 - Railroad Clearance: RSG to confirm that re-design is acceptable use within railroad maintenance easement
 - ROW Clearance: If needed by VTrans/FHWA, DPW staff to work with City Attorney's office to obtain revised right-of-way certification letter.
 - Water Supply & Wastewater Permit: Engineering Ventures to prepare and submit for water and wastewater service to skate park and ice rink.
 - Categorical Exclusion: No action needed (assume current CE still valid)

- Utility Agreements: DPW staff to coordinate with affected utilities (BED, Fairpoint, Comcast, Burlington Telecom) to develop Utility Agreements.
- Corrective Action Plan: Engineering Ventures to provide Waite Environmental with revised cut/fill quantities, stockpile locations, etc. Waite Environmental to coordinate with VT-DEC to modify the Corrective Action Plan as needed. RSG to amend the contract documents to reflect any revised requirements or conditions resulting from the amended Corrective Action Plan.
- Section 404/IP: No action needed (assume no impacts to wetlands)

3.0 CONTRACT PLANS (100% PLANS)

The RSG team will prepare Contract (100%) Plans that will incorporate any final changes based on City, VTrans, and FHWA comments. The contract document and construction cost estimate will also be modified as necessary based on design review comments. RSG will assemble the final submittal package and provide to VTrans and FHWA for approval and authorization to bid.

4.0 BIDDING ASSISTANCE

Following receipt of authorization to bid, the RSG team will provide the following bidding assistance:

- Prepare bid announcement and circulate to newspapers, bid outlets, and plan rooms.
- Circulate plans and bid document to plan rooms for contractor review.
- Attend a pre-bid conference with contractors
- Respond to requests for information or clarification and circulate any necessary addenda to plan holders
- Attend bid opening
- Prepare bid analysis and recommendation of lowest responsive bidder

ASSUMPTIONS

The following assumptions have been made in preparing our scope and fees for this project:

- The nature of the design changes will not deviate from those shown on the attached sketch plan.
- BED to redesign underground utilities and streetlights within one month of Notice to Proceed and provide RSG with AutoCAD plans, quantities, specifications, and costs for specialty items.
- Permitting assumptions articulated under Section 2.0 of the scope are correct.
- New England Central Railroad/Genesee & Wyoming will not require plan revisions or additional permit fees as a result of the design changes.
- No significant changes to skate park layout, pavilion, orientation, or geotechnical accommodation for foundations.
- Work to be bid in single phase
- This scope does not include construction oversight or administration services



SCHEDULE

We anticipate the following schedule for permitting, design, and bidding activities:

- 2 months from Notice to Proceed: RSG team submits 85% final plans, specifications, and cost estimate for City, VTrans, and FHWA review
- 3 months from Notice to Proceed: City, VTrans, and FHWA completes review of 85% plans
- 4 months from Notice to Proceed: RSG team submits 100% contract plans, specifications, and cost estimate for authorization to bid
- 5 months from Notice to Proceed: Project bidding
- 7 months from Notice to Proceed: Construction initiation

BUDGET

Fees associated with the scope of work, assumptions, and schedule articulated above are provided on the following page. This budget includes allowances for the following subcontractor services to cover potential services in specific areas:

- Waite Environmental (*Corrective Action Plan*)
- Kirick Engineering (*Site Lighting*)
- Knight Engineering (*Geotech*)
- Grindline (*Skatepark*)

Should services be required in any of these areas, RSG will formalize a scope of work and fee for service with the specific subcontractors and present to the City for review and authorization.



PROJECT BUDGET

Waterfront North - Final Design Budget

	RSG			SE GROUP			ENGINEERING VENTURES			
	Project Manager \$155.00	Senior Engineer \$145.00	Project Engineer \$105.00	Technician \$80.00	Principal \$140.00	Sr. Associate \$110.00	Associate \$90.00	Principal \$130.00	Project Eng \$110.00	Technician \$80.00
1.0 Project Management	40	25	10		24			0	12	0
Weekly Conference Calls										
2.0 Final (85%) Plans	10	30	40	60	8	65	60	8	90	144
Plans, Specifications, Estimate Permitting	5	10	20	10				0	32	24
3.0 Contract (100%) Plans	10	20	30	40				0	18	32
Plans, Specifications, Estimate										
4.0 Bidding Assistance	5	10	20	10	3			2	6	0
Bidding Assistance										
TOTAL	70	95	120	120	8	172	126	10	158	200

	Total Direct Expenses	Total Labor Cost	Total
Resource Systems Group	\$750	\$46,825	\$47,575
SE Group	\$250	\$31,290	\$31,540
Engineering Ventures	\$250	\$34,680	\$34,930
Waite Environmental (CAP)	\$100	\$5,000	\$5,100
Kirck Engineering (Site Lighting)	\$100	\$2,500	\$2,600
Knight Engineering (Geotech)	\$100	\$5,000	\$5,100
Grindline (Skatepark)	\$100	\$5,000	\$5,100

Total Labor Fees \$130,295
 Total Expenses \$1,650
TOTAL PROJECT FEES \$131,945

Councilors

WATERFRONT ACCESS NORTH PROJECT

In the year Two Thousand Thirteen.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, Waterfront Access North (WAN) is a comprehensive transportation infrastructure improvement project that will enhance public access to and enjoyment of Burlington's greatest natural asset; the Lake Champlain waterfront; and

WHEREAS, the WAN project, which involves rebuilding the end of Lake Street, realigning and upgrading portions of the bike path, undergrounding of overhead utilities, storm water management improvements and construction of related parking; and

WHEREAS, the funding for the design of WAN came from a \$3.5 million Federal Transportation Earmark (number 5000(17) which also funded other improvement projects along the Burlington waterfront; and

WHEREAS, the earmark funds covered consulting engineering design services for WAN done by Resource Systems Group, Inc. (RSG) which came to a total of \$619,000.00; and

WHEREAS, funds under 5000(17) have now been fully expended; and

WHEREAS, the City now needs to make modifications to the design that should better serve future plans for Burlington's waterfront; and

WHEREAS, RSG has provided its scope of work and budget for the additional design work comporting with the City's requirements for a price not to exceed \$132,000.00; and

WHEREAS, this will cap RSG's overall contract at a maximum limiting amount of \$751,000.00 (see \$619,000.00 for completed design plus \$132,000.00 for design amendments).

NOW, THEREFORE, BE IT RESOLVED that Steven Goodkind, Public Works Director is authorized to execute contract amendments with Resource Systems Group, Inc. for total contract maximum limiting amount of \$751,000.00 to complete final design and prepare construction documents pending review of the contract amendments by the City Attorney.

BE IT FURTHER RESOLVED that the City Council authorizes the above contract amendments with the understanding that these contract expenditures will be reimbursed from the future bonding which has been authorized by the voters passage of the November 2012 ballot item relating to TIF financing for the Waterfront Access North project.