

December 19, 2005

E-08

TO: John Szerlag, City Manager

FROM: Brian Murphy, Assistant City Manager/Services
Steven Vandette, City Engineer 

SUBJECT: **Agenda Item** - Amendment No. 1 to Rochester Road Preliminary Engineering Agreement - Project No. 99.203.5

RECOMMENDATION:

Staff recommends that City Council approve the attached Amendment No.1 to the Preliminary Engineering (PE) Agreement with Hubbell, Roth & Clark, Inc. (HRC) for metric to English conversion of project plans, specifications and cost estimate for Rochester Road, between Torpey and Barclay. Furthermore, staff recommends that the Mayor and City Clerk be authorized to execute the agreement for a not to exceed fee of \$60,782.94

AMENDMENT INFORMATION & BACKGROUND

By Resolution #99-567-F-8a-ii (December 13, 1999), the City entered into Agreement No. 00-5024/S1 with HRC for preliminary engineering for the reconstruction of Rochester Road, from Torpey to Barclay for a not to exceed fee of \$452,086.87. This Amendment would increase the total fee for the PE phase to \$512,869.81. By approving the amendment, the metric to English conversion work will be a participating item and as such, 80% of the cost or \$48,626.35 is paid with Federal Funds.

When the original PE agreement was executed, MDOT required the use of metric units for all plans, specifications and estimates. In September 2002, MDOT officially abandoned metric units for all projects. Substantial design work, in metric, has been completed and in order to meet MDOT's English requirement, the plans and specifications and cost estimate must be converted.

The construction phase of this project has not yet been funded, but we have federal funds available in 2006 for the right-of-way phase. Federal funds for the construction phase are not anticipated to be available until 2009 or beyond.

BUDGET

The City's 20% share or \$12,156.59 will come from the Major Road Capital fund, account number 401479.7989.992035.



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

GLORIA J. JEFF
DIRECTOR

December 12, 2005

Mr. Bill Huotari
City of Troy
500 W. Big Beaver Road
Troy, Michigan 48084-5285

Dear Mr. Huotari:

STU 63459, 40323C, STP 9963(061), HH 2221
MDOT Third Party Agreement No. 00-5024/S1/A1
ROCHESTER - TORPEY to WATTLES

The Local Agency Programs Unit of the Michigan Department of Transportation approved the subject agreement on November 30, 2005. Enclosed are three copies of the said agreement to be executed by the City of Troy.

Please enter the project numbers and the date of execution in the indicated spaces on Page 1 of the agreement and return one copy of the agreement to the Local Agency Programs Unit. Please be sure the title and signature lines are completed on these forms.

Sincerely,

Chris Youngs, P.E.
Urban Program Manager
Local Agency Programs

Enclosures

RECEIVED

DEC 14 2005

ENGINEERING

SUBCONTRACT APPROVAL

DISTRIBUTION: WHITE - Approval Process CANARY - Requester

CONTRACT NUMBER

00-5024/SI/AI

MDOT

BUREAU Highways - Development	DIVISION Design Support Area	ORG. CODE
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BUREAU CONTACT PERSON Christian G. Youngs	PHONE NO. (517) 335-2744
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PRIME CONTRACT

PRIME CONTRACTOR
City of Troy

PURPOSE OF PRIME CONTRACT
Reconstruction of concrete roadway - Rochester Road, Torpey to Barclay

TERM OF PRIME CONTRACT BEGINNING DATE: 1/01	ENDING DATE: 1/1/2007	AMOUNT OF PRIME CONTRACT \$ 3,500,000.00
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SUBCONTRACT

SUBCONTRACTOR Hubbel, Roth & Clark	ARE THERE PREVIOUS SUBCONTRACTS WITH THIS PRIME? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
PURPOSE OF SUBCONTRACT Preliminary Engineering	(If Yes, list Subcontract number, Contractor and amount on attached sheets.)

TERM OF SUB CONTRACT BEGINNING DATE: 1/1/2000	ENDING DATE: 1/1/2007	AMOUNT OF SUBCONTRACT \$ 512,869.81
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REQUESTER

REQUIRED APPROVAL DATE ASAP	REASON FOR REQUIRED APPROVAL DATE Conversion of plans, special provisions & estimate from Metric to English units of measure
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I have reviewed the terms of the subcontract and am satisfied that it complies with all the terms and conditions of the prime contract.

CONTRACT ADMINISTRATOR (Signature) William C. Stoubrock	PHONE # 3-2281	DATE 11-28-05
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REVIEW COMPLETED

COMMISSION AUDIT (Signature) Frank G. Youngs	DATE 11-29-05
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APPROVED

DEPUTY DIRECTOR - BUREAU OF FINANCE (Signature) [Signature]	DATE 11/30/05
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NEED: FHWA FAA OTHER: _____

Memo to File

Job Number: 40323C

Subject: Amendment to PE Agreement

Location: Rochester, Torpey to Barclay, City of Troy

The agreement was amended for the increased costs for the conversion of the project from Metric to English units of measure as per the DOT's September 2002 notice requiring all projects to be completed in English units.

Keith Platte

00-5024/S1 for \$452,086.⁸⁷

**FIRST AMENDMENT to PE AGREEMENT #00-5024/S1
ROCHESTER ROAD, TORPEY to BARCLAY**

City of Troy – Hubbell, Roth & Clark, Inc.

**MDOT Job No. 40323
Troy Project No. 99.203.5**

This agreement made and entered into this _____ day of _____, 20____, by and between Hubbell, Roth & Clark, Inc., a Michigan Corporation, hereinafter referred to as the CONSULTANT, and the City of Troy, hereinafter referred to as the CITY, provides as follows:

WHEREAS, the CONSULTANT and the CITY, entered into Agreement No. 00-5024/S1, dated December 13, 1999 (“the Agreement”) for the performance of certain Preliminary Engineering services required in connection with the reconstruction of Rochester Road, from Torpey to Barclay, hereinafter referred to as the PROJECT; and

WHEREAS, subsequent to execution of the Agreement it was required by the Michigan Department of Transportation, hereinafter referred to as MDOT, that all plans, specifications and estimates completed and submitted were to be prepared in English units in accordance with MDOT requirements dated September 2002; and

WHEREAS, the Agreement was approved prior to the date that MDOT required English units be used and at that time MDOT required that all plans, specifications and estimates be prepared in Metric units; and

WHEREAS, in order to comply with the current MDOT English unit requirement the plans, specifications and estimates for the Project require conversion from Metric units to English units; and

WHEREAS, the parties hereto intend to amend the Agreement to incorporate the additional costs to convert the plans, specifications and estimates from Metric Units to English units to comply with MDOT requirements.

NOW, THEREFORE, it is agreed between the parties to amend the Agreement as follows:

1. FIRST AMENDMENT SERVICES

In addition to the services set forth in the Agreement, the CONSULTANT shall perform the SERVICES set forth in the First Amendment Exhibit A, attached hereto.

The additional costs for the SERVICES, as set forth in the First Amendment Exhibit B is Sixty Thousand Seven Hundred Eighty Two Dollars and Ninety Four Cents (\$60,782.94).

The amount of fixed fee contained within the total amount of Sixty Thousand Seven Hundred Eighty Two Dollars and Ninety Four Cents (\$60,782.94) is Seven Thousand Eight Hundred Ninety Three Dollars and Sixteen Cents (\$7,893.16).

2. MAXIMUM AGREEMENT AMOUNT PAYABLE

The Agreement is amended to provide that the maximum amount payable is increased by Sixty Thousand Seven Hundred Eighty Two Dollars and Ninety Four Cents (\$60,782.94) to a maximum amount for both the Agreement and First Amendment of Five Hundred Twelve Thousand Eight Hundred Sixty Nine Dollars and Eighty One Cents (\$512,869.81).

The maximum fixed fee is increased by Seven Thousand Eight Hundred Ninety Three Dollars and Sixteen Cents (\$7,893.16) to a maximum amount for the Agreement and First Amendment of Sixty Six Thousand Two Hundred Fifty Eight Dollars and Sixteen Cents (\$66,258.33)

3. CONTINUATION OF REMAINING PROVISIONS

Except as specifically set forth herein all terms and provisions of the Agreement and attachments and exhibits remain as originally set forth thereon.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized agents and representatives the day and year first above written.

HUBBELL, ROTH & CLARK, INC.

By _____

Its _____

CITY OF TROY

By _____
Louise Schilling

Its _____
Mayor

By _____
Tonni L. Bartholomew

Its _____
City Clerk

**First Amendment to PE Agreement No. 00-5024/S1
Exhibit A**

Rochester Road, Torpey to Barclay
City of Troy – Hubbell, Roth & Clark, Inc.

MDOT Job No. 40323
Troy Project No. 99.203.5

AMENDED PROJECT SCOPE SUMMARY EXHIBIT

The project scope is amended to include the conversion from Metric units to English units of all plans, specifications and estimates required as part of the Preliminary Engineering phase for the Rochester Road, Torpey to Barclay reconstruction project.

**First Amendment to PE Agreement No. 00-5024/S1
Exhibit B**

Rochester Road, Torpey to Barclay
City of Troy – Hubbell, Roth & Clark, Inc.

MDOT Job No. 40323
Troy Project No. 99.203.5

AMENDED PROJECT COST SUMMARY EXHIBIT

	Total Not-to-Exceed Fee	Fixed Fee
Original Preliminary Engineering Agreement	\$452,086.87	\$58,365.17
First Amendment	\$60,782.94	\$7,893.16
AMENDED TOTAL AGREEMENT	\$512,869.81	\$66,258.33

PRINCIPALS

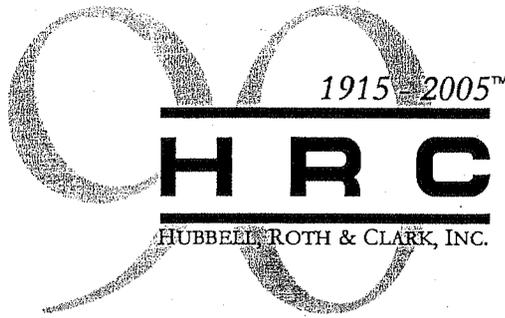
Gerald F. Knapp
Thomas E. Blehl
Walter H. Alix
George E. Hubbell
Peter T. Roth
Michael D. Waring
Keith D. McCormack
Curt A. Christeson

CHIEF FINANCIAL OFFICER

J. Bruce McFarland

SENIOR ASSOCIATES

Frederick C. Navarre
Gary J. Tressel
Lawrence R. Ancypa
Kenneth A. Melchior
Dennis M. Monsere
Randal L. Ford
David P. Wilcox
Timothy H. Sullivan



ASSOCIATES

Thomas G. Maxwell
Nancy M.D. Faught
Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olane
James C. Hanson
Richard F. Beaubien
William R. Davis
James J. Aiello
Daniel W. Mitchell
Jesse B. VanDeCreek
Robert F. DeFraim
Marshall J. Grazioli
Thomas D. LaCross

November 11, 2005

City of Troy
500 W. Big Beaver
Troy, MI 48084

Attention: Steve Vandette, P.E. – City Engineer

Re: Rochester Road – Torpey to Barclay
Conversion of Metric Plans to English

HRC Job No. 19990476.07

Dear Steve:

Per your request we are submitting a proposal to provide the engineering services to complete the conversion of metric to English units on Rochester Road.

We are pleased to be able to provide these costs on the attached spreadsheets and if you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

A handwritten signature in black ink, appearing to read "Nancy M.D. Faught".

Nancy M.D. Faught, P.E.
Associate

NF/nf

Attachment

pc: City of Troy; W. Huotari
HRC; W. Alix, File

