

**SUBJECT:** APPROVAL OF CHANGE ORDER NO. FOUR (4) FOR CONTRACT NO. 23-045C, WITH HDL ENGINEERING CONSULTANTS, LLC, FOR THE LUCILLE STREET UPGRADE AND PATHWAY PROJECT TO ADD \$378,791 FOR LAND ACQUISITION SERVICES AND TO EXTEND THE CONTRACT TO DECEMBER 31, 2026.

**AGENDA OF:** November 19, 2024

**ASSEMBLY ACTION:**

**AGENDA ACTION REQUESTED:** Present to the Assembly for consideration.

Route To:	Signature
Originator	X <u>Andrew Strahler</u> <small>Signed by: Andrew Strahler 11/14/2024</small>
PM Division Manager	X <u>Cole Branham</u> <small>Signed by: Cole Branham 11/14/2024</small>
Public Works Director	X <u>Tom Adams, P.E.</u> <small>Signed by: Tom Adams 11/15/2024</small>
Purchasing Officer	X <u>Rustin Krafft</u> <small>Signed by: Rustin Krafft 11/15/2024</small>
Finance Director	X <u>Cheyenne Heindel</u> <small>Signed by: Cheyenne Heindel 11/16/2024</small>
Borough Attorney	X <u>Nicholas Spiropoulos</u> <small>Signed by: Nicholas Spiropoulos 11/16/2024</small>
Borough Manager	X <u>Michael Brown</u> <small>Signed by: Mike Brown 11/16/2024</small>
Borough Clerk	X <u>Brenda J. Henry for</u> <small>Signed by: Brenda Henry 11/18/2024</small>

**ATTACHMENT (S) :**

HDL's Proposed Scope and Budget for Land Acquisition Services Manager's Sole Source Justification Letter

**SUMMARY STATEMENT:** HDL Engineering Consultants, LLC (HDL) was contracted in 2008 to complete a reconnaissance level study of Lucille Street from Spruce Avenue to Schrock Road. In 2013 the Matanuska-Susitna Borough (MSB) contracted HDL to provide

professional services on the Seldon Road and Lucille Street Upgrades project. As a result, the Lucille Street Portion (Spruce Avenue to Seldon Road), including upgrades to the pathway, was advanced to the 75% plans-in-hand level. The work to the 75% level included environmental, cultural resources, geotechnical investigation/report, hydrologic and hydraulic study, traffic and safety analysis, preliminary engineering report, corridor access management plan, utility conflict report, plans, specifications, and estimate. At the plans-in-hand level, it was determined that there was insufficient funding to complete the Lucille Street portion, and it was removed from the project.

The Lucille Street Upgrade and Pathway project was restarted as part of the Transportation Infrastructure Program 2021 (TIP21), approved as Proposition 1 by MSB voters in November 2021. The purpose of the project is to upgrade Lucille Street, improve drainage, add a turn lane at Tanaina Elementary, and improve the pathway.

This project involved reviewing the previous 75% design and continuing the design process to prepare bid-ready Plans, Specs, and Estimate (PS&E) package. The decision was made to retain HDL as the designer due to their experience on the project to minimize redundant work and save the Borough significant time and money.

The Purchasing Department, with the involvement of Public Works, negotiated with HDL to develop a fee proposal for professional services anticipated to complete the design of the Lucille Street Upgrade and Pathway project from Spruce Avenue to Seldon Road (TIP21) and to prepare plans for the pavement rehabilitation of Lucille Street from Seldon Road to Schrock Road (Road Service Area). On January 9, 2023, MSB entered into contract no. 23-045C with HDL for an amount of \$135,966, for design services. The final completion date for this contract is January 15, 2024. This was approved by AM 22-147.

HDL completed the plans and bid documents for the pavement rehabilitation from Seldon Road to Schrock Road, and the improvements were constructed in 2023.

Per the contract and in AM 22-147, HDL evaluated and revised the 2013-2014 design from Spruce Avenue to Seldon Road. The evaluation discovered areas requiring additional survey to capture changed conditions since the 2013 survey. Change Order No. One (1) added \$19,740 for the additional survey effort needed to update the Lucille Street Upgrade and Pathway project plans.

Change Order No. Two (2) added \$26,660 for the preparation of 13

Public Use Easement (PUE) exhibits for easement acquisitions required for the project. This change order also extended the completion date for contract 23-045C to June 30, 2025. This was approved by AM 24-007.

Change Order No. Three (3) added \$7,230 for additional surveying required to locate and catalog improvements not located in the 2013 survey.

Change Order No. Four (4) will add \$378,791 for additional design on a time and expense basis with a not to exceed value. This change order will also extend the completion date for contract 23-045C to December 15, 2026. This extension is required to prepare remaining PUE exhibits and land acquisition services such as appraisals, appraisal reviews, negotiations, and surveying. All other terms of the contract remain unchanged.

Continuing to retain HDL as the designer and ROW acquirer, as well as for additional work to advance the project through construction, will minimize redundant efforts and save the Borough significant time and money. Given HDL's deep familiarity with the project and their capacity to complete the remaining work, we anticipate that utilizing the previous designer for these services will allow us to construct the project earlier and at a lower cost for the remaining project services.

Administration requests approval of Change Order No. four (4) to Contract No. 23-045C with HDL Engineering Consultants, LLC, for the Lucille Street Upgrade and Pathway, project 35472-1808.

The Administration also requests authority to extend this contract up to 120 days for unforeseen circumstances.

In addition, future change orders are anticipated for permitting, utility relocation, and construction management services.

**RECOMMENDATION OF ADMINISTRATION:** Approve Change Order No. four (4) for Contract No. 23-045C with HDL Engineering Consultants, LLC for the Lucille Street Upgrade and Pathway project to add \$378,791 for land acquisition services and to extend the contract's final completion date to December 31, 2026, and approve authority to extend the time of performance up to 120 days.

**MATANUSKA-SUSITNA BOROUGH**

**FISCAL NOTE**

Agenda Date: November 19, 2024

SUBJECT: APPROVAL OF CHANGE ORDER NO. FOUR (4) FOR CONTRACT NO. 23-045C, WITH HDL ENGINEERING CONSULTANTS, LLC, FOR THE LUCILLE STREET UPGRADE AND PATHWAY PROJECT TO ADD \$378,791 FOR LAND ACQUISITION SERVICES AND TO EXTEND THE CONTRACT TO DECEMBER 31, 2026.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <b>YES</b> NO
AMOUNT REQUESTED \$378,791	FUNDING SOURCE RSA Cap. Proj.ects/Roads & Bridges Cap. Proj.
FROM ACCOUNT # 410/430.000.000 4xx.xxx	PROJECT#30048/35472
TO ACCOUNT:	PROJECT #
VERIFIED BY:  X <u>          L i e s e l W e i l a n d          </u>  Signed by: L i e s e l W e i l a n d	
1 1 / 6 / 2 0 2 4	

**EXPENDITURES/REVENUES:**

(Thousands of Dollars)

OPERATING	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		378.8				
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REVENUE						
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**FUNDING:**

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		378.8				
TOTAL		378.8				

**POSITIONS:**

Full-Time						
Part-Time						
Temporary						

**ANALYSIS: (Attach a separate page if necessary)**

APPROVED BY:	1 1 / 6 / 2 0 2 4
X <u>          C h e y e n n e H e i n d e l          </u>	

Signed by: C h e y e n n e H e i n d e l



# MATANUSKA-SUSITNA BOROUGH

## Purchasing Division

350 East Dahlia Avenue • Palmer, AK 99645  
Phone (907) 861-8601 • Fax (907) 861-8617  
[purchasing@matsugov.us](mailto:purchasing@matsugov.us)  
[www.matsugov.us](http://www.matsugov.us)

### MEMORANDUM

Date: 11/5/2024

To: Michael Brown, Borough Manager M3

From: Russ Krafft, Purchasing Director 2

Subject: Request for Waiver of Formal Bidding – 23-045C Seldon Road and Improvements to Lucille Street.

This memo serves as a formal request for a waiver of the formal bidding procedures for Contract No. 23-045C, which pertains to continuing professional design services associated with improvements to the Seldon Road/Lucille Street dating back to 2008. This request is submitted in accordance with MSB Code 3.08.320(A), which authorizes the waiver of formal bidding procedures when compliance is impractical or when it is in the best interest of the Borough.

### Background

HDL Engineering Consultants, LLC (HDL) was originally contracted in 2008 to complete a reconnaissance level study of Lucille Street from Spruce Avenue to Schrock Road. In 2013, the Matanuska-Susitna Borough (MSB) contracted HDL to provide professional services for the Seldon Road and Lucille Street Upgrades project. As a result, the Lucille Street Portion (Spruce Ave to Seldon Road), including upgrades to the pathway, was advanced to the 75% plans-in-hand level. At the plans-in-hand level, it was determined that there was insufficient funding to complete the Lucille Street portion, and it was removed from the project.

The Lucille Street Upgrade and Pathway project was restarted as part of the Transportation Infrastructure Program 2021 (TIP21), approved as Proposition 1 by MSB voters in November 2021. The purpose of the project is to upgrade Lucille Street, improve drainage, add a turn lane at Tanaina Elementary, and improve the pathway. This project involves reviewing the previous 75% design and continuing the design process to prepare bid-ready Plans, Specs, and Estimate (PS&E) package. The decision was made to retain HDL as the designer due to their experience on the project to minimize redundant work and save the Borough significant time and money. Based on their past work, a Waiver of Formal Bidding Procedures was approved and a new contract was issued to complete the design for construction bidding in early 2024.

On January 9, 2023, MSB entered into contract no. 23-045C with HDL for an amount of \$135,966 for design services. The final completion date for this contract was January 15, 2024. This was approved by AM 22-147.

Per the contract, HDL evaluated and revised the 2013-2014 design. The evaluation discovered areas requiring additional surveying to capture changed conditions since the 2013 survey. Change Order No. One (1) added \$19,740 for the additional survey effort needed to update the Lucille Street Upgrade and Pathway project plans.

Change Order No. Two (2) added \$26,660 for to prepare 13 Public Use Easement (PUE) exhibits for easement acquisitions required for the project and extended the contract completion date to June 30, 2025. This was approved by AM 24-007.

Change Order No. Three (3) added \$7,230 for additional surveying required to locate and catalog improvements not in the 2013 survey.

### Remaining Work

This project is split into two phases Lucille Street Upgrade and Pathway from Spruce Avenue to Seldon Road and Pavement Rehabilitation from Seldon Road to Schrock Road which is now completed. For the Lucille Street Upgrade and Pathway

phase (TIP21 funded), HDL has prepared a revised 75% design and prepared the 13 PUE exhibits.

HDL will progress the project to a final bid-ready Plans, Specs, and Estimate (PS&E) package and provide additional support after bidding and during construction. This includes additional design services. In addition to the added design services, Public Works is requesting the following services be added to the contract:

- Right of-way (ROW) acquisition
- Public involvement
- Permitting support
- Surveying services
- Utility relocation services
- Construction management services

**Rationale for Waiver**

While not included in contract 23-045C, changing design firms at this late stage in the project would require additional time and funding providing little benefit to the borough taxpayers.

These additional services are outside the scope of services of Contract 23-045C and including them at this time requires a waiver of MSB 3.08.260. This waiver, specific to this project, is being requested under MSB 3.08.320(A) as it is in the best interest of the borough to retain the services of HDL based on their involvement in this project dating back more than a decade and a half.

**Reporting Obligations**

In compliance with MSB Code 3.08.320(B), this waiver and its justification will be reported to the Borough Assembly, as per the requirements outlined in MSB 3.08.350. This report will include a summary of the project background, funding sources, vendor selection rationale, and the reasons for proceeding under this section.

The Purchasing Division requests a waiver of the formal bidding procedures for the design of the booster pump, as it is in the best interest of the Borough based on the information provided in this memo.

APPROVE

DISAPPROVE

  
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Michael Brown, Borough Manager

11/5/2024  
Date