

AGENDA REPORT

TO: Mayor Pat Humphrey and the Clare City Commission
FROM: Ken Hibl, City Manager
DATE: January 28, 2016
RE: Amendment to Engineering Contract – North Industrial Park Project

For the Agenda of February 1, 2016

Background. The City enjoys an engineering services contract (*see copy of att'd Resolution 2014-004*) with its engineering firm of record, Gourdie-Fraser, for design and construction engineering related to the City's new North Industrial Park Project. As reflected in the referenced Resolution, the approved amount of the contract is \$762,850.

We have entered the close-out phase of this project. Unlike other grant agencies we've worked with in the past, the EDA's process requires we defer all change orders and amendments to the end/close-out phase of the project. We've already submitted our change orders and amendments for our two primary construction contractors, but we have not done so for our engineer. Consequently, we ask the Commission to amend the GFA contract to a total not to exceed \$781,468.85 – a cost difference of \$18,618.85 – to allow us to submit this final amendment to the EDA, thereby allowing us to commence close-out of the grant.

Issues & Questions Specified. Should the City Commission approve the requested contract amendment?

Alternatives.

1. Approve the engineering contract amendment.
2. Do not approve the contract amendment.
3. Set aside the decision regarding this matter to a later date.

Financial Impact: The amendment increases the engineering services contract amount by \$18,618.85. The Clare IDC paid \$4,120 of these costs for survey work performed by GFA at the very beginning of this project in 2014. The balance owed to GFA is for their involvement with design and installation of SCADA (they used a subcontractor to accomplish this work) and for after-the-fact design of our requested turn-around point to accommodate a consolidated mail box for the tenants of the industrial park.

Recommendation. I recommend that the City Commission approve an amendment to the engineering services contract by adoption of Resolution 2016-015 (*copy att'd*), thereby allowing additional payment of an amount not to exceed \$18,618.85 and increasing the total not-to-exceed cost of engineering services for the project to \$781,468.85.

Attachments.

1. Resolution 2014-004.
2. Resolution 2016-014.

RESOLUTION 2014-004

A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING A PROPOSED ARCHITECTURAL AND ENGINEERING CONTRACT FOR ENGINEERING SERVICES WITH GOURDIE-FRASER ASSOCIATES.

WHEREAS, by adoption of its Resolution 2014-001, the Clare City Commission competitively selected Gourdie-Fraser Associates of Traverse City, Michigan to provide engineering design and construction oversight services for the development of a new industrial park for the City of Clare; and

WHEREAS, the Clare City Staff subsequently negotiated a contractual agreement with Gourdie Fraser Associates for said services; and

WHEREAS, upon review said proposed contractual agreement meets all the City requirements and stipulations and appears to meet all requirements and stipulations mandated by the Economic Development Administration, which is a required element of the approval process of the proposed contractual agreement.

NOW THEREFORE BE IT RESOLVED THAT the City Commission of the City of Clare hereby approves a contractual agreement for engineering design, construction oversight, and project administration services with Gourdie-Fraser & Associates for the purpose of developing a new industrial park for the City of Clare.

BE IF FURTHER RESOLVED THAT the terms and conditions of said contractual agreement are outlined therein and that the maximum cost for said services shall not to exceed \$762,850.

BE IT FURTHER RESOLVED THAT the Clare City Commission authorizes Mr. Ken Hibl, its City Manager, to execute any and all documents related to said contractual agreement on behalf of the City of Clare.

BE IT FURTHER RESOLVED THAT execution and application of any and all elements and terms of this contract is contingent upon the review and concurrence of the Economic Development Administration.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner Swanson and supported by Commissioner McConnell. The Resolution declared adopted by the following roll call vote:

YEAS: Bob Bonham, Pat Humphrey, Jean McConnell, Carolyn Murphy and Karla Swanson.

NAYS: None.

ABSENT: None.

Resolution approved for adoption on this 20th day of January 2014.

Diane Lyon, City Clerk

RESOLUTION 2016-016

A RESOLUTION OF THE CLARE CITY COMMISSION APPROVING THE SUBMITTAL OF AN UNITED STATES DEPARTMENT OF AGRICULTURE APPLICATION FOR THE PURCHASE OF A NEW PICK-UP TRUCK FOR THE CLARE FIRE DEPARTMENT.

WHEREAS, the local grant specialist for the United States Department of Agriculture has informed the City that there are presently grant funds available for the purchase of vehicles on a first-come-first-served basis for vehicles not exceeding a specific amount; and

WHEREAS, the Clare Fire Department currently has a 1998 pick-up truck that qualifies for this grant program; and

WHEREAS, the City Staff has recommended that the City Commission approve the submittal of a grant application to determine whether the request for USDA funding would be approved to replace said vehicle; and

WHEREAS, the City Commission has determined that said recommendation is prudent.

NOW THEREFORE BE IT RESOLVED THAT, the Clare City Commission hereby approves the submittal of a USDA grant for the purpose of replacing the Clare Fire Department's 1998-vintage pick-up truck.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____ and supported by Commissioner _____.. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 1st day of February 2016.

Diane Lyon, City Clerk