

AGENDA

WALLED LAKE
LAKE IMPROVEMENT BOARD MEETING
MAY 13, 2009 at 6:30 P.M.
Novi Civic Center
45175 W. Ten Mile Road

- I. Call Meeting to Order
- II. Roll Call
- III. Public Comment
- IV. Approve Minutes of February 11, 2009 meeting and first meeting continuation on March 10, 2009.
- V. Presentation of Meeting Notice as posted
- VI. Review of Engineering Proposals and Consideration of Award of Engineering Contract
- VII. Discussion of Lake Board Attorney
- VIII. Public Comment
- IX. Other Business
- X. Adjournment

**WALLED LAKE
LAKE IMPROVEMENT BOARD MEETING *DRAFT* MINUTES
February 11, 2009**

The first meeting of the Lake Improvement Board for Walled Lake was held in Council Chambers at the Novi Civic Center at 45175 W. 10 Mile Road on February 11, 2009. The meeting was called to order by Brian Coburn (Representative of the City of Novi), at 6:34 p.m.

Present: William Burke, City of Walled Lake
Brian Coburn, City of Novi
Karen Warren, Oakland County Water Resource Commissioner's Office

Absent: Oakland County Board of Commissioners Representative
Riparian Representative

Also

Present: Mark Roberts, Attorney, Secrest Wardle

Attorney Roberts explained that the representative from the Oakland County Board of Commissioners will be appointed on March 5, 2009; therefore, this meeting will be continued to a date after March 5, 2009.

A quorum was present.

MOVED by Burke and **SECONDED** by Coburn to continue this meeting after March 5, 2009, and to take additional nominations for Riparian representative in addition to those provided by the Lakes Area Homeowners Association (LAHA).

Motion Carried Unanimously

Attorney Roberts explained that at the continuation of this meeting, the election of officers will take place and discussion of the engineering feasibility study will be initiated.

Several members of the audience spoke to clarify and learn of the process that the Lake Board will follow. Mr. Coburn said that he will work to establish a webpage and links on the City of Novi's website to provide additional information, agendas, notices and minutes.

MOVED by Burke and **SECONDED** by Warren to continue this meeting to March 10, 2009, at 6:30 p.m., at the Novi Civic Center.

Motion Carried Unanimously at 7:06 p.m.

Sue Troutman – City of Novi

**WALLED LAKE
LAKE IMPROVEMENT BOARD MEETING DRAFT MINUTES
March 10, 2009**

The first meeting of the Lake Improvement Board for Walled Lake was continued at the Novi Civic Center at 45175 W. 10 Mile Road on March 10, 2009. The meeting was called to order by Karen Warren, Oak. Co. Water Resource Commissioner's Office, at 6:35 p.m.

Present: William Burke, City of Walled Lake
Brian Coburn, City of Novi
Karen Warren, Oakland County Water Resource Commissioner's Office

Absent: Jeff Potter, Oakland County Board of Commissioners Representative
Riparian Representative

Also

Present: Mark Roberts, Attorney, Secrest Wardle

A quorum was present.

Attorney Roberts explained that the election of officers and Riparian Representative would take place; discussion of the engineering feasibility study would be initiated.

Interviews for Riparian Representative took place: LAHA submitted three names: Dave Galloway, John Duneske and Frank Christopher. Kenneth Holmes and Steve Loe also applied. All were present and interviewed except Frank Christopher. Dave Galloway was unanimously elected as Riparian Representative.

MOVED by Warren and **SECONDED** by Coburn to elect Galloway as Chairperson. Galloway was unanimously elected as Chairperson.

MOVED by Warren and **SECONDED** by Burke to elect Coburn as Secretary. Coburn was unanimously elected as Secretary.

MOVED by Warren and **SECONDED** by Galloway to elect Coburn as Treasurer. Coburn was unanimously elected as Treasurer.

Discussion was held regarding the proposal for Engineering Feasibility Study; Warren presented a copy of Bloomfield Twp RFP with changes as an example of how the RFP should be worded. It was determined that the bids would go out to MITN website at no charge; Secretary to receive bid proposals by April 21st and post to the City website.

MOVED by Warren and **SECONDED** by Galloway that the meeting be adjourned.

Motion Carried Unanimously at 8:05 p.m.

Sue Troutman – City of Novi

No. L-09-17

**NOTICE OF MEETING OF THE
LAKE IMPROVEMENT BOARD
FOR
WALLED LAKE**

A meeting of the Lake Improvement Board for Walled Lake
will be held on Wednesday, May 13, 2009 at 6:30 pm
at the Novi Civic Center; 45175 W Ten Mile Road
Novi, Michigan 48375

Posted: 4/14/09

9:00 a.m.

MEMORANDUM

TO: WALLED LAKE IMPROVEMENT BOARD MEMBERS
FROM: BRIAN COBURN, P.E.; SECRETARY/TREASURER *BIC*
SUBJECT: EVALUATION OF ENGINEERING PROPOSALS
DATE: MAY 7, 2009

The eight engineering proposals that were received last month were transmitted to you on April 25, 2009. The agenda for our meeting on May 13 includes a discussion and consideration of award of the engineering contract for the lake study. Therefore, a review of the proposals prior to the meeting may help facilitate the discussion.

Enclosed is a proposal evaluation form that is used by the Oakland County Water Resource Commissioner's Office to review proposals for engineering services. It uses a scoring system to evaluate the various criteria that were included in the Request for Proposals for this study. Use of the form is optional, but may prove helpful in your evaluation.

Please feel free to contact me or Karen Warren for assistance in using the form.

cc: Maryanne Cornelius, Novi City Clerk

PROPOSAL EVALUATION FORM ENGINEERING SERVICES

Consultant: _____

Date: _____

Selection Committee Member: _____ Ranking: (1-6) _____

RATING FACTORS	MEMBERS SCORE (OUT OF 10)	WEIGHT	MEMBERS WEIGHTED SCORE	MAXIMUM SCORE
1. RELATED PROJECT EXPERIENCE		X 2.0 =		20
<ul style="list-style-type: none"> • Similar Projects (manager) • Costs vs. Budget (each) • Schedule vs. Completion time (each) • References 				
2. PERSONNEL ASSIGNED TO PROJECT		X 2.0 =		20
<ul style="list-style-type: none"> • Organization • Project Manager • Other key team members • Environmental Specialists • Subconsultants 				
3. PROJECT UNDERSTANDING		X 1.0 =		10
<ul style="list-style-type: none"> • Consultants in-depth understanding of project • Planning, organization and management 				
4. SCHEDULE		X 1.5 =		15
<ul style="list-style-type: none"> • Project and major component completion dates • Target submittal dates 				
5. ESTIMATE OF HOURS		X 3.5 =		35
<ul style="list-style-type: none"> • Man-hours by task and classification 				
			Total Score	100

Comments:

MEMORANDUM

TO: WALLED LAKE IMPROVEMENT BOARD MEMBERS
FROM: BRIAN COBURN, P.E.; SECRETARY/TREASURER *BTC*
SUBJECT: ENGINEERING PROPOSALS FOR WALLED LAKE STUDY
DATE: APRIL 23, 2009

Please find enclosed a copy of each of the eight proposals that were received on Thursday by my office. I have provided a summary of the proposals in the table below.

FIRM	FEE
ARTEMIS ENVIRONMENTAL	\$7,650.00
ECT	\$49,085.00
GOLDER ASSOCIATES	\$83,925.00
LAKESHORE ENVIRONMENTAL	\$13,700.00
LIMNO-TECH	\$35,530.00
NOVA CONSULTANTS	\$14,950.00
PROGRESSIVE AE	\$15,000.00
SPALDING DEDECKER & ASSOCIATES	\$16,115.00

I have also enclosed a copy of the Request for Proposals which outlined the requirements for the project. Please reference Attached A of the Request for Proposals, Proposal Content, in your review of the proposals. It outlines additional review criteria, beyond fee, that can be used to select the engineering firm for the project such as a firm's understanding of the project, related project experience, and personnel assigned to the project.

It is anticipated that there will be discussion about the selection of an engineering firm at the next meeting of the Lake Board on May 13, 2009 at 6:30 pm at the Novi Civic Center.

Please feel free to contact me at 248-735-5632 with any questions.

cc: Maryanne Cornelius, Novi City Clerk

REQUEST FOR PROFESSIONAL SERVICES

WALLED LAKE--LAKE IMPROVEMENT BOARD

March 20, 2009

I. Introduction

The Walled Lake—Lake Improvement Board is seeking proposals from qualified professional engineering consultants (Consultant) to identify problems with Walled Lake and to present recommendations for lake improvements.

The Lake Board intends to contract with an engineering consulting firm that possess the appropriate skills, experience, resources and reputation to complete the project.

The consulting services will be completed in accordance with all applicable federal, state and local regulations, policies and contractual guidelines. Walled Lake is located partially within the City of Novi and partially within the City of Walled Lake. Two copies of all final data will be delivered to the Lake Board in digital format on a DVD or CD-ROM (one copy for each community), accompanied by eight hard copies of all documents. The Lake Board shall review all deliverables from each associated project task before final acceptance.

II. Project Background

Walled Lake is located in Sections 2 and 3, T. 1 N., R. 8. E., City of Novi, and Sections 34 and 35, T. 2 N., R. 8 E., City of Walled Lake, Oakland County, Michigan and has a total surface area of approximately 644 acres and is largely surrounded by residential properties. The City of Walled Lake passed a resolution on November 18, 2008 and the City of Novi passed a resolution on January 12, 2009 for the establishment of a lake improvement board pursuant to Public Act 451 of 1994, the Natural Resources and Environmental Protection Act, as amended for the improvement of Walled Lake. The purpose of the lake board is to provide for the improvement of Walled Lake to control nuisance growth of invasive aquatic plants in Walled Lake.

III. Scope of Work

The consultant will define tasks that meet the requirements of the "Inland Lake Improvements of the Natural Resources and Environmental Protection Act" Part 309 Public Act 451 of 1994, as amended. To be specific, the services will involve the preparation of the following:

- Engineering feasibility report,
- Economic study report, and
- Estimates of cost (including aquatic vegetation control and water quality assessments).

The following services are to be provided by the Consultant, while not all-inclusive, will each be considered for study and report:

- A. Analyze aquatic weed growth and make recommendations for removal and control. Prepare a map which shows the locations and types of aquatic vegetation, and approximate lake bottom contours. GIS data is available from the City of Novi or Oakland County Water Resource Commissioner's Office to the selected consultant.
- B. Determine the lake water quality with respect to oxygen content and its relationship to fish population; determine possible adverse effects of stratification, and recommend whether aeration and/or other water conditioning is required.
- C. Determine lake water quality using the following listed parameters and recommend appropriate action to improve water quality:
 1. *E. Coli*
 2. Ph
 3. Oxygen concentration
 4. Phosphorus concentration
 5. Nitrogen concentration
 6. Chlorophyll a concentration
 7. Secchi disc Transparency
 8. Theoretical nutrient budget
- D. Evaluate the lake bottom sediments and associated nutrients, and their removal and appropriate disposal.
- E. Investigate alternative methods of lake improvement other than weed control, aeration and dredging, if applicable.
- F. Recommend methods to eliminate or reduce future sediment loading of Walled Lake.
- G. Prepare estimates of costs for each of the above items, individually, with an analysis of effects of proposed assessments on the local units of government and interested landowners and residents.
- H. Submit a schedule for completion based upon a Notice to Proceed.

IV. Proposal Content

The written proposal should focus on the project's specific needs, services to be provided and your specific approach to accomplish the work. The RFP should be presented in 8.5" x 11" format with a minimum font size of 12 and should not exceed fifteen (15) pages.

The information to be included in the proposal is included in Attachment A. It is encouraged to add to your proposal any key elements that are believed to enhance the project's success and best utilize the firm's experience and expertise. The proposal should include a project description and the specific approach, tools, and techniques that will be used to complete this work on schedule. The proposal should be concise and an authorized representative of the Consultant shall sign the proposal.

V. Selection Process

Written proposals submitted by the deadline will be evaluated by the Lake Board based upon the firm's demonstrated ability and specific approaches to best meeting the project needs, including but not limited to: understanding of the project, recent experience with this type of work, experience of the personnel assigned to this project, and compensation for services (cost).

An oral presentation may be required as part of the evaluation process. If an oral presentation is requested, then the project manager and other key team members shall represent the consultant at the presentation.

Based on the written proposal and, if necessary, oral presentation, a consulting firm that best meets the Lake Board's needs will be selected. The Lake Board will initiate an agreement with the selected consultant in terms of the submitted proposal; however, if an agreement cannot be negotiated, then another submitting consultant may be contacted.

The Lake Board reserves the right of not selecting any consultant, rejecting all proposals, or cancelling the project prior to contract execution without any compensation to the selected consultant.

It is the Lake Board's intent to enter into an agreement with the selected consultant to provide services as indentified under Paragraph III, "Scope of Work." The Lake Board reserves the right at its sole discretion to delete or modify any services, thereby affecting the project scope, at any time during the design process. The selected consultant will be entitled to appropriate compensation for work provided to date on such deleted or modified facilities without any additional compensation for theoretical "loss of profit."

VI. Contract Terms and Conditions

The work shall be completed under a not-to-exceed cost contract agreement.

Specific contract terms and conditions shall be negotiated with the Lake Board. It is recognized that a single firm may not offer all of the proposed services and that subconsultants may be included in the submittal. All subconsultants shall be subject to Lake Board approval. The Lake Board reserves the right to contract directly with other firms for additional services. Additionally, the Lake Board will not allow mark-up on

work done by an individual subconsultant if the work by that subconsultant exceeds 50 percent of the total consultant cost.

The Lake Board will not compensate for any work done pertaining to the written proposal and/or oral presentation made in response to this solicitation. The contents and commitments in the RFP shall remain firm for 90 calendar days from the submittal due date.

Insurance and Indemnification

The selected consultant will be required to incorporate the Lake Board's insurance requirements and indemnification language into the final contract, as stated herein. The Consultant shall provide the name of the insurance carrier who will provide the required coverage for this project in the proposal.

Insurance

- 1) Professional Liability/Errors and Omissions Coverage in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate.
- 2) Commercial General Liability policy in the amount of \$1,000,000 combined single limit per occurrence and aggregate, including contractual liability.
- 3) Comprehensive Automobile Liability Policy to cover bodily injury and property damage arising out of ownership, maintenance or use of any motor vehicle owned, non-owned or hired vehicles in the minimum amount of \$1,000,000 combined single limit per occurrence. No fault coverage complying with statutory requirements of the State of Michigan are also required.
- 4) Workers' Compensation Insurance including Employer's Liability to cover employee injuries or disease compensable under the Workers' Compensation statutes of the State of Michigan Employee's liability coverage shall be in the minimum amount of \$500,000 per occurrence.

Indemnification

The Consultant shall agree to indemnify, defend and hold harmless the Lake Board and the Lake Board's agents, from and against any and all claims, loss, liability, damages, costs, and expenses, including, but not limited to, all reasonable fees and charges of attorneys, and other professional services, and other time and expenses incurred by the Lake Board using its own staff and all court or other dispute resolution costs that arise out of and to the extent caused by the negligent acts, errors, or omissions of the Consultant, its agent, subcontractors, or employees, regardless of whether or not such claim, loss, liability damage, cost, or expense is caused or contributed to, in part, by a part indemnified in the contract.

VII. Schedule & Project Contact Information

The following is an anticipated schedule for the RFP process. The Lake Board reserves the right to modify any part of this schedule.

RFP Release:	March 20, 2009
Proposals Due:	April 21, 2009 at 2:00 PM

Board Award: date to be determined in May 2009

Any further questions regarding this project should be directed to:

Brian Coburn, P.E.	City of Novi	bcoburn@cityofnovi.org	248-735-5632
Karen Warren, P.E.	Oakland County WRC	warrenk@oakgov.com	248-858-0598

VIII. Responses

To be considered, eight copies of the RFP must be submitted, in a sealed envelope that is clearly marked with **“Walled Lake Engineering Services”**, to the City of Novi Clerk’s Office no later than **2:00 PM, local prevailing time, April 21, 2009**, and shall be addressed to:

Brian Coburn, P.E., Secretary
Walled Lake Lake Improvement Board
c/o City of Novi Clerk’s Office
45175 W Ten Mile Road
Novi, MI 48375

IX. Disclosure of Contents

All information provided in the RFP will be held in confidence and will not be revealed or discussed with competitors until the deadline for submission of proposals has expired. Section 13(1) (j) of the Michigan Freedom of Information Act, as amended, provides that a public body may exempt from disclosure as a public record a bid or proposal by a person to enter into a contract or agreement, until the time for the public opening of the bids or proposals, or if a public opening is not conducted, until the deadline for submission of bids or proposals has expired.

Attachment A
PROPOSAL CONTENT

Proposals should address the elements identified below. Whenever discussing a particular team member or past project, please identify the associated consultant/subconsultant if different from the prime consultant.

The proposal shall include the following item:

Section 1: Understanding of the Project

Provide a brief statement as to your understanding of the Lake Board and the Engineering Consultant's role. Include a short narrative description of your proposed work plan and the approach to fulfilling the requirements of the engineering feasibility report, economic study report and cost estimates as required under Public Act 451 of 1994, the Natural Resources and Environmental Protection Act, as amended. Specify methods in approaching the project to address the scope of work and discuss the proposed organization and management tools to be used.

Section 2: Related Project Experience

Indicate the experience of recent work similar to the Lake Board's proposed project. Provide descriptions and references for each project that include the project's budget and schedule of completion, delays and any other pertinent information that can be applied towards this project.

Section 3: Personnel to be assigned the Work (Project Team)

Identify the personnel to be assigned to the project along with a description of their experience and qualifications. Also, provide specific information describing the qualifications of other personnel providing administrative and technical support, if any. Identify the office from where the personnel will be working along with the means of communication such as phone, fax, and email during the project.

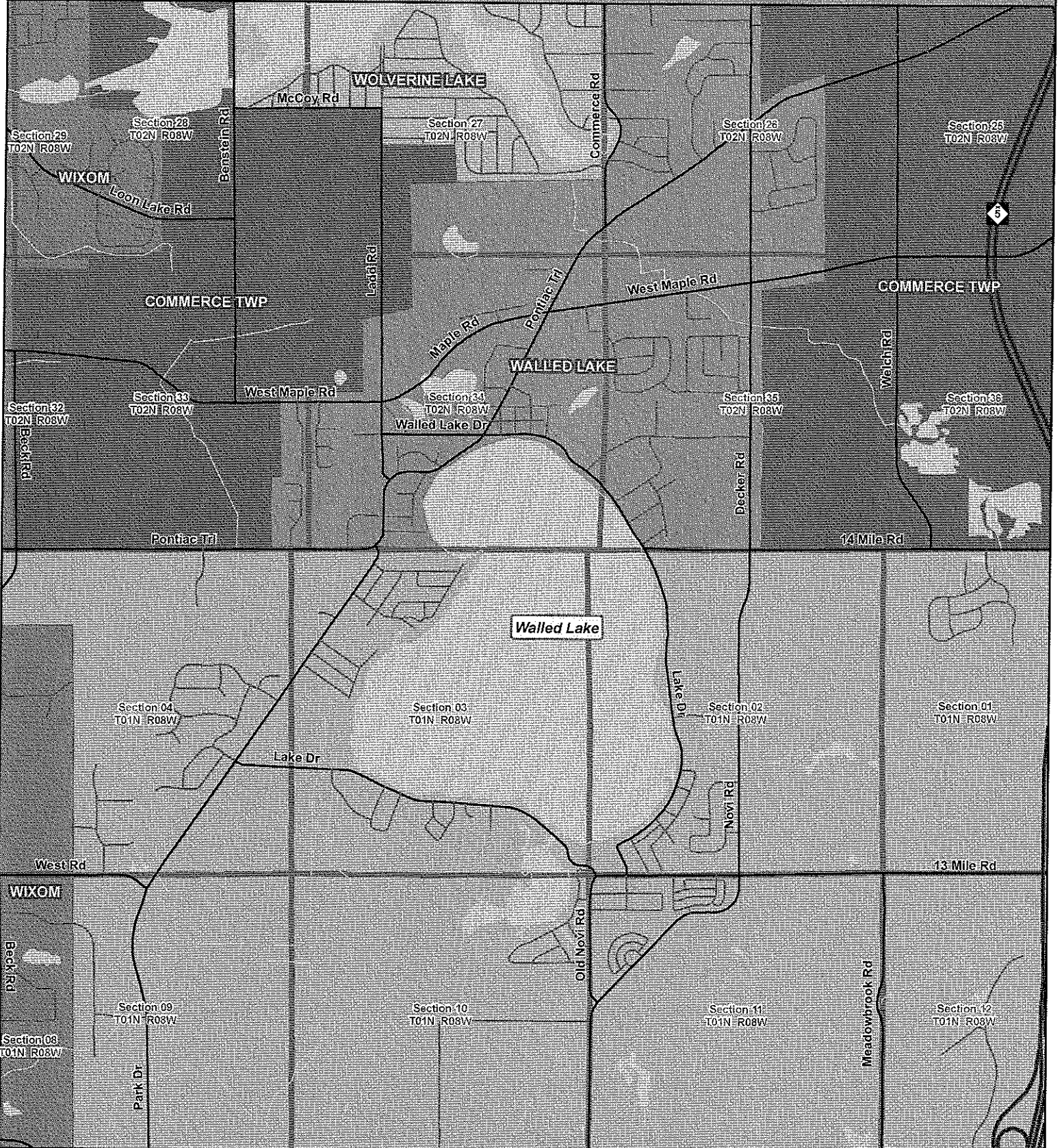
Section 4: Compensation for Services (Fee)

Provide an estimate of hours necessary to complete the services outlined in the scope of work. Provide the proposed method for compensation including employee wage rates, overhead and other direct costs associated to furnishing the services quoted as lump sum, not to exceed maximum cost.

Attachment B
Location Map

Walled Lake Location Map

Walled Lake - Lake Improvement Board



CITY OF NOVI

ENGINEERING DIVISION

45175 W. TEN MILE ROAD
NOVI, MI 48240-3024
(248) 34-9454

MAP AUTHOR: CHRIS BOUGH
CITY GIS MANAGER



MAP INTERPRETATION NOTICE

Map information displayed is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent geographic sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 107 of 1978 as amended. Please contact the Project Designer for

MEMORANDUM

TO: WALLED LAKE IMPROVEMENT BOARD MEMBERS
FROM: BRIAN COBURN, P.E.; SECRETARY/TREASURER *BC*
SUBJECT: CONSIDERATION OF LAKE BOARD ATTORNEY
DATE: MAY 7, 2009

The agenda for our May 13 meeting includes a discussion of legal representation for the Lake Board. Mark Roberts of Secret Wardle has attended the previous lake board meetings representing the City of Novi. The City of Novi has paid Secret Wardle directly for this service. Now that the board is seated and conducting business, it may be appropriate to discuss the Board's need for legal representation. Secret Wardle currently serves as the City Attorney for both the City of Walled Lake and the City of Novi.

The scope of work for the attorney would include:

- Attendance at Lake Board Meetings
- Drafting of the required resolutions
- Occasional email or telephone call to provide consultation to the Lake Board.

Based on Mark Roberts' billing rate of \$120 per hour, the estimated legal fees for the routine scope of work above would be \$1,200 to \$2,000. If there were a challenge to the Tax Tribunal or Circuit Court, there would be additional costs incurred for legal fees.

Please feel free to contact me at 248-735-5632 with any questions.

cc: Maryanne Cornelius, Novi City Clerk

WALLED LAKE LAKE IMPROVEMENT BOARD DIRECTORY

Name	Representing	Address	City	ZIP	Phone	Fax	Cell	Email
William Burke	City of Walled Lake	566 E Walled Lake Dr	Walled Lake	48390	248-624-5802	313-928-0533	313-400-1332	n/a
Brian Coburn	City of Novi	26300 Delwal	Novi	48375	248-735-5632	248-735-6659	248-521-5431	bcoburn@cityofnovi.org
Dave Galloway	Riparian Representative	1197 E Lake Dr	Novi	48377	248-926-8820			dgalloway@twmi.tr.com
Jeff Potter	Oakland County Board of Co Oakland County Water Resource Commissioner's Office	1200 N Telegraph Rd 1 Public Works Dr	Pontiac Waterford	48340 48328			248-981-7591	potterj@oakgov.com warrenk@oakgov.com