



CITY of NOVI CITY COUNCIL

Agenda Item D
September 16, 2013

SUBJECT: Approval to award an amendment to the engineering services agreement to Orchard, Hiltz & McCliment for additional design engineering services related to the Metro Connector Pathway project in the amount of \$50,432.

SUBMITTING DEPARTMENT: Department of Public Services, Engineering Division

CITY MANAGER APPROVAL: 

EXPENDITURE REQUIRED	\$ 50,432
AMOUNT BUDGETED	\$ 93,535
APPROPRIATION REQUIRED	\$ 50,432 (to be included in 1st quarter budget amendment)
LINE ITEM NUMBER	204-204.00-974.428

BACKGROUND INFORMATION:

An engineering agreement for the design of the Metro Connector Trail was awarded by City Council on July 2, 2012 in the amount of \$40,940 to Orchard Hiltz & McCliment (OHM). The project consists of a 10-foot wide asphalt pathway along the east side of Meadowbrook Road from the north side of 12 Mile Road to the terminus of the I-275 trail at the southeast corner of Meadowbrook Road and I-96.

This pathway was identified in the *City of Novi Non-Motorized Master Plan 2011* as a high priority project to make a connection between the I-275 Metro Trail and the M-5 Metro Trail. The Metro Connector Trail will connect the northern terminus of the 40 mile long I-275 trail to the southern terminus of the M-5 trail at 13 Mile Road and M-5 via Meadowbrook Road and 13 Mile Road. The first two miles of the M-5 trail between 13 Mile and Maple Road have been constructed, and another extension from Maple Road north to the future Airline Regional Trail in Commerce Township is currently being designed by the Michigan Department of Transportation (MDOT).

The original engineering design award in July 2012 was based on an initial construction cost estimate of \$460,000 for the pathway. Since this award, the City was awarded a \$741,200 Federal Transportation Alternatives Program grant in January 2013 for the construction phase of this project based on a revised cost estimate of \$926,500 (see attached memo from Rob Hayes).

Throughout this year, there has been a significant effort to coordinate with MDOT and RCOC to determine the design parameters for this pathway project, specifically the design of the pathway over the Meadowbrook Road bridge crossing over I-96. Following numerous meetings and discussions with various MDOT departments over the past year, the latest design includes an 8-foot wide pathway on the bridge that was provided to MDOT in late August and was acceptable to all parties involved. OHM is now finalizing the design plans for the project based on MDOT's and RCOC's comments.

The estimated construction cost for the project is now \$1,171,630 – a significant increase since the original award was made to OHM. The increased cost is mostly due to the additional requirements identified by MDOT and RCOC to meet their respective design requirements, as well as to meet Federal design requirements to maintain grant eligibility.

The increased scope of the project has required additional design effort; therefore, OHM has submitted the attached request for additional fees to reflect the increased project scope. In addition to the increased construction cost estimate, this project required the acquisition of ten pathway easements and ten temporary grading permits from two property owners, and substantial coordination with MDOT.

OHM's revised engineering fees are based on the fixed fee schedule established in the Agreement for Professional Engineering Services for Public Projects. The revised design fees for this project will be \$91,372 (7.5% of the current estimated construction cost of \$1,171,630, plus \$1,500 for additional easement preparation and \$2,000 for additional coordination and meetings with MDOT and grant administrators). The initial amount of \$40,940 was awarded for design engineering (8.9% of the initial \$460,000 construction cost estimate), leaving the remaining \$50,432 to be awarded at this time.

Because completing this project is a high priority for SEMCOG and MDOT, we are actively working with both agencies toward securing additional funding for the construction phase of the project. An additional \$245,130 would be needed to complete construction of the pathway (\$1,171,630 less \$926,500).

Although we are waiting on final approvals from MDOT, we anticipate that this project will be advertised over the winter, with construction beginning early spring 2014. All easements for the project have been acquired and recorded at Oakland County Register of Deeds.

RECOMMENDED ACTION: Approval to award an amendment to the engineering services agreement to Orchard, Hiltz & McCliment for additional design engineering services related to the Metro Connector Pathway project in the amount of \$50,432.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

Metro Connector Trail Phase 1

Location Map

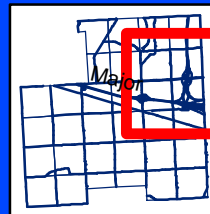


Map Author: Croy
 Date: 9/17/12
 Project: Metro Connector Trail Phase 1
 Version #: v1.1



Legend

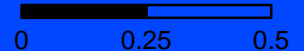
— Existing Pathways & Sidewalks



City of Novi

Engineering Division
 Department of Public Services
 26300 Lee BeGole Drive
 Novi, MI 48375
cityofnovi.org

Miles



MAP INTERPRETATION NOTICE

Map information depicted 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, accurate 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 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

Authorization for Additional Services #3

Project: **Engineering Services for
Metro Connector Trail**

Date: September 5, 2013

Description of Additional Services

This project originally consisted of connecting the MDOT Metro Trail terminus at I-96/I-275 and Meadowbrook Road north along Meadowbrook Road to 12 Mile Road. Additional services were previously requested to prepare and submit a FY 2013 Transportation Alternatives Program (TAP) grant application to MDOT. This was completed in December 2012 and the City was successful in obtaining the requested grant monies for the pathway.

The additional services being requested here include design scope changes based on MDOT coordination in regards to the work proposed on the Meadowbrook Road Bridge over I-96 during the TAP grant application process and permit review process. This additional work includes shifting the Meadowbrook Road centerline and pavement crown to the west to accommodate the pathway, shifting vehicular traffic on the bridge approaches north and south of the bridge to accommodate the pathway, shifting the pathway further away from the existing road along the approaches to accommodate the pathway, design of retaining walls, guardrail and fencing on the roadway approaches up to the bridge crossing, design of safety barrier and fencing along the bridge crossing, design of pathway lookout areas north and south of the bridge crossing.

The original scope also includes up to 12 easement document exhibits (sketch and legal description) but a total of 19 temporary and permanent easements are required to construct the proposed pathway. As a result we are requesting authorization for an additional seven (7) easement document exhibits.

The original scope includes one coordination meeting with the MDOT Oakland TSC to discuss design requirements for the bridge crossing. With the design scope changes to the bridge crossing, approaches, guardrail, and retaining walls we will also need to coordinate with other MDOT departments at the Oakland TSC, Southfield Region office, and in Lansing. Those MDOT departments will include permits, local agency program, transportation alternatives program, traffic & safety, geometrics, bridges, and operations.

Original scope of work:

[Provide itemized list of tasks related to scope change, and provide cost associated with each task]

- Prepare pathway and bridge crossing plans and specifications based on the original project scope with a construction cost estimated at \$460,000.
- Prepare up to 12 easement document exhibits.

Amount authorized for original scope: \$40,940

Proposed scope of work:

[Provide itemized list of tasks related to scope change, and provide cost associated with each task]

- Prepare pathway and bridge crossing plans and specifications based on the revised project scope considering the coordination and direction from MDOT, which includes bridge adjustments, bridge approach design, design of pathway look out areas, guard rail design, barrier design, fence design, and retaining wall design with a construction cost estimated at \$1,171,630. The additional scope results in a cost increase of \$46,932.
- Prepare 19 easement document exhibits (7 more than the original scope) as required to construct the proposed pathway. The additional scope results in a cost increase of \$1,500.
- Coordination with MDOT departments (permits, local agency program, transportation alternatives program, traffic & safety, geometrics, bridges, operations) to schedule and hold a design meeting to discuss options for the pathway crossing on the Meadowbrook Bridge over I-96 to determine a design that is acceptable to all departments. The additional scope for this task results in a cost increase of \$2,000.

Proposed budget amount for new scope: \$50,432

Based on the revised scope of services, we request authorization for an increase of \$50,432.25 to the amount authorized under the previous scope of services.

OHM ADVISORS

Requested by: Jacob Rollow, Project Manager Date: 9/6/13
Name and Title

CITY OF NOVI

Reviewed by: Brian Coburn Date: 9/9/13
Brian Coburn, Engineering Manager

Approved by: _____ Date: _____
Rob Hayes, Director of Public Services

Approved by: _____ Date: _____
Sue Morianti, Purchasing Manager

Pearson, Clay

From: Hayes, Rob
Sent: Wednesday, January 30, 2013 4:37 PM
To: Pearson, Clay
Cc: Cardenas, Victor; Boulard, Charles; Coburn, Brian; Croy, Ben; Nazarko, Nevrus
Subject: FW: City of Novi TAP Award

1/31/13
To: Mayor's City
Council Members

Kudos around!
Clay

Clay:

This is a huge win for the City and for the further build-out of our non-motorized network. Kudos and congratulations go to Ben and Brian for submitting a winning grant proposal, and for bringing three-quarters of a million dollars in grant revenue to the City!

Rob

From: Coburn, Brian
Sent: Wednesday, January 30, 2013 4:29 PM
To: Hayes, Rob; Pearson, Clay; McBeth, Barb; Croy, Ben
Subject: FW: City of Novi TAP Award

I am happy to report that we have been awarded a grant for the 10-foot pathway along Meadowbrook between I-96 and 12 Mile Road.

Brian

From: Ayers, Angela [<mailto:ayers@semcog.org>]
Sent: Wednesday, January 30, 2013 3:56 PM
To: Gatt, Bob; Coburn, Brian
Cc: Tait, Paul; Brudzinski, Stephen M; Palombo, Carmine; Ranger, Vincent (MDOT); jacob.rushlow@ohm-advisors.com
Subject: City of Novi TAP Award

Congratulations! SEMCOG's Regional Clearinghouse Review Committee (RC2) met on Tuesday, January 29, 2013 and approved your Transportation Alternatives Program (TAP) application for fiscal year (FY) 2013:

City of Novi, Metro Connector Trail

The City of Novi will construct a 0.7 mile pathway along Meadowbrook Road between two MDOT owned trails, the I-275 Metro Trail and the M-5 Trail. This project would create a key link to the regional trail system and would promote recreational and alternative transportation options for the surrounding area. It also provides for the first pedestrian crossing of I-96 in the City of Novi. The total budget for the TAP project is \$926,500, with \$741,200 in federal funds and \$185,300 in local match from the City of Novi.

It is important that these funds be obligated by October 1, 2013, or they may be lost. As a result, please contact Mr. Vincent Ranger at MDOT's Office of Economic Development as soon as possible. Mr. Ranger can be reached by phone at (248) 483-5130 or by email at rangerv@michigan.gov. He will guide you through the steps necessary to successfully prepare your project for obligation. We have also attached a project development guide to help you identify the actions required to develop your project to the point that it is ready for implementation. In addition, myself and/or Steve Brudzinski of SEMCOG will be contacting you periodically to check on your community's progress in meeting the obligation deadline. I can be reached at (313) 324-3348 or ayers@semcog.org; Steve can be reached at (313) 324-3321 or brudzinski@semcog.org.

Thank you and congratulations,
Angela

Angela Ayers
Environmental Planner
Direct: 313.324.3348 | ayers@semcog.org

**Transportation Alternatives Program (TAP)
PRE-IMPLEMENTATION PROJECT DEVELOPMENT GUIDE**

This Guide identifies the primary actions required to develop a TAP project to the point that it is ready for implementation.

Summary:

1. Update Project Schedule

Please review the project schedule in the MDOT Grant System (MGS), and make updates if necessary, within 30 business days. The project schedule will be used to monitor progress.

2. Complete a Programming Application

Available at www.michigan.gov/mdotlap. Submit to MDOT Local Agency Programs (LAP).

3. Satisfy Project Requirements

a.) Right of Way certification

See attachment A and/or B of the Programming Application.

b.) Complete design

Schedule Grade Inspection (GI) with LAP.

c.) Certify match

Certify matching funds available via agency resolution.

d.) Satisfy other conditions

Other conditions as defined for this project:

▪ **Nonmotorized Funding Condition:**

This project must be designed and constructed in accordance with the standards in the AASHTO Guide for the Development of Bicycle Facilities, 1999 edition. The standards include a minimum 10' width with a minimum of 2' clear zone on both sides for off-road trails. Also, all bridges or boardwalks will have a minimum 14' width between rub rails. On-road paved shoulders include a minimum 4' width facility on each side of the road for roadways with no curb and gutter. If parking is permitted, the bike lane should have a minimum width of 5'.

▪ **Historic Property Funding Condition:**

This project must be designed and implemented in accordance with the Secretary of Interior's Standards for Rehabilitation (National Park Service, 1990). The applicant must submit design plans to the State Historic Preservation Office (SHPO) for review as part of the overall environmental clearance for the project (see the MDOT Local Agency Programs (LAP) website www.michigan.gov/mdotlap, for SHPO Environmental Review form/instructions). The SHPO will determine whether or not the design complies with the Standards. If the design does not comply with the Standards, the applicant must alter the design to address SHPO comments before the notice to advertise will be granted.

4. Submit Agency Resolution

The Agency Resolution should:

a.) Certify that all financing is in place, including match funds.

b.) Certify maintenance commitment.

c.) Authorize agency agent.

Details:

1. Update Project Schedule: Please review the project schedule in the MDOT Grant System (MGS), and make updates if necessary, within 30 business days. The new project schedule should target a project start date consistent with your proposed project timeline. The project schedule will be used to monitor progress.

2. Complete a Programming Application: The Programming Application forms and all instructions for implementing TAP projects are available at the website for MDOT's Local Agency Programs Unit (LAP), at www.michigan.gov/mdotlap. LAP is responsible for all aspects of TAP project implementation for county road

commission, city, and village applicants. LAP's role in project development begins with the issuance of an award by SEMCOG.

All forms in the Programming Application packet must be completed and approved by LAP before a recipient may be authorized to advertise a project to contractors for bids. Completion of the Right of Way forms is a standard condition in a Conditional Commitment letter, but the remaining forms in the Programming Application may be completed and submitted concurrently. By doing so, the recipient avoids potential delay once a funding award is issued.

It is also prudent during this period to become familiar with all of the implementation requirements by reviewing implementation information in the Detailed Overview and Instructions at www.michigan.gov/tap, and in LAP's implementation instructions available at their website, www.michigan.gov/mdotlap.

3. Satisfy Project Requirements: Every project must meet the following requirements: right of way certification, completion of engineering design, and match certification. Guidance for the requirements is as follows:

a.) Certification of possession of the right of way or property required to develop the project. This certification is accomplished through completion of Programming Application. The Programming Application forms are designed to ensure that certain federal requirements are met by the recipient of federal funding. The entire set of forms may be completed simultaneously during the time the actions required to satisfy the project requirements conditions are being completed.

In the Programming Application packet, the specific forms used to meet the right of way certification requirement are identified as Attachment A, Right of Way and Civil Rights Agreement and Attachment B, Right of Way Certification. If the TAP project involves the *acquisition* of right of way or property, both Attachment A and Attachment B must be completed. For projects for which property is already in the possession of the recipient, only completion of attachment B is necessary.

b.) Completion of the engineering design for the project. Engineering design must be accomplished by the recipient. "Completion" means that design plans must be 80 percent complete and ready for review at a grade inspection (GI) meeting. When plans reach this stage, they must be submitted to LAP for review. A GI meeting is then scheduled at which final notes on the plans and instructions on developing and processing the project bid package are provided.

c.) Certification that non-federal matching funds are secured, available, and committed for use in constructing the project. Certification is accomplished by adoption of a resolution of the recipient agency's legislative body that the non-federal match funding indicated is available for expenditure on the project.

Implicit in this action is the assumption that the legislative body has control over the funds being committed. In cases where some or all of the match will be provided to the recipient agency by other organizations, the resolution should cite by what means the agency is assured control over that money (by way of contract or letter, and/or adopted resolutions from the contributing organizations, similarly committing funding to the specific project.) Copies of such agreements and resolutions should be provided with the agency's certification resolution.

4. Submit Agency Resolution Upon Meeting Project Requirements: Once the actions above have been accomplished, *you can submit an official resolution from the local governmental agency to the MDOT Office of Economic Development.*

The agency resolution required to certify matching funding may be expanded to accommodate several other actions required for TAP project implementation. The resolution should:

- a.)** Certify that the financing is secured, available, and committed for use in constructing the project. This includes matching funds, nonparticipating funds if applicable, and cash flow available for a locally let project.
- b.)** Commit to owning, operating, and funding/implementing a maintenance plan/program over the design life of the facility constructed with TAP funds.
- c.)** If applicable: Authorize a specific employee, official, or agent to act as the applicant agency's agent during project development and sign a project agreement upon receipt of a funding award.