



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: February 3, 2021

REPORT TO:	Mayor and City Council
REPORT THRU:	Daphne Hooper, City Manager
REPORT FROM:	Jessica Dover, Senior Project Manager
REVIEWED BY:	Brandi Jensen, City Attorney
REVIEWED BY:	Denise Lewis, City Treasurer

FINANCIAL IMPACT: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	CURRENTLY BUDGETED: Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>	FUND/ACCOUNT: 520-166-100
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ACTION REQUESTED: Consent Ordinance Resolution Motion Receive/File

AGENDA ITEM: Staff Report (For Possible Action): Possible Action to Approve Amendment No. 1 to Nevada Department of Transportation (NDOT) Agreement No. R181-20-030 to ratify Change Order No. 1, in an amount not to exceed \$102,624.

Agenda Item Brief: Agreement No. R181-20-030 between the City and NDOT defines responsibilities for construction, ownership, maintenance and payment for replacement of (3) existing Sanitary Sewer Manholes (SSMHs) along US-50A between Sage DR and Cottonwood LN. Amendment No. 1 addresses Work added during Construction to replace deteriorating infrastructure encountered while performing subsurface improvements.

Recommended Motion:
"I move to Approve Amendment No. 1 to Nevada Department of Transportation (NDOT) Agreement No. R181-20-030 to ratify Change Order No. 1, in an amount not to exceed \$102,624."

Business Impact (per NRS Chapter 237):

A Business Impact Statement is Attached.

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

1. City Council may review and approve Amendment No. 1 to NDOT Agreement No. R181-20-030, regarding final actual costs incurred by City for betterments completed as part of NDOT Project No. SPF-50A-1(006), E.A. 74038
2. City Council may provide additional direction to the City Manager

PROJECT SUMMARY:

In May 2020 NDOT and the City entered into Agreement No. R181-20-030 to remove and replace three sanitary sewer manholes along US 50A as part of State Construction Contract 3829; construction of improvements for NDOT Project SPF-50A-1(006), E.A. 74038.

During replacement of the sewer manholes at stations "LB1" 694+10 and "LB1" 698+66, approximately 240 feet of deteriorated sewer pipe was encountered and subsequently removed and replaced.

A fourth sewer manhole encountered in the multi-use path at station "M" 33+38 nearing the end of its useful service life was replaced as well.

A storm event occurring overnight on August 26, 2020 eroded the roadway shoulder creating extensive damage throughout the Project area. The storm damage exposed and displaced over 100 feet of sewer pipe improvements recently installed by NDOT's Contractor and accepted by the City. Due to the potential for sewer backup from the displaced sewer pipe, the Contractor was on standby with sewer bypass pumping equipment until the reset and backfill of this sewer pipe was completed on August 28, 2020. The extra work on the sewer system required additional traffic control set-ups resulting in additional traffic control cost.

The City will be required to reimburse NDOT for all costs associated with replacement of the Sanitary Sewer Manholes in excess of the estimated total cost as stipulated per the Agreement. As stated per the original 04/15/20 Agenda Report, Item 2.5, "If the final dollar amount exceeds the proposed 10% contingency, this Agreement will be brought back to City Council for review." Amendment No. 1 to Agreement No. R181-20-030, as proposed by NDOT and recommended for approval by City Staff, is listed as Attachment No. 1, below, and includes Exhibit(s) A and C which further clarify estimated vs. actual Project costs.

BACKGROUND:

In Fall of 2019 the City's Wastewater Division performed inspections of Sanitary Sewer Manholes (SSMHs) along US-50A, a portion of Cottonwood LN, and a portion of E. Cedar ST. Three of these existing SSMHs, located within the roadway of the NDOT Project area, were found to be in a state of disrepair and nearing the end of their Service Life.

The City contacted NDOT in September of 2019 to discuss the option of replacing these manholes as part of NDOT Project No. SPF-50A-1(006). NDOT Design, Right-of-Way and Utilities worked with City Staff to incorporate the manholes into the final PS&E, to be bid with their Project, for the following locations: (1) SSMH near the intersection of US 50A/Sage DR, (1) SSMH north of Sage DR, south of Canal DR and (1) SSMH near the intersection of US 50A/Cottonwood LN.

Implementing replacement of SSMHs within the pavement section would: (1) potentially help the City realize substantial cost savings by replacing portions of the Wastewater Collection System beneath US 50A in conjunction with NDOT's US-50A Royal Oak DR to SR 427 Surface Overlay and Multi-Use Path Project, (Project No. SPF-50A-1(006)), and (2) potentially reduce necessity of cutting into the new pavement in the near future to replace sanitary sewer manholes nearing the end of their service life.

The Agreement between the City and NDOT defines responsibilities for construction, ownership, maintenance and payment for replacement of (3) existing City of Fernley Sanitary Sewer Manholes (SSMHs) along US-50A between Sage DR and Cottonwood LN. The total cost for replacement of the manholes and associated

incidental work necessary to complete installation in conformance with the Project Contract Documents was estimated to be \$73,815.

LEGAL IMPLICATIONS:

FINANCIAL IMPLICATIONS:

Project appropriations are included in the approved FY 2021 Budget as part of the Capital Improvement Plan:

- \$150,000 (520-166-100), NDOT US-50A Improvements, City SSMH Replacement Project (Page 219, 260)

Project costs are comprised of the following:

NDOT Agreement No. R181-20-030, Estimate of Costs

Total Approved 04/15/20 FCC mtg., in an amount NTE:	\$73,815
Estimated Subtotal (with NDOT 5% contingency)	\$65,906
12% NDOT Construction ENGR	\$7,909

NDOT Amendment No. 1, Actual Costs

Total Actual Project Costs	\$176,438.33
Actuals Subtotal, (Original Bid Item Quantities, Bid/Contract Price)	\$60,910.00
Additional Bid Item Quantities per CO No. 1	\$13,468.00
Extra Work, Sewer Storm Damage Repair	\$21,150.97
Extra Work, Sewer Pipe Replacement	\$55,486.79
Extra Work, Rent Traffic Control Devices	\$6,518.46
12% NDOT Construction ENGR	\$18,904.11

NDOT Agreement No. R971-19-030*, Actual Costs

Total NDOT Invoice No. 03829K2801:	\$3,676.59
Actual Non-Compensable MH Cover adjustments	\$1,200.00
Actual Non-Compensable Valve Cover adjustments	\$2,200.00
NDOT Construction ENGR	\$276.59

* Manhole and Valve Cover Agreement, dated November 25, 2019; administratively executed between NDOT and the City, December 2019.

Lumos Short Form Contract, CA/CM Services

Total Contract Amount Approved, 05/18/20:	\$18,785
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NDOT Agreement No. R181-20-030, Section 1.(B), "CITY or its assigned subcontractor, will be responsible to perform field inspection and testing services of work performed by the STATE's contractor on FACILITIES for compliance with CITY's standards." A Short Form Contract for Engineering Services was executed between Lumos and Associates, Inc. (Lumos) and the City on May 18, 2020 to fulfill this requirement.

NDOT US-50A Improvements, City SSMH Replacement Project, Estimated Actuals to date:

NDOT Agreement No. R181-20-030 as Amended	\$176,438.33
NDOT Agreement No. R971-19-030	\$3,676.59
<u>Lumos Short Form Contract, CA/CM Services</u>	<u>\$18,785.00</u>
Total:	\$198,899.92

Additional funding for the Project will come out of the City's Wastewater Enterprise Fund (520-166-100).

The City will be required to reimburse NDOT for all costs associated with replacement of the Sanitary Sewer Manholes in excess of the estimated total cost as stipulated per the Agreement.

ATTACHMENTS:

- 1.) *Amendment No. 1 to Agreement No. R181-20-030 for the Adjustment of Utility Facilities Reimbursable to the State*