

**RESOLUTION NO. 2336**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE CITY ENGINEER TO SIGN A PROFESSIONAL SERVICES AGREEMENT WITH MACKAY & SPOSITO, INC. TO PROVIDE PROFESSIONAL (ENGINEERING) SERVICES FOR THE 95<sup>TH</sup> & BOONES FERRY ROAD INTERSECTION IMPROVEMENTS.**

WHEREAS, on June 06, 2011, the Wilsonville City Council adopted a Capital Improvement Program for the City that includes a FY 2011/12 appropriation of \$1,596,000 to fund the design and construction of the 95<sup>th</sup> and Boones Ferry Road Intersection Improvements, (Project No. 540.950.45030.00000.4041); and

WHEREAS, the Council approved Resolution No. 2092 authorizing \$474,269 for the preliminary and final design with MacKay & Sposito, Inc., which work has been completed; and

WHEREAS, MacKay & Sposito, Inc has coordinated with ODOT during the design of the improvements for work being done within the ODOT right-of-way; and

WHEREAS, the City Engineer seeks the services of an engineering firm to provide continuing professional services for the referenced project; and

WHEREAS, on the 22<sup>nd</sup> day of February, 2005, the City of Wilsonville adopted Ordinance No. 578 adopting State findings, policies and methods of fostering competition and definitions consistent therewith, to provide for competitive bids or proposals, providing for contracting officers and the creation of procedures for the screening and selection of professional services; and

WHEREAS, MacKay & Sposito, Inc., having been previously screened and duly selected for professional services on this project, has proposed to supplement City staff and accomplish the professional engineering services for a time and materials fee, not to exceed \$125,214.00 as follow on work; and

WHEREAS, Section 2.310 of the Wilsonville Code states that "The Wilsonville City Council is designated as a Local Contract Review Board under the State of Oregon Public Contracting Code"; and

WHEREAS, staff has determined that MacKay & Sposito, Inc. continues to be qualified to do the proposed work and that the fees, as proposed by MacKay & Sposito, Inc., are fair and reasonable based on other recently completed projects; and

WHEREAS, in the public interest the City Council acting as the Local Contract Review Board may exercise its rights to reject any proposals and waive informalities, if any; and

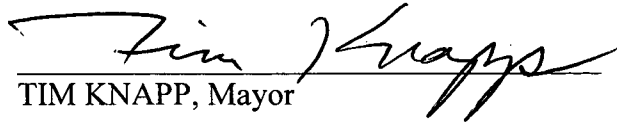
WHEREAS, the City of Wilsonville desires to execute a Professional Services Contract Agreement in a timely manner.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

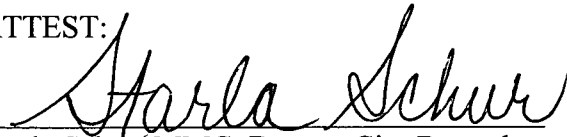
1. The recitals of findings above are incorporated by reference herein.
2. The City Council, acting as the Local Contract Review Board, does hereby exempt the award of a contract for engineering professional services from competitive bidding based on the qualification based selection process, is follow on work, and further concludes this award will not diminish competition and will result in substantial cost savings as other professional firms would have to charge for review of the previous engineering design work which is already known to MacKay & Sposito, Inc.
3. The City Council, acting as the Local Contract Review Board, does hereby approve and authorize the City Engineer to sign a Professional Services Agreement between the City of Wilsonville and MacKay & Sposito, Inc., a copy of which is marked Exhibit "A", attached hereto and incorporated herein, to provide the engineering professional services recited within for the referenced project.
4. Subject to final completion of all improvements specified in the contract documents and any supplemental changes, the City Engineer is authorized to certify the required improvements complete and make final payment including release of retainage.
5. The City Engineer is authorized to approve change orders to this contract so long as total project costs do not exceed the budget amount.
6. The City Council hereby authorizes the expenditures for this contract, not to exceed \$125,214.00, from the Fiscal Year 2011/12 budget as follows:

<u>Budget Year</u>	<u>Account</u>	<u>Budget Amount</u>
2011/12	540.950.45030.00000.4041	\$1,596,000.00
7. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19<sup>th</sup> day of December, 2011, and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, Mayor

ATTEST:

  
Starla Schur, MMC, Deputy City Recorder

SUMMARY OF VOTES:

Mayor Tim Knapp	<u>YES</u>
Council President Núñez	<u>YES</u>
Councilor Hurst	<u>YES</u>
Councilor Goddard	<u>YES</u>
Councilor Starr	<u>YES</u>

## CITY COUNCIL MEETING STAFF REPORT

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### Staff Report Professional Services for 95<sup>th</sup> Avenue & Boones Ferry Road Intersection Improvement

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Meeting Date: December 19, 2011  
Report Date: December 7, 2011  
Source of Item: CD/Engineering

Contact: Michael Ward, PE  
Contact Telephone Number: 503-682-4960  
Contact E-Mail: ward@ci.wilsonville.or.us

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#### ISSUE STATEMENT

City Council has previously approved funding for the design of improvements to the intersection of 95<sup>th</sup> Avenue and Boones Ferry Road by MacKay & Sposito, Inc (M/S) to improve the level-of-service (LOS). Staff recommends extending a Professional Services Agreement to M/S to perform as needed technical and surveying services during construction of the project, since much of the work is within ODOT right-of-way. See attached exhibit "A".

#### BACKGROUND

The city has previously obtained the services of M/S to complete the design of the intersection improvements. All right-of-way and permits have been obtained. M/S has coordinated with ODOT staff in developing the current improvement plans as well as performing the topographic surveying required. Staff held an open house with surrounding property owners on December 6<sup>th</sup>, 2011. Staff is currently advertising for bids from pre-qualified contractors in the Daily Journal of Commerce.

#### RELATED POLICIES/BUDGET CONSIDERATIONS

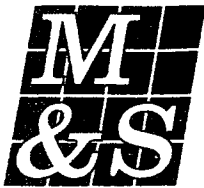
Council has approved funding for this construction project to move forward in the 2010/11 budget.

#### PROPOSED IMPROVEMENTS

The following is a list of improvements for the intersection of 95<sup>th</sup> Avenue and Boones Ferry Road. These improvements will correct the existing intersection configuration and improve safety, capacity and intersection level of service to reestablish the cities minimum level of service (LOS D). Due to the volume of traffic both now and over the 20 year design life and existing safety issues at this intersection, ODOT has required some reconfigurations for both traffic and pedestrians, since this intersection lies within ODOT's jurisdiction:

- A second left turn lane will be added to Boones Ferry Road for traffic travelling to 95<sup>th</sup> Avenue southbound to Commerce Circle westbound. (Capacity)
- A second receiving lane will be added on 95<sup>th</sup> Avenue to receive traffic from the additional left turn lane listed above. (Capacity)
- A second right turn lane will be added to 95<sup>th</sup> Avenue for traffic traveling to Boones Ferry Road southbound to the Elligsen interchange. (Capacity)

- The southwest signal pole will be placed in a location to accommodate a future southbound lane widening on the west side of Boones Ferry Road to accommodate the Coffee Creek Industrial Area.
- Commerce Circle north left turn on to 95<sup>th</sup> Avenue will be eliminated and the intersection will be converted into a right in/right out movement only. Additionally, a small concrete median will be added to prevent vehicles from making the left turn. Commerce Circle traffic will access 95<sup>th</sup> Avenue northbound from the existing Commerce Circle south signal. (Safety)
- The existing 95<sup>th</sup> Avenue left turn median will be converted into a combination left turn and southbound lane. This lane will change to a left turn only at the Commerce Circle south signal. This will maintain access to the properties on the east side of 95<sup>th</sup> Avenue while providing enough distance for southbound 95<sup>th</sup> Avenue traffic to merge prior to the left turn lane at the Commerce Circle south signal. (Capacity/Access)
- The pedestrian crossing on the south leg of the 95<sup>th</sup> Avenue and Boones Ferry Road intersection will be removed as a condition from ODOT for pedestrian safety due to the dual left and dual right movements as part of signal operation. It should be noted that there is no pedestrian access on the north side of Boones Ferry Road east of the commercial driveway to the Commerce Center South development. (Safety)
- Street lighting will be added on 95<sup>th</sup> Avenue from Commerce Circle south signal north to Boones Ferry Road completing the street lighting infill for 95<sup>th</sup> Avenue. (Safety)
- Sidewalks and bike lanes are being retained and relocated based on the newly created horizontal designs. (Capacity/Safety)



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Fax: 360-695-0833

MacKay & Sposito, Inc.

[mackaysposito.com](http://mackaysposito.com)

Passion. Sustainability. Leadership. Results.

December 17, 2011

Mike Ward  
City of Wilsonville  
29799 SW Town Center Loop East  
Wilsonville, OR 97070

**RE: PROPOSAL FOR CONSTRUCTION MANAGEMENT AND CONSTRUCTION STAKING SERVICES FOR THE 95<sup>TH</sup> AVENUE AND BOONES FERRY ROAD INTERSECTION IMPROVEMENTS, CITY OF WILSONVILLE CAPITAL PROJECT #4041.**

Dear Mike,

In accordance with your request, we are pleased to submit this proposal to provide Construction Management, and Construction Staking services needed for the 95<sup>th</sup> Avenue and Boones Ferry Road Intersection Improvements project. Based on the final design and our knowledge of the project to date, we have prepared a scope of work to provide project and construction management, and construction staking. The attached Exhibit "A", scope of work lists the specific tasks included in this proposal and lists the fees associated with each task.

This proposal, along with the attached Exhibits and the City of Wilsonville Professional Services Agreement (PSA), represents our agreement and contract for this work. If this proposal is acceptable to you, please let me know and I will get signatures on the PSA document and return it for City signatures. We appreciate the opportunity to provide this proposal for your consideration.

If you have any questions or concerns, please feel free to call.

Sincerely,  
**MacKay & Sposito, Inc.**

Patrick Carroll, P.E.  
Engineering Manager

(EXHIBIT "A")

**PROPOSED SCOPE OF WORK**

**95<sup>TH</sup> AVENUE AND BOONES FERRY ROAD INTERSECTION IMPROVEMENTS  
CITY OF WILSONVILLE CAPITAL IMPROVEMENT PROJECT #4041**

MacKay & Sposito, Inc. will provide Engineering, Project Management, Construction Management and Construction Surveying for the public infrastructure improvements necessary for the 95<sup>th</sup> Avenue and Boones Ferry Road Intersection Improvements. The services will be provided for the following proposed improvements:

1. Coordinate with members of the consultant team, utility companies, ODOT and the City of Wilsonville staff.
2. Provide construction management services of leading meetings, reviewing contractor submittals, and documentation throughout the project.
3. Provide construction staking, as built surveys, and post-construction surveying and documentation.

**SERVICES**

MacKay & Sposito, Inc. will provide the following services for the items listed above.

**Task 1.0 - Project Management (PM)**

1.1 Communication

- 1.1.a Coordinate various members of the consultant team;
- 1.1.b Communicate clearly and regularly with the City's project manager;
- 1.1.c Provide monthly status reports to the City's project manager;
- 1.1.d Separate costs by task;
- 1.1.e Submit monthly pay requests no later than 7<sup>th</sup> day of each month

**Task 2.0 - Construction Management (CM)**

2.1 Bidding Services

- 2.1.a Update specifications for current project schedule;
- 2.1.b Supply 30 sets of plans and specifications to City for bidding;
- 2.1.c Prepare and distribute Addenda as necessary;
- 2.1.d Answer contractor questions during bidding, and issue question and comments clarification spreadsheet
- 2.1.e Attend project bid opening

2.2 Construction Management Services

- 2.2.a Lead the pre-construction conference;
- 2.2.b Lead weekly progress meetings during construction;

- 2.2.c Process and track Requests For Information (RFIs), Clarifications, Change Order Requests (CORs), Work Change Directives (WCDs) and Contract Change Orders (CCOs);
- 2.2.d Review daily on-site construction inspection reports;
- 2.2.e Process material submittals;
- 2.2.f Review shop drawings;
- 2.2.g Coordinate with design team throughout the project to interpret plans and specifications or modify design as necessary;
- 2.2.h Conduct site visits as necessary;
- 2.2.i Perform constructability reviews as needed;
- 2.2.j Provide centralized documentation and handling of project communication;
- 2.2.k Coordinate with City on project close-out and transfer of all original documents;
- 2.2.l Archive weekly photo log and supply to City on searchable DVD;

Task 3.0 - Construction Surveying (CS, AB & BY)

3.1 Construction Surveying Services:

- 3.1.a Construction staking (all improvements staked once).
- 3.1.b Preparation and processing of final "As-Built" plans for the constructed improvements.
- 3.1.c Provide pre- and post- construction surveys and monumentation. The costs for recording surveys is included in this proposal.

Task 4.0 - Sub-Consultants (SB)

4.1 Traffic Engineering - ATEP

Task 5.0 - Expenses (RE)

- 5.1 Vehicle Mileage
- 5.2 Office Supplies
- 5.3 Photo Mylars of final "Record Drawings"

Task 6.0 - Contingencies (CT)

- 6.1 To cover some added scope to the project

**SUBCONSULTANTS**

MacKay & Sposito, Inc. will be sub-contracting with ATEP for traffic signal construction questions and as built.

**SCHEDULE**



MacKay & Sposito, Inc. will make every attempt to meet the proposed schedule to complete construction in 2012.

**(EXHIBIT "C")**  
**PROPOSED FEE BUDGET**

**95<sup>th</sup> Avenue and Boones Ferry Road Intersection Improvements, Wilsonville, OR**

<b><u>Task 1.0 Project Management (PM)</u></b> .....	<b><u>\$3,696.00</u></b>
<b><u>Task 2.0 Construction Management (CM)</u></b> .....	<b><u>\$74,512.00</u></b>
<b><u>Task 3.0 Construction Surveying (CS, AB &amp;BY)</u></b> .....	<b><u>\$25,182.00</u></b>
<b><u>Task 4.0 Sub-Consultants (SB)</u></b> .....	<b><u>\$9,324.00</u></b>
<b><u>Task 5.0 Expenses (RE)</u></b> .....	<b><u>\$7,500.00</u></b>
<b><u>Task 6.0 Contingencies (CT)</u></b> .....	<b><u>\$5,000.00</u></b>
<b><u>TOTAL ESTIMATED BUDGET FOR SERVICES</u></b> .....	<b><u>\$125,214.00</u></b>

Reimbursable expenses application fees are included in this amount. We will bill our services on a time and materials basis and we will not exceed this scope or the fee budget without prior written authorization from you.