

**PUBLIC WORKS AND UTILITIES
MEMORANDUM #09-17**

DATE: April 23, 2009
TO: Honorable Mayor Kathleen M. Novak and City Council Members
FROM: William A. Simmons, City Manager *WAS*
Raymond Reling, Acting Director of Utilities *RR*
SUBJECT: CR-50 – Construction Contract for Bull Reservoir Outlet and Liner
Emergency Repairs

RECOMMENDATION:

Attached to this memorandum is a Resolution which, if approved, would authorize the Mayor to execute a Professional Services Agreement between the City of Northglenn and American West Construction, LLC. to provide construction services in the amount of \$695,911 and to authorize a contingency of \$129,539. In addition, this resolution would authorize the City Manager to approve minor changes in the scope of work and execute relevant change orders up to the contingent amount. Staff recommends approval of the proposed resolution.

BACKGROUND:

As the Council is aware, on June 24, 2008 the asphalt liner for Bull Reservoir was severely damaged near the outlet works that discharges the treated effluent from the Waste Water Treatment Plant (WWTP). Since that time, Council has authorized four contracts to facilitate the repairs. URS Corp was contracted to complete the design, J&T Consultants were selected for the construction management services, BT Construction, Inc. was hired to complete the construction, and Joseph A. Cesare and Associates, Inc. was chosen for the materials testing.

On October 14, 2008 the City of Northglenn was given approval for the completed design from the Colorado State Division of Safety of Dams. Shortly thereafter, as part of the dewatering process, staff took soundings of the reservoir bottom at the repair area and discovered an inaccuracy in the anticipated depth. This discovery halted the project. A survey of the reservoir bottom was initiated with the conclusion that the initial dewatering plan would not work.

J&T was asked to re-evaluate the dewatering plan and develop possible alternatives. The best option involves building a coffer dam between the two peninsulas creating two cells, the "South Cell" that will be dewatered allowing for construction and the "North Cell" that will keep the reservoir partially operational.

On April 1, 2009, staff received 4 bids for the construction of the Bull Reservoir Outlet and Liner Repairs. Staff and J&T Consulting interviewed the low bidder (American West) on April 9 and concluded that American West's bid was satisfactory. If approved, construction would be scheduled to begin the first part of May, 2009 with substantial completion by late September, 2009. During the course of the project there is a possibility of a 60 day delay to accommodate potential investigation work. If the delay is required, sufficient funds have been included as part

of the Professional Service Agreement. However, the delay has not been factored into the above schedule.

BUDGET/TIME IMPLICATIONS:

There is no impact to the General Fund. Funds from the 2009 Capital Improvements Fund and the recently approved Appropriation Amendment (CB-1687) will be used to fund the project.

STAFF REFERENCE:

If Council Members have any comments or questions, they may contact Raymond Reling at (303) 450-4049 or rreling@northglenn.org.

Reference Check

Project: Bull Reservoir Emergency Repair
Consultant/Contractor: Amercian West Constrcuion, LLC
Date: 4/15/09
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Project Name:	Contact for Reference:	Contact Phone Number:	Reference:
Previous City Project - Water Treatment Facility	City Staff		Positive - Reccomended
Grasmere Lake Lining at Washington Park – Excavation and Lake Lining	Denver Water Jeremy Ross	303-628-6627	Overall Positive - Reccomended - would hire again.
Urad Mine Raw Water Intake Earthwork	City of Golden Will Stambaugh	303-384-8170	Overall Positive - Reccomended - would hire again.



**CITY OF NORTHGLENN
FORMAL BID SUMMARY**

BID NUMBER: IFB 2009-11

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BID NAME Bull Reservoir

DEPARTMENT: Water Engineering

	American West Construction, LLC	Jennison Construction, Co., Inc.	JHL Industrial Services, LLC	BT Construction, Inc.	
DATE DUE: 4/1/09	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:	BID RECEIVED:
	DATE: 4/1/09	DATE: 4/1/09	DATE: 4/1/09	DATE: 4/1/09	DATE:
TIME: 2:00 PM	TIME: 1:33 p.m.	TIME: 1:50 p.m.	TIME: 1:51 p.m.	TIME: 1:52 p.m.	TIME:
Total Amt	\$640,311.00	\$802,705.22	\$1,432,375.00	\$687,875.00	
Addendum	Yes	Yes	Yes	Yes	

Kathleen Kersmunk
Buyer

Crystal Messick
City Clerk, Deputy

4/1/09
Date

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-50
Series of 2009

Series of 2009

A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND AMERICAN WEST CONSTRUCTION, LLC FOR THE BULL RESERVOIR OUTLET AND LINER EMERGENCY REPAIRS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Professional Services Agreement between the City of Northglenn and American West Construction, LLC, attached hereto, in the amount of \$695,911.00 with a contingency of \$129,539.00 for a total amount not to exceed \$825,450.00 for construction services for the Bull Reservoir Outlet and Liner Emergency Repairs is hereby approved and the Mayor is authorized to execute same on behalf of the City of Northglenn.

DATED at Northglenn, Colorado, this ____ day of _____, 2009.

KATHLEEN M. NOVAK
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

AGREEMENT

**PROJECT NAME: 2009 BULL RESERVOIR OUTLET AND LINER EMERGENCY REPAIRS
PROJECT**

PROJECT NUMBER: IFB 2009-11 PROJECT MANAGER: CORY PETERSON

THIS AGREEMENT, made this ____ day of _____, 20__, by and between the City of Northglenn, hereinafter called "CITY", and _____, hereinafter called "CONTRACTOR".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the project named:

2009 BULL RESERVOIR OUTLET AND LINER EMERGENCY REPAIRS PROJECT

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor supervision, and other services necessary for the completion of the PROJECT described herein.

3. The CONTRACTOR will provide performance and payment bonds and a certificate of insurance naming the City as an additional insured for purposes of said project within 10 days after the date of the NOTICE OF AWARD.

4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS (section 000110, general conditions, section 006211, section 013300, section 013500, section 014000, technical specifications sections 01061, 02220, 02315, 02490, 02555, 02668, 03100, 03200, 03250, 03300, contract drawings dated October 14, 2008 sheets 1-11, bid addendum 1) and comply with the terms therein for the sum as shown in the attached BID schedule. The CONTRACTOR will commence the work within 10 calendar days after the date of NOTICE TO PROCEED. The CONTRACTOR will complete the work within 120 working days after the date of NOTICE TO PROCEED unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.

5. The term "CONTRACT DOCUMENTS" means and includes all items as set forth in Section 1.01 of the General Conditions.

6. The CITY will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.

7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

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IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in TWO copies, each of which shall be deemed an original on the date first above written.

CITY:

City of Northglenn

By _____

Name Kathleen M. Novak

Title Mayor

ATTEST:

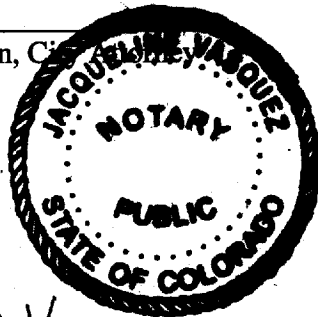
Name _____

Title City Clerk

(SEAL)

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Clerk



(SEAL)

ATTEST:

Jacqueline Vasquez
Jacqueline Vasquez
Name (Please Print or Type)
Title Public Notary for Alex
exp 3/31/2012

CONTRACTOR: American West Construction LLC

By _____

Name Paul S. Synder

(Please Type or Print)

Title President

Address 5380 Tenmison St, Unit B

DENVER CO 80212

City's CONTRACT # _____

Cory Peterson

Print Name of City's Project Manager