

**PUBLIC WORKS DEPARTMENT
MEMORANDUM #2016 – 25**

DATE: March 28, 2016
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: David H. Willett, Acting City Manager/Director of Public Works
SUBJECT: **Council Resolution #42**
Lamp, Rynearson, & Associates, Inc - Contract Addendum #1



BACKGROUND

The City of Northglenn has utilized Lamp, Rynearson, & Associates, Inc. dba TZA Water Engineers, Inc (TZA) to provide engineering support and assistance in administering water rights since 1997. TZA is currently working on change case applications for FRICO shares and Church Ditch inches. In addition, TZA's scope of services also includes provisions for providing expert testimony during any pending or future cases in State of Colorado District Court, Water Division that affect the City's water rights.

In late 2015, TZA began the process of compiling information needed for the Church Ditch inches change case. The amount of time that is necessary to perform this work, is greater than TZA had initially anticipated, due to missing or incomplete records, as well as the State's request that a parcel specific analysis be completed for calculating consumptive use, instead of relying on the previously used Coors Factor. This process has required TZA to redo any previous engineering work that had been done on Church Ditch inches in the past. Additionally, the efforts necessary to complete an updated Lawn Irrigation Return Flow (LIRF) study in support of the change case, has created additional costs to the engineering for the Church Ditch change case.

The engineering work for the Church Ditch change case will need to be completed for submittal to the State in early May of 2017. Without this work, the change case cannot proceed.

At the January 25, 2016 City Council meeting, funds in the amount of \$150,000 were requested to be allocated to TZA, as documented in the Public Works Council Memorandum. However, the contract that was submitted and the subsequent resolution, reflected the previous year's contract amount of only \$50,000 which was the anticipated expenditure without the LIRF study and the extensive engineering work for the Church Ditch change case. To resolve the discrepancy between the funds available and the contract amount, Staff is requesting an addendum to the TZA contract that would allocate funds in the amount not to exceed \$100,000.00.

BUDGET/TIME IMPLICATIONS

The cost to provide engineering services for 2016 is estimated at \$150,000. The services will be expensed to the 2016 Water/Wastewater Fund – Water Resources/Professional Services.

RECOMMENDATION

Attached to this memorandum is a Resolution that, if approved, would authorize the Mayor to execute a contract addendum between the City of Northglenn and **Lamp Rynearson & Associates Inc. dba TZA Water Engineers, Inc**, for specialized water engineering services in the amount not to exceed **\$100,000.00**. Staff recommends approval of this Resolution.

STAFF REFERENCE


Kent Kisselman, PE, Engineering Manager
Tamara Moon, Water Resources Administrator

kkisselman@northglenn.org 303.450.4049
tmoon@northglenn.org 303.450.4070

ATTACHMENTS

- Resolution
- Contract Addendum #1
- Council Memo from January 25, 2016 City Council Meeting.

**PUBLIC WORKS DEPARTMENT
MEMORANDUM #2016 – 11**

DATE: January 25, 2016
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: David H. Willett, Acting City Manager/Public Works Director 
SUBJECT: Council Resolution 17
Lamp, Ryneanson, & Associates, Inc - Professional Services Agreement

BACKGROUND

The City of Northglenn has utilized Lamp, Ryneanson, & Associates, Inc. dba TZA Water Engineers, Inc (TZA) to provide engineering support and assistance in administering water rights since 1997. TZA is currently working on change case applications for FRICO shares and Church Ditch inches. In addition, TZA's scope of services also includes provisions for providing expert testimony during any pending or future cases in State of Colorado District Court, Water Division that affect the City's water rights.

During 2016 TZA will continue to work on engineering support related to the City's water rights that include Church Ditch and FRICO change cases, and an update to the City's lawn irrigation return flow study. The Church Ditch change case is slated for a March 2017 hearing and all engineering support, including the lawn irrigation return flow study must be completed by April of 2016.

Expenditures to TZA since 2009 are as follows:

2009	\$43,853.20
2010	\$58,138.65
2011	\$51,997.90
2012	\$117,547.10
2013	\$70,437.36
2014	\$77,231.55

Total expenditures for 2015 for TZA are estimated at \$50,000.

BUDGET/TIME IMPLICATIONS

The cost to provide engineering services for 2016 is estimated at \$150,000. The services will be expensed to the 2016 Water/Wastewater Fund – Water Resources/Professional Services.

RECOMMENDATION

Attached to this memorandum is a Resolution that, if approved, would authorize the Mayor to execute a contract between the city of Northglenn and TZA Water Engineers, Inc, for specialized water engineering services in the amount not to exceed \$150,000.00.

Staff recommends approval of this Resolution.

STAFF REFERENCE

Kent Kisselman, PE, Engineering Manager
Tamara Moon, Water Resources Administrator

kkisselman@northglenn.org 303.450.4049
tmoon@northglenn.org 303.450.4070

ATTACHMENTS

Resolution
Professional Services Agreement

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-42
Series of 2016

Series of 2016

A RESOLUTION APPROVING ADDENDUM NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND LAMP RYNEARSON & ASSOCIATES D/B/A/ TZA WATER ENGINEERS FOR WATER AND WATER RIGHTS ENGINEERING

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

Section 1. Addendum No. 1 to the Professional Services Agreement between the City of Northglenn and Lamp Rynearson & Associates d/b/a/ TZA Water Engineers, attached hereto, in an amount not to exceed \$100,000 for water and water rights engineering, 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 _____, 2016.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

ADDENDUM # 1 TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS FIRST ADDENDUM TO AGREEMENT FOR PROFESSIONAL SERVICES is made and entered into this ____ day of _____, 2016, by and between the CITY OF NORTHGLENN, State of Colorado (hereinafter referred to as the "City") and Lamp Rynearson & Associates, Inc. dba TZA Water Engineers (hereinafter referred to as "Consultant").

RECITALS:

A. On January 25, 2016 the City and Consultant entered into an Agreement for Professional Services for water and water rights engineering (the "Agreement").

B. The parties desire to supplement the Agreement with this Addendum # 1 to allow for an additional scope of services for water and water rights engineering:

Exhibit A, TZA Rate Schedule

AGREEMENT

NOW, THEREFORE, it is hereby agreed that for the consideration hereinafter set forth, that Consultant shall provide to the City, professional water and water resource engineering services as needed in the manner provided in the Agreement.

1. The Scope of Services in the Agreement is hereby supplemented to include the scope of services for the design services attached hereto as **Exhibit A**, and incorporated herein by this reference (the "Additional Scope of Services"). Consultant shall commence work on the Additional Scope of Services within ten (10) days of the issuance of a Notice to Proceed.

2. Subparagraph A. of Article IV entitled "Compensation" is hereby amended to provide as follows:

A. Compensation shall not exceed \$100,000.00 for the work described in **Exhibit A** to this Addendum #1.

3. The original Agreement is in full force and effect and is hereby ratified by the City and the Consultant. The original Agreement and this Addendum constitute all of the agreements between the City and the Consultant.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe to the same in duplicate.

CITY OF NORTHGLENN, COLORADO

By: _____

Title: _____

ATTEST:

Johanna Small, City Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

CONSULTANT

By:

Bryce Kuehl

Title

Principal

3/17/16

Date

ATTEST:

Thomas M. [Signature]

Si. Puj. Mayor

Title

3/17/16

Date

EXHIBIT A

TZA Water Engineers Rate Schedule

Professional Services	Hourly Rate
Administrative Assistant	\$58.00
Engineering Technician	\$75.00
Project Engineer I	\$99.00
Senior Engineering Technician	\$111.00
Project Engineer II	\$111.00
Hydrogeologist	\$135.00
Project Engineer III	\$135.00
Project Manager	\$145.00
Senior Project Engineer I	\$159.00
Senior Project Engineer II	\$169.00
Senior Project Manager	\$175.00
Group Leader	\$180.00
Principal Engineer	\$210.00
Expert Testimony	Hourly rate plus \$35.00 per hour

Reimbursable Expenses

Mileage	\$ IRS Rate
Direct costs including subsistence, telephone, transportation, equipment rental, and other miscellaneous job-related expenses	Cost + 10%
Subcontract Expense	Cost + 10%
FAX	\$0.50/page
In-house reproduction charges	\$0.20/page

Terms

Invoices will be submitted monthly. Payment is due upon receipt. A late charge of 1 percent per month may be charged to accounts with balances overdue in excess of 45 days. Services may be discontinued if payment for any previous invoice is not received within 45 days of the invoice date, unless prior arrangements have been made.

Effective 1-16

LAMP RYNEARSON COMPANIES

