



## Legislation Text

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**File #:** 20-0271, **Version:** 1

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Consider and take action on a resolution authorizing a professional services agreement with Gauge Engineering, LLC. for design work related to Hurricane Harvey Drainage Repairs, Phase 1 (DR200x) in an amount not to exceed \$525,560 (Director of Engineering)

Approval of this resolution will authorize the City Manager to enter into an agreement with Gauge Engineering, LLC. (Gauge) to design drainage repairs associated with damage sustained during Hurricane Harvey to Gum Bayou, Interurban Ditch, Newport Ditch, North Point Detention Pond, and Robinson Bayou (referred to as Hurricane Harvey Drainage Repair, Phase 1) in an amount not to exceed \$525,560.

In the aftermath of the Hurricane Harvey flooding, City Staff identified damage to our local drainage infrastructure and began working with FEMA through their Public Assistance Program. This program is commonly referred to as a Section 406 Grant. This program is outlined by the following parameters:

- Managed by the State under funding provided for in the Stafford Act. Section 406 mitigation measures are funded under the Public Assistance, or infrastructure, program (PA).
- Funding provides discretionary authority to fund mitigation measures in conjunction with the repair of the disaster-damaged facilities.
- Applies to parts of the facility that was damaged by the disaster and the mitigation measure to directly reduce the potential of future, similar disaster damages to the eligible facility.
- Funds awarded thru this program pay a minimum of 75% of the repair and mitigation costs.

Currently, the City has received a notice of award for repair and mitigation work at 6 sites with 1 additional site still under review. In March 2020, Staff released RFQ #20-ENG-001 for Professional Engineering Services for these 7 sites. Staff received responses back from seventeen (17) qualified firms. After a review by City Staff, Gauge was selected as one of two most qualified firms.

The PSA with Gauge covers engineering services for repair and mitigation improvements to the following 5 sites:

1. Gum Bayou was accepted with a total cost of \$59,575 with a Federal Cost share of 90% (\$53,617.50) and a City cost share of 10% (\$5,957.50).
2. Interurban Ditch was accepted with a total estimated of \$1,637,031 with a Federal cost Share of 90% (\$1,473,327.90) and a City cost share of 10% (\$163,703.10). This project will be paid off actual costs and as a result, final Federal contribution may fluctuate as a result.
3. Newport Ditch was accepted with a total cost of \$44,812.50 with a Federal cost share of 90% (\$40,331.25) and a City cost share of 10% (\$4,481.25).
4. North Point Detention Pond was accepted with a total estimated of \$241,624.10 with a Federal cost Share of 90% (\$217,461.69) and a City cost share of 10% (\$24,162.41). This project will be paid off actual costs and as a result, final Federal contribution may fluctuate as a result.
5. Robinson Bayou was accepted with a total estimated of \$133,250 with a Federal cost Share of 90% (\$119,925) and a City cost share of 10% (\$13,325). This project will be paid off actual costs and as a result, final Federal contribution may fluctuate as a result.

As part of this program, FEMA notes that projects with a total estimated cost of less than \$132,000 in total repair and mitigation costs would be handled through a one-time payout. Any costs that exceed the agreed upon estimate would need to be covered by the City. For projects estimated to exceed the \$132,000 threshold, contributions would be based on

actual costs. Based on this criterion, it is anticipated that the City's cost share for the above 5 areas will be \$211,629.26.

The executed PSA will allow for a scope of services that provide:

1. Project Management
2. Design of Plans and Construction Documents - including but not limited to Site Surveying, Geotechnical Services, and Subsurface Utility Engineering/Utility Coordination Services (SUE)
3. Bid Phase Services
4. Basic Construction Phase Services

The cumulative total cost for these services across all 5 sites is \$224,177.

The PSA will also allow for some additional services to be performed on an as needed basis:

1. When the repair and mitigation for Genco Canal is awarded (estimated at \$660,000 in total cost), this additional service will allow this work to be added to the PSA. This work would include the above noted base services including, surveying, geotechnical, and SUE. The proposed cost for this additional service is set up as a not to exceed cost of \$106,808.
2. With work taking place in Interurban Ditch and Robinson Bayou, there is the potential for USACE permitting. If that is required, the proposed cost to assist Staff with obtaining the needed permits is not to exceed \$45,100.
3. While this work is repair oriented work, Staff realizes that since some of this work is near established subdivisions within the City, public meetings may be needed. Gauge has provided a price assuming that a maximum of 3 public meetings and 3 additional meetings could be required. The proposed cost for this additional service is not to exceed \$29,395.
4. The intent is to bid the work associated at all 5 sites as 1 project, but because there are 5 different sites and special conditions could arise that could slow down work in 1 or 2 areas, Staff requested an additional service to split the bid and construction phases services into 2 packages if something like this was to happen. The proposed cost for this additional service is \$11,600.
5. With the City's Bond Program CIP projects, the normal CIP projects, and these Section 406 projects, there is a concern that multiple projects may go to construction at the same time which could overload our Inspectors. With that in mind, Gauge was asked to provide a price to provide full time inspection services for this project. The cost for this additional service is \$108,480.

These 5 additional service items would add an additional \$301,383 to the total PSA value if all were needed. It would be anticipated that only Additional Service Items #1, 2, and a portion of Items #3 and 5 would be eligible for a Federal cost share match. If all of the Additional Services ended up being needed, the total cost to the City for these services is estimated to be \$82,500.55 (28% of the \$301,383).

Staff recommends executing the attached PSA with Gauge for the engineering services in an amount not to exceed \$525,560, but only providing a Notice to Proceed for the Basic Services (\$224,177) at this time. As work on this project and the other projects in this area continue, Staff can then make a decision on whether to proceed with the other additional service items or remove them from the PSA.

Assuming a USACE Permit is not needed, this project is estimated to take approximately 12 months to complete. If it is determined that a USACE permit is required or impacts from other projects require changes, then a time extension could be needed.

**Attachments:**

1. Data Sheet
2. Proposed Resolution
3. PSA for Hurricane Harvey Drainage Repair, Phase 1
4. Section 406 Grant Award Letters

5. Aerial Maps

CONTRACT ORIGINATION: Professional Services Agreement with Gauge Engineering, LLC. and the City of League City reviewed and approved by the City Attorney's office.

FUNDING

{X} Funding in the amount not to exceed \$525,560 is available from Misc Capital Projects Fund 5015, Tax Supported Cash, with expenses charged to project expense string DR2008-PLAN DESIGN-DESIGN-TS CASH. Funds reimbursed by FEMA will be deposited to Misc Capital Projects Fund 5015.

STRATEGIC PLANNING

{X} Addresses Strategic Planning Critical Success Factor #1 - Develop & Maintain our Infrastructure