



## Legislation Text

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**File #:** 20-0281, **Version:** 1

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Consider and take action on a resolution authorizing a professional services agreement with Kimley-Horn and Associates, Inc. for design work related to Hurricane Harvey Drainage Repairs, Phase 2 (DR2008) in an amount not to exceed \$156,800 (Director of Engineering)

Approval of this resolution will authorize the City Manager to enter into an agreement with Kimley-Horn and Associates, Inc. (K-H) to design drainage repairs associated with damage sustained during Hurricane Harvey to Magnolia Creek (referred to as Hurricane Harvey Drainage Repair, Phase 2) in an amount not to exceed \$156,800.

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, K-H was selected as one of two most qualified firms.

The PSA with K-H covers engineering services for repair and mitigation improvements to the following site:

1. Magnolia Creek was accepted with a total cost of \$1,154,291 with a Federal Cost share of 90% (\$1,038,861.90) and a City cost share of 10% (\$115,429.10).

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 currently anticipated that the City's cost share for the above project would be \$115,429.10.

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

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 is \$156,800.

Staff recommends executing the attached PSA with K-H for the engineering services in an amount not to exceed \$156,800.

Since a USACE Permit is needed, it is somewhat difficult to provide a quality time estimate for this project. The intention is to merge this project as much as possible with the other Magnolia Creek Projects K-H is currently working on in efforts to streamline all projects.

Assuming a Notice to Proceed is issued by July 31, 2020, K-H has committed to having the 30% design ready for City Review by October 15, 2020 and the needed USACE permit applications ready for submittal by October 29, 2020. K-H will submit the final application to the USACE within 30 days of receiving any comments from them. K-H has also committed to making the 60% design submittals within 60 days of USACE and City Comments being received and 90% design submittals within 30 days of receiving 60% design comments.

**Attachments:**

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

**CONTRACT ORIGINATION:** Professional Services Agreement reviewed and approved by City Attorney's Office

**FUNDING**

{X} Funds in the amount of \$156,800 are available from Miscellaneous Capital Projects Fund 5015, Tax Supported Cash, with expenses charged to project expense string DR2008-PLAN DESIGN-DESIGN-TS CASH.

**STRATEGIC PLANNING**

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