



MEMORANDUM

To: John Baumgartner
City Manager

From: James L. Doyle, Jr., Sr. Project Manager

Date: 8/28/2023

Re: DR2101B Oaks of Clear Creek Post Harvey Drainage Study
Reallocation Of Engineering Design Fee Services

Under cover of this memorandum please find the proposal from ARKK Engineers showing the revised engineering services scope and fees for the Oaks of Clear Creek Post Harvey Drainage Study (DR2101B). Project funds have been reallocated based on deletions and additions of certain tasks for a Net Zero change to contract.

See attached proposal:

Thank you.

DocuSigned by:
Monike Harris
5933E0BA5ED340D
Monike Harris, Financial Analyst

8/29/2023
Date

DocuSigned by:
Ron Bavarian
F3148EFBBD49C...
Ron Bavarian, Executive Director of Capital Projects

8/29/2023
Date

City of League City
ARKK Job No. 21-021
'FEE SUMMARY'

EXHIBIT 'A-1' - FEE		<i>* = Time Critical</i>	
Task	Previously Approved Fees	Amendment Fee	Scheduled Task
BASE FEE:			
*Task 1: Hydrologic and Hydraulic Study/Calculations for the North Detention Pond (L.S. Amount):	\$16,440.00		
*Task 2: Evaluation and Letter report of assessment of 2nd Pond Site (Lump Sum Amt):	\$7,200.00	(\$7,200.00)	
*Task 3: Topographic Surveying Services for North Detention Pond, Coleman Boylan Drive Storm Sewers, and Interurban Ditch: (Cost plus 10%):	\$25,839.00		
*Task 4: Evaluation, tagging, and Documentation of Qualifying Trees for North Detention Pond, Coleman Boylan Drive Storm Sewers, and Interurban Ditch: (Cost plus 10%):	\$8,250.00		
*Task 5: Geotechnical Engineering Services for North Detention Pond, Coleman Boylan Drive Storm Sewers, and Interurban Ditch: (Cost plus 10%):	\$10,945.00		
*Task 6: Engineering Design Basic Services for North Detention Pond, Coleman Boylan Drive Storm Sewers, and Interurban Ditch (Lump Sum Amount):	\$181,468.00		
*Task 7: Phase I Environmental Site Assessment for North Detention Pond: (Cost plus 10%):	\$4,180.00		
*Task 8: Wetlands Delineation Services for North Detention Pond: (Cost plus 10%):	\$5,500.00		
*Task 9: Boundary Surveying Services for North Detention Pond: (Cost plus 10%):	\$8,250.00		
*Task 10: Subdivision Platting Services for North Detention Pond: (Cost plus 10%):	\$8,250.00		
*Task 11: Easement Description Services for Interurban Ditch: (Cost plus 10%):	\$2,750.00		
Task 12: Bid Phase Services (Lump Sum Amount):	\$3,750.00		
Task 13: Construction Administration Services for North Detention Pond, Coleman Boylan Drive Storm Sewers, and Interurban Ditch (Lump Sum Amount):	\$34,920.00		
Task 14: Construction Phase Additional Support Services (Hourly Not-to-Exceed):	\$9,500.00		
TOTAL BASE FEE:	\$327,242.00		
ADDITIONAL SERVICES FEE:			
Task 15: USACE Regulatory Permit Application Services (To Be Performed Only if Required) for North Detention Pond Site: (Cost plus 10%) - Includes: Jurisdictional Determination (\$1,650.00) & Pre-Construction Notification to USACE Preparation (\$7,975.00):	\$9,625.00		
<i>*THE FOLLOWING ENVIRONMENTAL SERVICES WILL ONLY BE PERFORMED AS REQUIRED AS A CONDITION OF THE CDBG-DR GRANT AND/OR REQUIRED AS A CONDITION OF A CORPS OF ENGINEERS PERMIT:</i>			
Task 16: Environmental Assessment per 24 CFR §58 (To Be Performed Only if Required) for North Detention Pond Site: (Cost plus 10%):	\$17,050.00		
Task 17: Threatened and Endangered Species Habitat Assessment (To Be Performed Only if Required) for North Detention Pond Site: (Cost plus 10%):	\$1,925.00		
Task 18: Desktop Cultural Resources Assessment (To Be Performed Only if Required) for North Detention Pond Site: (Cost plus 10%):	\$1,650.00		
<i>*IF A LOCATION FOR A 2ND POND IS SELECTED AND ADDED TO THE PROFESSIONAL SERVICES AGREEMENT, THE FOLLOWING ADDITIONAL SERVICES ARE PROPOSED:</i>			
*Task 19: Hydrologic and Hydraulic Study / Calculations for the 2nd Detention Pond (Lump Sum Amount):	\$4,200.00	(\$4,200.00)	
*Task 20: Topographic Surveying Services for 2nd Detention Pond and Diversion Storm Sewers: (Cost plus 10%):	\$3,520.00	(\$3,520.00)	
*Task 21: Evaluation, tagging, and Documentation of Qualifying Trees for 2nd Detention Pond and Diversion Storm Sewers: (Cost plus 10%):	\$1,750.00	(\$1,750.00)	
*Task 22: Geotechnical Engineering Services for 2nd Detention Pond and Diversion Storm Sewers: (Cost plus 10%):	\$2,145.00	(\$2,145.00)	
Task 23: Budget to Remobilize and prepare up to two additional separate Geotechnical reports, only if needed: (Cost plus 10%):	\$4,400.00	(\$4,400.00)	
*Task 24: Phase I Environmental Services for 2nd Detention Pond Site: (Cost plus 10%):	\$4,180.00	(\$4,180.00)	
Task 25: USACE Regulatory Permit Application Services (To Be Performed Only if Required) for 2nd Detention Pond Site: (Cost plus 10%) - Includes: Jurisdictional Determination (\$1,650.00) & Pre-Const. Notification to USACE Preparation (\$7,975.00):	\$9,625.00	(\$9,625.00)	
*Task 26: Boundary Surveying Services for 2nd Detention Pond Site: (Cost + 10%):	\$1,430.00	(\$1,430.00)	
*Task 27: Engineering Design Basic Services for 2nd Detention Pond and Diversion Storm Sewers (Lump Sum Amount):	\$14,633.00	(\$14,633.00)	
Task 28: Construction Administration Services for 2nd Detention Pond and its Related Diversion Storm Sewers (Lump Sum Amount):	\$4,995.00	(\$4,995.00)	
Task 29: Engineering Service to Split the Project into two (2) separate bid packages (Includes 2nd Bid Phase) (Lump Sum Amount):	\$11,770.00	(\$11,770.00)	
Task 30: Engineering Services to prepare for and attend two (2) additional public meetings (Lump Sum Amount):	\$2,880.00		
AMENDMENT NO. 1 (PREVIOUSLY APPROVED BY THE CITY)			
Cultural Resources Survey	\$9,350.00		
Notice and Coordination for ERR	\$550.00		
TOTAL ADDITIONAL SERVICES FEE	\$105,678.00		

Retention Pond Improvements Project
City of League City
ARKK Job No. 21-021
'FEE SUMMARY'

<u>BASIC SERVICES - AMENDMENT NO. 2:</u>			
Task 31: Additional Design for Washington Street Storm Sewer (Lump Sum Amount):		\$48,500.00	
TOTAL AMENDMENT NO. 1 - BASIC SERVICES		\$48,500.00	
<u>ADDITIONAL SERVICES - AMENDMENT NO. 2:</u>			
Task 32: Additional Cost Estimate Options (Lump Sum Amount):		\$4,500.00	
Task 33: Additional H & H Fee (Lump Sum Amount):		\$6,950.00	
Task 34: Additional Topographic Survey for Washington Street (Cost Plus 10%):		\$3,205.00	
Task 35: Survey's Easement Description (One) (Cost Plus 10%):		\$2,750.00	
Task 36: Environmental Budget to Update Document (Cost Plus 10%):		\$2,000.00	
Task 37: Miscellaneous Allowance as approved by the City (Hourly and Cost Plus 10%):		\$1,943.00	
TOTAL AMENDMENT NO. 2 - ADDITIONAL SERVICES		\$21,348.00	
TOTAL AMENDMENT NO. 2:		\$0.00	<u>Contract Amount</u>
TOTAL FEE NOT-TO-EXCEED (ALL SERVICES):		\$432,920.00	\$432,920.00

**SECOND AMENDMENT TO AGREEMENT BETWEEN
THE CITY OF LEAGUE CITY AND ARKK ENGINEERS**

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This Second Amendment (“Amendment”) is entered into between the City of League City (“City”) and ARKK Engineers, LLC. (“Consultant”) on the date set forth below.

RECITALS

WHEREAS the City and Consultant entered into an Agreement (“Agreement”) on or about May 11, 2022, whereby Consultant agreed to provide professional engineering services for the Oaks of Clear Creek Detention Pond Project (DR1902B), which its new project number is (DR2101B); and the Agreement is incorporated into this Amendment by reference; and

WHEREAS the City and ARKK ENGINEERS, the scope has been reduced. Project funds have been reallocated based on deletion and addition of certain tasks for a Net Zero change to contract; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree to the following terms:

TERMS

1. The above-listed recitals are true and correct and hereby incorporated into this Amendment.
2. ARKK ENGINEERING, LLC authorized to proceed with a no cost increase to engineering service fees as identified in the exhibit which is attached and incorporated as Exhibit A. The amount of \$1,943.00 was moved to “**Miscellaneous Allowance**” (Task 37 in the proposal).
3. The below listed chart shows the summary of fees for this Project:

Summary of Fees:

Original Agreement:	\$423,020.00
First Amendment:	\$ 9,900.00
Second Amendment	\$ 0

Total Amended Contract Amount: \$432,920.00

4. Except as expressly provided in this Amendment, all other terms, conditions, and provisions of the Agreement shall continue in full force and effect as provided therein.

Executed this _____ day of 9/1/2023, 2022. (Date to be filled in by City Secretary)

ARKK ENGINEERS, LLC - "Consultant"

Madhu Kilambi

Madhu Kilambi, PE – Senior Project Manager/Principal

CITY OF LEAGUE CITY – "City"

DocuSigned by:

John Baumgartner

AA44FE3917BC441
John Baumgartner, City Manager

Attest:

DocuSigned by:

Diana Stapp

43740266A932489
Diana Stapp, City Secretary

Approved as to Form:

DocuSigned by:

Michelle Villarreal

37DECD8AE054E2
Office of the City Attorney

Exhibit A

Scope of Services/Description of Products

(3 number of pages, including this page)

ARKK Engineers, LLC, original scope is to provide engineering design and construction phase services associated with a proposed detention pond and other potential drainage improvements serving The Oaks of Clear Creek Subdivision. The allocated construction budget is up to approximately 3.8 million, depending on final scope of the proposed improvements. The purpose of the project is to reduce the occurrence of structure flooding in the subdivision to the degree that is feasible. Funding for the project will be from a combination of CDBG DR funds Hurricane Harvey relief) and City funds. **The attached exhibit displays in Task #37 of the proposal that moved \$1,943.00 to miscellaneous allowance.**

See attached letter/proposal.

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ARKK Job No. 21-021
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