

**SUBJECT: APPROVAL OF ADDENDUM #3 TO MARSHALL FIRE SITE
SUPERVISOR CONTRACT WITH OTAK, INC**

DATE: JANUARY 2, 2024

PRESENTED BY: KURT KOWAR, DIRECTOR OF PUBLIC WORKS AND UTILITIES

SUMMARY:

Staff recommends approval of Addendum #3 to the contract with the engineering on-call consultant, Otak, Inc., for Marshall Fire site supervisor services in the amount of \$44,317. This addendum will bring the total contracted amount to \$231,687 and extend services until the end of April 2024.

A summary of the contract and addendums are as follows:

	Date Approved	Amount
Base Contract (Previously Approved)	March 2, 2022	\$30,964.00
Addendum #1 (Previously Approved)	June 21, 2022	\$41,626.00
Addendum #2 (Previously Approved)	April 4, 2023	\$114,960.00
Addendum #3 (This Communication)	January 2, 2024	\$44,137.00
Total		\$231,687.00

This contract has provided additional resources for monitoring of contractor activities to ensure City rights of way and property are protected from the Marshall Fire demolition activities and reconstruction activities.

Currently there are over 80 private contractors and 2-5 Lumen (Century Link) contractors performing rebuilding efforts within the burn areas. Otak is providing several services that staff does not have the capacity to cover including:

- Work zone safety
- Safety fencing
- Erosion Control/Mud tracking
- Trespassing
- Right of way damages
- Parking
- Code violations
- Material Staging
- Dumpsters/Trucks
- Utility damages
- Port-o-lets
- Emergency Access

Specific Services include:

- Monitor all the burn areas at 7am daily to identify violations with the building permit provisions and City Code.
- Ensure erosion control measures are maintained and replaced.
- Ensure dumpsters are being maintained, roads are accessible, and that streets are cleaned.

SUBJECT: OTAK, INC SITE SUPERVISOR SERVICES CONTRACT ADDENDUM**DATE: JANUARY 2, 2024****PAGE 2 OF 2**

Addendum #3 will provide funding for these activities until April 2024 based on an estimated rate of 20 hours per week. This is the average hours that Otak has been spending to perform the current activities under the existing contract.

The original contract was procured through the City's Engineering On-Call list. The on-call contractors were procured through a public competitive bid process in late 2021 through 2022. Staff received 3 similarly priced quotes from the on-call list and ultimately decided to utilize Otak due to the proximity of Otak to the burn areas (Louisville office).

FISCAL IMPACT:

The Marshall Fire expenses have not been budgeted and a budget amendment will be required. Staff has requested reimbursement by FEMA for this work, but approval of this reimbursement is still a large unknown. A budget amendment will be required for these additional 2024 expenses (\$44,137.00). All expenses for this activity are accounted to account 101110-532909 Marshall Fire – Services.

PROGRAM/SUB-PROGRAM IMPACT:

This effort supports recovery efforts for the Marshall Fire

RECOMMENDATION:

Staff recommends City Council authorize the City Manager to execute the proposed Addendum #3 with Otak, Inc. for extension of site supervisor services through April 2024 in an amount not to exceed \$44,137.00, making the total contract amount \$231,687.00.

ATTACHMENT(S):

1. Contract Addendum #3

STRATEGIC PLAN IMPACT:

☒	 Financial Stewardship & Asset Management	☒	 Reliable Core Services
☐	 Vibrant Economic Climate	☐	 Quality Programs & Amenities
☐	 Engaged Community	☐	 Healthy Workforce
☐	 Supportive Technology	☐	 Collaborative Regional Partner

EXHIBIT C

Addendum No. 3 to Service Agreement

This Addendum to that certain Services Agreement dated March 2, 2022 is made effective as of January 2, 2024, by and between the undersigned parties. The Addendum immediately preceding this Addendum was dated April 4, 2023.

1. Services to be provided: Additional 3 months of site supervisor services for reconstruction of the Marshall Fire destroyed homes. Please see attached detailed request for additional fees.
2. Fees: \$44,137.00
3. Schedule: Thru April, 2024.

CITY OF LOUISVILLE
749 Main Street
Louisville, CO 80027

By: _____
Jeff Durbin, City Manager

Attest: _____
Meredyth Muth, City Clerk

Company: Otak, Inc.

Address: 371 Centennial Parkway, Suite 210
Louisville, CO 80027

By: **Scott Dreher** Digitally signed by Scott Dreher
DN: C=US, E=scott.dreher@otak.com,
O=Otak, OU=Corporate, CN=Scott Dreher
Date: 2023.12.08 18:06:29-08'00'
Chief Operating Officer

Attest: Matthew Marshall
Interim Colorado Regional Director and CMI
Business Unit Lead



December 1, 2023

Mr. Cameron Fowlkes, PE, CFM
City Engineer
City of Louisville
749 Main St.
Louisville, CO 80027

**Re: Contract Amendment No. 3 – Marshall Fire Site Supervisor Services
Otak Project No. 020108.A00**

Dear Mr. Fowlkes,

As requested, please find our contract amendment request to extend the Marshall Fire Site Supervisor work for an additional three months through approximately April 2024, at which time an evaluation of the City's needs moving forward will occur to determine future services required.

Project Understanding

Otak has provided site supervisor services since April of 2022 during the City of Louisville's fire debris removal and cleanup efforts and during the rebuilding phase after the Marshall Fire. Otak's construction inspector has been monitoring contractor activities to ensure the City's right-of-way (ROW) is maintained and that open space is protected from impacts.

Work Plan

The work plan will remain the same as presented in Contract Amendment No. 2., dated March 1, 2023.

Fee

As detailed in the cost worksheet below, the total fee estimate for the extension of our Marshall Fire Site Supervisor services is \$44,137, which includes three (3) additional months or 13 weeks of site supervision at 20 hours per week and two (2) hours per week of project support and management, which, along with our remaining budget (as of the date of this contract modification), is anticipated to provide the City's desired level of service through April of 2024. Below is a detailed breakdown of the costs as currently anticipated.

Task	PIC	Field Rep >	Project Coord. I	Total
2024 Billing Rate	\$ 242	\$ 135	\$ 125	
Site Supervision (3 Months, 13 Weeks)	26	272	9	
Site Supervision		260		\$ 35,100
Project Support & Management	20		7	\$ 5,715
Closeout	6	12	2	\$ 3,322
Total	\$ 6,292	\$ 36,720	\$ 1,125	\$ 44,137

Contract Summary/Breakdown

Original Contract	\$30,964
Amendment #1	\$41,626
Amendment #2	\$114,960
Amendment #3	\$44,137
Total Contract	\$231,687

Otak is pleased to continue to support the City with these critical recovery efforts. Thank you, and please do not hesitate to reach out with any questions.

Sincerely,

Otak, Incorporated



Matt Marshall
Interim Colorado Regional Manager