

**SUBJECT: APPROVAL OF CONTRACT ADDENDUM NO. 2 BETWEEN THE
CITY OF LOUISVILLE AND OTAK, INC. FOR THE CITY OF
LOUISVILLE SOUTH BOULDER ROAD AND CENTENNIAL
IMPROVEMENT CONSTRUCTION MANAGEMENT SERVICES**

DATE: MARCH 5, 2024

PRESENTED BY: KURT KOWAR, PUBLIC WORKS

SUMMARY:

Staff is requesting authorization to sign and execute Addendum #2 in the amount of \$10,000.00 for the South Boulder Road (SBR) and Centennial Improvement contract with Otak, Inc. for additional construction management and project closeout services.

BACKGROUND:

Key Project Milestones:

- December 8, 2021 - the agreement between the City of Louisville and Otak was executed for the South Boulder Road At-Grade Pedestrian Crossing Improvement Construction Management Project.
- May 17, 2022 - the City executed the contract with Goodland Construction.
- Summer of 2022 - Construction started.
- December 2022 – Original Project scope substantially completed.
- January 3, 2023 – Council authorized staff to execute a new contract with Goodland Construction to make additional improvements to South Boulder Road between Centennial Drive and Main Street, including:
 - Remove and replace old ramp with a new ramp that meets ADA standards at the SW corner of Main Street and SBR.
 - Modify and improve the eastbound right turn lanes to improve safety at the intersections with Centennial Drive and Main Street.
 - Remove existing 5-foot sidewalk on the south side of SBR and replace with an 8-foot wide sidewalk.
 - Remove and replace south side of median between Centennial Drive and Main Street to provide better eastbound lane alignment for safety and driver comfort approaching the railroad tracks.
- January 3, 2023 – Council authorized staff to execute Addendum #1 with Otak for design and easement services associated with the additional sidewalk work between Centennial Drive and Main Street. Services included:
 - Eastbound right turn lane design, striping, and surveying
 - Assistance with easement and property owner negotiations for property on south side of right turn lane.
 - Additional Construction Management and Inspection services.
- August 2023 – Project was substantially completed.
- Current (Addendum 2) – Otak is continuing to work with CDOT and contractor for project closeout related to the IGA with CDOT for project reimbursement. The

work is anticipated to be completed by end of 1st quarter 2024. Additional services include:

- Additional construction management and inspection hours due to the previously approved additional construction scope.
- Additional hours to close out the project with CDOT. The CDOT project closeout process is taking more time than originally planned, due to added scope and partially due to staff turnover at CDOT and due to the contractor and sub contractor being slow on providing follow up documentation requests.

FISCAL IMPACT:

The below tables summarizes contracts and budget amendments approved to date. This project was part of a DRCOG TIP project with an 80/20 (CDOT/City) split up to a maximum reimbursement of \$1,003,000 between design and construction with the City funding the overmatch above that amount. Council approved two previous budget amendment requests with the first being for \$1,058,568 for the construction and a second for \$158,718.98 for the Centennial Drive to Main Street sidewalk and ramp improvements. A third budget amendment was requested on April 13, 2023 to cover additional costs required to modify the median island between Centennial Drive and Main Street due to ROW constraints for the sidewalk on the south side of the new sidewalk.

Accounts		
Year	Account #	Budgeted
2021	301312-660278	\$1,359,800.00
	Budget Amendment 1	\$1,085,568.00
	Budget Amendment 2	\$158,718.98
	Budget Amendment 3	\$75,000.00
	Total Budget:	\$2,679,086.98

Approved 5/17/2022
Approved 01/03/2023
Requested 04/13/2023

All Approved SBR Contracts (Final Costs)			
Company	Purchase Order #	Amount	
Kimley-Horn	2021079	\$376,061.38	
Millerbernd	2021279	\$77,417.00	
Otak (to date)	2022038	\$113,210.75	
TCE Payments	N/A	\$2,000.00	
Lumin8	2023006	\$33,724.00	
Goodland At-Grade	2022127	\$1,455,763.49	
Goodland Centennial	2023109	\$580,244.52	
Total Expenses:		\$2,638,421.14	
Otak Addendum 2		\$10,000.00	
		\$30,665.84	

Notes:

Pro Services - Project Design
Material Purchase - Signal Pole
Pro Services - Construction Mgmt
Temp Construction Easements
SBR/Via Appia Cabinet Replacement
Construction Contract At Grade Project
Construction Contract Centennial Imps.

This CC approval request
Remaining Budget

PROGRAM/SUB-PROGRAM:

This project will help support the Program Goal of a safe, well-maintained, effective and efficient multi-modal transportation system at a reasonable cost. This project will increase the safety of pedestrian users and traveling motorists.

RECOMMENDATION:

Staff recommends Council authorize the City Manager, Public Works Director and City Clerk to sign and execute Addendum #2 for the South Boulder Road and Centennial Improvement project with Otak, Inc. in the amount of \$10,000.00.

ATTACHMENT(S):

1. Otak Addendum 2

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. 2 to Service Agreement

This Addendum to that certain Services Agreement dated December 8, 2021 is made effective as of March 5, 2024, by and between the undersigned parties. The Addendum immediately preceding this Addendum was dated January 3, 2023.

1. Services to be provided: Additional services in closing out the CDOT contract and additional construction management services for the South Boulder Road and Centennial Intersection Improvement Projects. See attached proposal for additional description.
2. Fees: \$10,000.00
3. Schedule: Update the term through March 31, 2024.

CITY OF LOUISVILLE
749 Main Street
Louisville, CO 80027

By: _____
Christopher M. Leh, Mayor

Attest: _____
Meredyth Muth, City Clerk

Company: Otak, Inc.

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

By: Matthew L Marshall
Matthew Marshall, Interim Regional Director

Digitally signed by Matthew L Marshall
DN: C=US, E=matt.marshall@otak.com,
CN=Matthew L Marshall
Date: 2024.01.19 17:01:23-07'00'

Attest: Patrick Pease
Patrick Pease, P.E., Construction Project Engineer

Digitally signed by Patrick Pease
Date: 2024.01.22 07:36:28-07'00'



December 12, 2023

Geoff Nettleton
Project Manager
City of Louisville
749 Main Street
Louisville, CO 80027

Re: South Boulder Road At-Grade Crossings Improvements — Otak Project No. 20231

Dear Mr. Nettleton,

Otak appreciates the opportunity to continue to partner with the City of Louisville. We are respectfully requesting an amendment to the current contract for the SBR At-Grade Crossings Improvements project in order to assist with final closeout.

Per our discussions, Otak acknowledges that preparing the materials book throughout the course of the project was not included in our original scope of work and subcontract we held with our geotechnical testing subconsultant. Note, the cost to correct this oversight is not included in this amendment. We have completed the materials book “on our own dime” in acknowledgement of our error. This additional work consists of the hours needed to close out the project, only necessary due to the additional project scope of construction, which included: sidewalk, median cover concrete, curb and gutter, traffic signals with pedestrian push buttons, ADA ramps, and pavement markings at South Boulder Rd and Centennial Street/Main Street.

The total amount requested is \$10,000, detailed below.

Tasks		Principal	CM	Senior Inspector	Project Coord	Otak Total
Staff		Meyer	Pease	Alvarado	Woods	
Rate		\$ 185	\$ 183	\$ 135	\$ 122	
Amendment 2		2	32	26	2.25	62.25
Construction Management & Inspection				20		\$ 2,700
Closeout Documentation & Coordination		1	32	6		\$ 6,851
Project Management		1			2.25	\$ 460
Total Amount		\$ 370	\$ 5,856	\$ 3,510	\$ 275	\$ 10,000

Sincerely,
Otak, Incorporated

Patrick Pease
Digitally signed by Patrick Pease
Date: 2024.01.22 07:37:09 -07'00'

Patrick Pease, P.E.
Project Engineer

Matthew Marshall
Interim Regional Director