

**SUBJECT: APPROVAL OF ADDENDUM #4 TO MARSHALL FIRE SITE
SUPERVISOR CONTRACT WITH OTAK, INC**

DATE: JUNE 4, 2024

PRESENTED BY: KURT KOWAR, PUBLIC WORKS DEPARTMENT

SUMMARY:

Staff recommends approval of Addendum #4 to the contract with the engineering on-call consultant, Otak, Inc., for Marshall Fire site supervisor services in the amount of \$93,724. This addendum will bring the total contracted amount to \$325,411 and extend services until the end of December 2024.

PROJECT DETAILS

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 2-4 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 | • Code violations |
| • Safety fencing | • Material Staging |
| • Erosion Control/Mud tracking | • Dumpsters/Trucks |
| • Trespassing | • Utility damages |
| • Right of way damages | • Port-o-lets |
| • Parking | • 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.

Addendum #4 will provide funding for these activities until December 2024 based on an estimated rate of 20 hours per week. This is the average number of 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 for the base contract and ultimately decided to utilize Otak due to the proximity of Otak to the burn areas (Louisville office).

FISCAL IMPACT

The costs of the Site Supervisor Contract are assigned to the following fund:

Projected Funding

Description	Account	Budget Amount
Marshall Fire Services	101110-532909	\$0*

Total Contract Summary

Description	Account	Amount
Base Contract (March 2, 2022 Approval)	101110-532909	\$30,964
Addendum #1 (June 21, 2022 Approval)	101110-532909	\$41,626
Addendum #2 (April 4, 2023 Approval)	101110-532909	\$114,960
Addendum #3 (January 2, 2024 Approval)	101110-532909	\$44,137
Addendum #4 (This Communication)	101110-532909	\$93,724
Total Contract:		\$325,411

***Budget Amendment**

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 and funding will likely need to be covered by the Marshall Fire building permit fees.

A budget amendment in the amount of \$93,724 will be required for these additional 2024 expenses.

PROGRAM/SUB-PROGRAM:

This effort supports recovery efforts for the Marshall Fire.

STAFF RECOMMENDATION:

Staff recommends approval and award of the proposed Addendum #4 with Otak, Inc. for extension of site supervisor services through December 2024 in an amount not to exceed \$93,724, making the total contract amount \$325,411. Staff also recommend authorizing the Mayor, City Manager, Public Works Director, and City Clerk to sign and execute contract documents on behalf of the City.

ATTACHMENT(S):

1. Contract Addendum #4

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. 4 to Service Agreement

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

1. Services to be provided: Additional site supervisor services from June 2024 through December 2024. Please see attached detailed request for additional fees.
2. Fees: \$93,724.00
3. Schedule: Thru December, 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: Matthew L Marshall Digitally signed by Matthew L Marshall
DN: C=US, E=matt.marshall@otak.com,
CN=Matthew L Marshall
Date: 2024.05.15 09:28:06-06'00'

Attest: Madeline Woods Digitally signed by Madeline Woods
DN: C=US, E=madeline.woods@otak.com,
O="Otak, Inc.", CN=Madeline Woods
Date: 2024.05.15 09:42:42-06'00'



April 29, 2024

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

**Re: Contract Amendment No. 4 – 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 through December 2024, at which time an evaluation of the City's needs will occur to determine if future services are 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 below, the total fee estimate for the extension of our Marshall Fire Site Supervisor services is \$93,724, which includes five (5) additional months or 26 weeks of site supervision at 22.5 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 the end 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	
1.0	Site Supervision (5 Months, 26 Weeks)	42	606	14	
	Site Supervision		594		\$ 80,190
	Project Support & Management	40		12	\$ 11,180
	Closeout	2	12	2	\$ 2,354
	Total	\$ 10,164	\$ 81,810	\$ 1,750	\$ 93,724

Contract Summary/Breakdown

Original Contract	\$30,964
Amendment #1	\$41,626
Amendment #2	\$114,960
Amendment #3	\$44,137
Amendment #4	\$93,724
Total Contract	\$325,411

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

Sincerely,

Otak, Incorporated



Matthew Marshall
Interim Colorado Regional Manager