

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 122

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MODIFICATION REQUEST NO. 2 FOR ADDITIONAL PROFESSIONAL ENGINEERING DESIGN AND CONSULTING SERVICES RELATING TO THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND MS CONSULTANTS, INC., IN CONNECTION WITH THE CITY OF STRONGSVILLE'S WASTEWATER TREATMENT PLANTS AND WESTWOOD LIFT STATION REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, by and through Ordinance No. 2020-087, Council authorized the Mayor to enter into a contract with MS Consultants, Inc. for professional engineering design and consulting services in connection with the rehabilitation of the Wastewater Treatment Plants and Westwood Lift Station; and

WHEREAS, by and through Ordinance No. 2023-108, Council authorized the Mayor to enter into a modification to the professional engineering design and consulting services contract between the City and MS Consultants, Inc. in order to include modifications for design tasks added to the scope and cost of the contract; and

WHEREAS, at this time, MS Consultants, Inc. has requested an additional modification to the scope of services due to increases in requested services during construction, as well as increased construction duration and administration of multiple bid packages for the Wastewater Treatment Plant Improvements; and

WHEREAS, therefore, the City Engineer and Director of Public Service have now concurred that in order to complete the construction plans for the work included in the scope for the project, the plans for the rehabilitation of the Wastewater Treatment Plants and Westwood Lift Station will need to include additional modifications to the scope and cost of the professional engineering design and consulting services contract by MS Consultants, Inc., all as more fully set forth in Exhibit "1" attached hereto and incorporated herein as if fully rewritten, and to provide payment for such additional modifications to the contract, in the total amount of \$775,820.00, for a new total contract cost of \$2,762,964.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized and directed to enter into a Modification Request No. 2 for additional modification to the contract for engineering design and consulting services for the rehabilitation of the Wastewater Treatment Plants and Westwood Lift Station, in the total amount of \$775,820.00, as recommended by the City Engineer and Director of Public Service for the City, and reflected in Exhibit "1", and to direct the Director of Finance to make payment to **MS CONSULTANTS, INC.**, in the additional amount of \$775,820.00, thereby increasing the total contract cost to \$2,762,964.00.

CITY OF STRONGSVILLE, OHIO

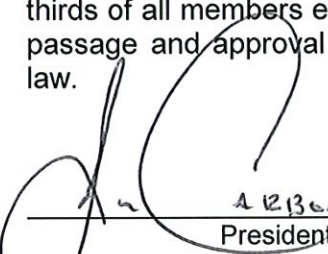
ORDINANCE NO. 2024 – 122

Page 2

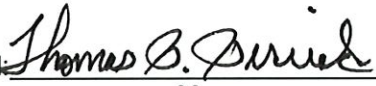
Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Sanitary Sewer Fund.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to provide for additional modifications to the scope of work and cost proposal, to facilitate payment to the contractor for additional work requested by the City, to avoid potential legal problems, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.



President of Council

Approved: 

Mayor

Date Passed: 09 03 2024

Date Approved: Sept. 3, 2024

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Clark	<input checked="" type="checkbox"/>	_____
Kaminski	<input checked="" type="checkbox"/>	_____
Kosek	<u>Absent</u>	_____
Roff	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Spring	<input checked="" type="checkbox"/>	_____

Attest: 

Clerk of Council

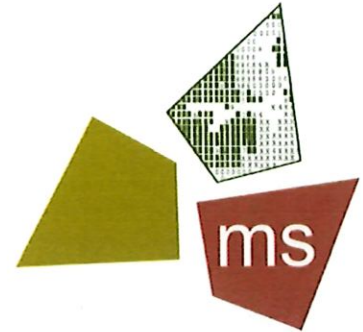
Ord. No. 2024-122 Amended: _____
1st Rdg. 09-03-24 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Public Hrg. _____ Ref: _____
Adopted: 09-03-24 Defeated: _____

ms consultants, inc.

engineers, architects, planners

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Youngstown, Ohio 44503-1821
Phone: (330) 744-5321
Fax: (330) 744-5256
www.msconsultants.com



July 18, 2024

Mr. Neal Jamison
Law Director
City of Strongsville
16099 Foltz Parkway
Strongsville, Ohio 44149

**RE: Wastewater Treatment Plants and Westwood Lift Station Rehabilitation –
Modification Request No. 2 for Additional Services During Construction**

Dear Mr. Jamison:

Enclosed is the ms consultants' modification request for additional construction-related services for the improvements to 'B' Plant, 'C' Plant and the Westwood Lift Station. As you are aware, the project scope increased considerably due to the condition of the facilities, code requirements and safety improvements needed at all three locations. Explanation for the additional scope of services was provided within Modification Request #1. The construction value of the proposed improvements is approximately six times greater than originally anticipated when the Request for Qualifications was issued and the design and estimated construction durations have increased as well.

In July of 2023, Modification No. 1 was processed to adjust the contract for design services only based on the additional scope of work performed. This modification No. 2 covers the additional scope of services requested for Construction Administration (CA) and Resident Project Representative (RPR) services.

The Scope of Services in the original Engineering Agreement anticipated providing CA and RPR services for a single construction contract with an estimated duration of 14 months. RPR services were anticipated to be six (6) months at 40-hours per week and eight (8) months at 20 hours per week. Bidding, CA and RPR services were specifically excluded for the Early Blower Package.

During the development of the project, CA services were requested to be performed for the Early Blower Package, which was completed in September 2022, and the Westwood Lift Station Improvements were bid as a separate contract from the Wastewater Treatment Plant Improvements. The Westwood Lift Station is currently under construction, and CA services are being performed. Given the increased scope of the Wastewater Treatment Plant Improvements, the construction duration is expected to be approximately 24 months. This project will be advertised for bids beginning in August or September 2024.

ms consultants, inc.

Ex. 1

The additional scope of services related to construction includes:

1. Construction administration requested by the City for the Early Blower Package. These services were excluded from the original scope and fee.
 - a. CA services performed during period from June 2021 through September 2022.
 - b. 285 manhours expended for CA
2. Construction administration is being performed for separate Westwood contract.
 - a. Services began January 2023 and final completion is expected October 2024.
 - b. 212 manhours expended to date (through July 15, 2024).
3. Scope of the Wastewater Treatment Plant Improvements increased, causing the anticipated construction duration to increase.
 - a. Full time RPR was requested by the City.
 - b. Expected duration for CA services is 24 months.
 - c. Expected duration for RPR services is 20 months.

The additional scope items are attached for your review in Exhibit A-2. The following is a summary of the modification request, further described in Exhibit B-2:

Project Deliverable	Original Contract	Modification Request No. 1	Modification Request No.2	Revised Contract
Design	\$ 777,329	\$ 772,428		\$ 1,549,757
Bidding	\$ 16,260			\$ 16,260
Construction Admin	\$ 229,826		\$ 394,022	\$ 623,848
Resident Project Rep	\$ 162,706		\$ 381,798	\$ 544,504
Post Construction	\$ 28,594			\$ 28,594
	\$ 1,214,716	\$ 772,428	\$ 775,820	\$ 2,762,964

We appreciate your consideration of this request. Our team is committed to providing the City of Strongsville with a successful project and reliable performance at these facilities well into the future. Please feel free to reach out to me at (330) 744-5321 or by e-mail at cmulichak@msconsultants.com should you have any questions or if you'd like to meet to discuss any of these items in more detail.

Sincerely,

Craig J. Mulichak, P.E.
 Senior Project Manager

- cc: A. Urankar (ms)
 J. Leson (ms)
 M. Gallagher (Strongsville)
 K. Mikula (Strongsville)
 J. Walker (Strongsville)
 file

EXHIBIT "A-2"
TO THE ENGINEERING AGREEMENT

**CITY OF STRONGSVILLE – WASTEWATER TREATMENT PLANTS AND WESTWOOD
LIFT STATION REHABILITATION**

**MODIFICATION #2 ADDITIONAL SCOPE OF WORK FOR CONSTRUCTION
ADMINISTRATION/INSPECTION**

Understanding

The City of Strongsville solicited engineering design and consulting services for the rehabilitation of two (2) wastewater treatment plants (WWTP), and the Westwood Lift Station. The services included preliminary design, detail design, bidding, construction administration and construction inspection. The two WWTPs, known as WWTPs B and C, were expanded in 1984-85 and have nearly identical treatment processes. WWTP B has an average design flow (ADF) of 2.1 MGD and is gravity fed. WWTP C has an ADF of 1.8 MGD and has an influent lift station. The Westwood Lift Station has a peak flow capacity of 9.4 MGD and was built around 1970. All three of these facilities are contract operated by Veolia (Operator).

Both of the plants are similar with each having four (4) rectangular primary clarifiers with pre-aeration basins, Rotating Biological Contactors (RBCs) for secondary treatment, four (4) rectangular secondary clarifiers, and four (4) Parkson DynaSand Filters.

The original scope and fee anticipated the completion of an early blower package (excluding bidding and construction services), and a final design package for both plants and the Westwood Lift Station, with a total anticipated construction cost of approximately \$7 million with a total construction duration of approximately 14 months. During preliminary design and the condition assessments at all facilities, the scope of the project was increased due, primarily, to age and condition of the infrastructure, flooding concerns, necessity to meet current building and National Fire Protection codes, and the need for additional safety improvements at all three facilities. The construction cost estimate for the improvements increased to approximately \$40 million spread between three separate projects:

1. 'C' Plant Blower and Washer Compactor Replacement
2. Westwood Lift Station Improvements
3. Wastewater Treatment Plants 'B' and 'C' Improvements

The anticipated construction schedule also increased considerably from the original estimated 14 total months. Contract Modification #1 included budget modification for additional design tasks only. Modification #2 is for budget modification due to increase in requested services during construction, as well as increased construction duration and administration of multiple bid packages. The following is a summary of additional tasks performed or to be performed:

Additional Tasks under F1 (Construction Administration) and G1 (Resident Project Representative):

Early Blower Package

1. Construction Administration requested/performed for Early Blower Package (excluded from original scope of work)

Westwood Lift Station (Separate Bid Package)

1. Separate Construction Administration of Westwood Lift Station with increased scope of services extending construction duration:
 - a. Replacement of pumps and mechanical (HVAC) improvements (excluded from original scope of work)
 - b. Replacement of comminutor (excluded from original scope of work)
 - c. Structural and architectural design of new outside access to wet well (required enclosure, ventilation and drainage)
 - d. Site improvements and generator relocation

'B' Plant & 'C' Plant

1. Longer anticipated construction duration due to increased scope of project.
2. Estimated Construction Administration to be provided for a period not to exceed twenty-four months with 22 hours per week of construction administration (construction administrator and administrative assistant).
3. Estimated Resident Project Representative full-time for a period not-to-exceed twenty months with 50 hours per week of RPR services.

EXHIBIT "B-2"
TO THE ENGINEERING AGREEMENT
CITY OF STRONGSVILLE
WASTEWATER TREATMENT PLANTS AND WESTWOOD LIFT STATION REHABILITATION
FEE BREAKDOWN
MODIFICATION #2

WBS2	Project Deliverable	Additional Labor Fee to Complete⁽¹⁾⁽²⁾	Additional Hours to Complete	Additional Other Direct Cost⁽³⁾	Total Additional Fee
C1	Preliminary Design	\$ -		\$ -	\$ -
D1	Final Design	\$ -		\$ -	\$ -
E1	Bidding	\$ -		\$ -	\$ -
F1	Construction Admin	\$ 390,645	2,403	\$ 3,377	\$ 394,022
G1	Resident Project Rep	\$ 373,356	3,016	\$ 8,442	\$ 381,798
H1	Post Construction	\$ -		\$ -	\$ -
Totals		\$ 764,001		\$ 11,819	\$ 775,820

1. All construction administration labor planned at previously negotiated multiplier of 3.05.
2. Resident Project Representative (Inspector) planned at a multiplier of 2.76.
3. Other Direct Costs (ODCs) include mileage and reproduction