



Title:	Approval of Contract Amendment for Wassermann Construction Oversight Services
Resolution number:	20-097
Prepared by:	Name: Anna Brown Phone: (952) 641-4522 abrown@minnehahacreek.org
Reviewed by:	Name/Title: Michael Hayman, Project Planning Manager
Recommended action:	Approve the budget amendment for additional construction administration services for the Wassermann Lake Preserve due to the extended construction schedule
Schedule:	Construction is expected to be complete by June 2021
Budget considerations:	Fund name and code: Wassermann Lake Preserve 3-3153 Fund budget: \$2,387,728 (MCWD share \$335,560) Expenditures to date: \$2,091,205 (MCWD expenditures \$221,822) Requested amount of funding: \$12,285.00 (MCWD share \$6,142.50) <i>These budget numbers are for construction and construction administrative costs and exclude interpretive design, fabrication, and installation</i>
Past Board action:	Res # 19-063 Approval of second cooperative agreement with the City of Victoria Res # 19-073 Design and construction administration contract award Res # 20-014 Contract Award for Wassermann Lake Preserve construction

Summary:

In 2017, the Minnehaha Creek Watershed District (MCWD) and City of Victoria (City) first embarked on a project to design and construct a park and natural resource restoration project on the property now known as the Wassermann Lake Preserve. This process included a first phase cooperative agreement, under which MCWD and the City engaged in a collaborative design process which established a shared vision for the site. In 2019, the two agencies entered a second cooperative agreement, which modified some terms of the initial agreement and created the framework within which the parties would advance the project to completion. In August 2019, the MCWD Board awarded a design and construction oversight contract to Aune Fernandez Landscape Architects (AFLA).

From August 2019 through December 2019, MCWD and City staff collaboratively worked to develop a final design for Wassermann Lake Preserve. In February 2020, a construction contract was awarded to LinnCo, Inc. and construction has proceeded through the summer and fall. While the original intent was to complete construction by November 2020, an early snowfall in October created challenging site conditions for an extended period of time and required adjustments to the construction schedule, which will now proceed through the winter and early spring 2021. Construction is expected to be complete and the park open in June 2021.

Because the construction schedule has been extended, the allocated \$55,000 for construction oversight is no longer sufficient. AFLA has requested an addition \$12,285, which will be applied towards additional site visits, processing pay applications, managing site logistics through winter, and the final warranty inspection and close-out. These costs will be shared equally between MCWD and the City. Staff is recommending approval of this request in the form of an amendment to the existing contract for construction administration services.

Supporting documents (list attachments):

1. Scope of Services: Wassermann Construction Administration Additional Services



RESOLUTION

Resolution number: 20-097

Title: Approval of Contract Amendment for Wassermann Construction Oversight Services

- WHEREAS, the Minnehaha Creek Watershed District (MCWD) and City of Victoria (City) identified the Wassermann West property, consisting of 33.5 acres of riparian land on the western shore of Wassermann Lake, as an opportunity for coordinated project development to meet strategic goals of both the MCWD and City by improving lake water quality, protecting and enhancing riparian wetland and shoreline, and affording public access to Wassermann Lake, among other potential project benefits;
- WHEREAS, on November 16, 2017, the MCWD Board of Managers authorized the execution of a contract to develop a park concept plan and preliminary feasibility for alum treatment on site;
- WHEREAS, on May 23, 2019, the MCWD Board of Managers approved the second cooperative agreement, approving the park concept plan developed by both parties, identifying shared interests and responsibilities in carrying the Project forward through final design and construction, and authorizing staff to prepare a design and construction oversight scope for Board review and approval;
- WHEREAS, on August 22, 2019, the MCWD Board of Managers, with concurrence from the City Council, approved a design and construction oversight scope and contract with Aune Fernandez Landscape Architects (AFLA);
- WHEREAS, on December 19, 2019 the MCWD Board of Managers approved 90% design plans for the Wassermann Lake Preserve, and authorized staff to solicit bids for Project construction;
- WHEREAS, on February 27, 2020, the MCWD Board of Managers awarded a construction contract to LinnCo, Inc. after finding them to be the low responsible bidder;
- WHEREAS, inclement weather has required modifications to the construction schedule which will postpone project completion until June 2021, requiring additional funding allocated towards construction administration services to cover additional construction meetings, logistics management, and warranty inspection and project closeout.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers approves an amendment to the construction administration contract in an amount not to exceed \$12,285.00.

Resolution Number 20- 097 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 12/17/2020

 Secretary Date: _____



Minnehaha Creek Watershed District & City of Victoria
Attn: Anna Brown & Ann Mahnke
15320 Minnetonka Blvd.
Minnetonka, MN 55345

WASSERMANN CONSTRUCTION ADMINISTRATION ADDITIONAL SERVICES

We sincerely thank you for your interest in working with AFLA and providing us the opportunity to continue working on the Wassermann Lake Preserve project. It is exciting to be close to project completion as we can see the vision and the results of our collaboration come together. This proposal is a request for additional fee to complete construction administration services. We have provided a description of additional services to date that we intended to complete with in the original contract amount as well as ongoing conditions that we are requesting additional fees to complete.

SERVICES TO DATE

At AFLA we understand that the project process is not linear and often requires additional services. We are always working in the interest of the project, clients time and budgets. We pride ourselves on absorbing additional services that arise during the project that were originally unknown or not part of the original scope with out having to request additional fee along the way. With the Wassermann project we have performed a number of these services that we completed without changes to the contract but, due to an extension of construction into 2021 we are requesting additional fee to complete construction and close out the project.

Primary areas we have provided additional services to date are related to:

- Creating additional bidding documents and managing projects separately while coordinating the multiple projects.
- Separate construction administration services and close outs.
- Producing the interpretive graphic panel layouts and coordination of writing to be included in our interpretive elements bidding.
- Additional meetings associated with the complexities of the above mentioned items.

ADDITIONAL SERVICES

Despite the additional work, we were on track to complete all of the Wassermann on budget. A prolonged construction duration and early winter weather that shut down construction activities requires additional construction administration services.

December 7, 2020

We are requesting additional fee to cover the following services:

- Construction administration services provided in November.
 - o \$3,960 - \$1,275(remaining)= \$2,685.00

- Additional construction administration services to be completed in Winter of 2021 and project completion spring of 2021. We are anticipating 6to 8 weeks of construction to start in may of 2021.
 - o \$8,600

- 11 month warrantee inspection and final close out.
 - o \$1000

COMPENSATION

Compensation for the Landscape Architect's services as described above shall be Hourly, not to exceed without owners prior approval fee of \$12,285.00 including reimbursable expenses.

SCHEDULE

We are available to start work immediately upon your approval.

Thank you for this opportunity to continue working with the MCWD and the City of Victoria. It has been a pleasure working with you through this unique process and we look forward to continue providing exemplary service to meet your needs. If you have any questions, please contact Carlos Fernandez at 651-341-3611

Sincerely,



Carlos Fernandez CJ
President Aune Fernandez, LLC