

September 13, 2018

Department of Water Resources
City of Greensboro
2602 S. Elm-Eugene Street
Greensboro, NC 27406

Attn: Jay Guffey, PE, Engineering Supervisor
Monica Jarrett, EI, Utility Design Engineer
(via email Jay.Guffey@greensboro-nc.gov; monica.jarrett@greensboro-nc.gov)

Re: Request for Additional Engineering Fees for Construction Administration Services
Phase II: Mitchell Water Treatment Plant
Structural and Durability Improvement Project
Greensboro, NC
SKA Project No. 120122.4

Summary

The intent of this letter is to update the City of Greensboro (COG) on the current status of construction administration services currently required in the contract between SKA and COG related to the above referenced project and to request additional fees for services extending beyond the conditions of the original contract.

The specified scope of construction on this project – which includes concrete surface repairs on the east and west exterior basins – is approximately fifty percent (50%) complete. Specified west basin repairs were completed over a nine (9) month construction duration from October 2017 thru June 2018. The project is currently in the midst of a three-month hiatus before repairs commence on the east side in October 2018. At this time, SKA has consumed engineering fees proposed under the original contract to COG (SKA Proposal No. 2016-112-045; COG Contract No. 2016-570). The scope of work in this contract involved (1) Pre-Bidding Phase, (2) Bidding Phase, (3) Construction Phase, and (4) Project Closeout Services for an eight (8) month construction period with an additional one (1) month for Additional Services to address any unforeseen additional work and to prepare project closeout documents.

SKA requests additional funds to complete services agreed upon under the original contract for the following reasons:

- A. **Schedule.** This is the primary factor influencing SKA's request for additional funds. The original contract was based upon an eight (8) month construction schedule. The project duration currently stands at nine (9) months, with six (6) additional months projected to complete the project. This extended timeframe has increased the amount of site observations, meetings, select submittal reviews etc. required to administer the contract considering the efficiency of repair work is significantly less than originally assumed.



- B. **Additional Design Work.** SKA provided supplemental design details for unforeseen conditions that were outside the original contract provisions. Additional "Bulletin" Details included the following: B-1 and B-1A – Elevated Precast Flume Channel Details; B-2 and B-3 – Additional Stairway Details for New East Stairway as requested by COG; and B-4 and B-5 – New Sluice Gate Plug Details for the east flash mixer.
- C. **Additional Review of Non-Compliant Work.** SKA performed additional services on work considered deficient per the Contract. This included services associated with identification and documentation of defective protective tenting at Basin W3, redundant observation services on poorly finished repair mortar in Basin W3, redundant punch list observation work, and re-scheduled mock-ups by the Contractor that were initially unsuccessful.

Proposed Scope of Services

Following are the general scope of services that will be required in the second CA phase to complete the scope of work specified in the contract:

1. Attend and participate in project meetings at intervals specified that would be required if the project required six (6) months to complete. Project meetings may be required on a weekly basis if construction schedule is accelerated.
2. Review technical submittals from Contractor.
3. Attend, evaluate and prepare reports on repair types on mock-ups. Four (4) additional mock-ups are required by the Contract for this phase.
4. Review RFI's and submit responses.
5. Provide technical assistance to Contractor where required to complete scope of work required by Contract Documents.
6. Review pay applications and submit recommendations to the Owner.
7. Review and issue any work change directives and change orders.
8. Conduct construction site visits to observe and document compliance with the Contract Documents. Monitor quantities for unit price work and review visible portions of on-going construction. Site observations for an accelerated schedule will likely be daily.
9. Review subcontract equipment removal and replacement observations by Critex.
10. Prepare project close out documents.
11. Review As-Built documents (from the Contractor) and incorporate information into a set of Record Documents. Issue the Record Documents.
12. Delegate construction observation services to Critex Engineering Group as necessary including observations of equipment removal, storage and re-installation.



Proposed Compensation


SKA proposes to provide the Proposed Scope of Services described in Items 1 through 12 for a fee equal to the sum of the SKA's employees' time expended in providing the services multiplied by the employees' standard SKA billing rates (2018 Billing Rate Schedule attached), plus reimbursable expenses. SKA estimates that the cost to perform the scope of services will be approximately \$130,900. This estimate does not include the Additional Services Reserve as described below; the addition of this reserve would make the total change order amount \$150,900. Explanations of fees are as follows:

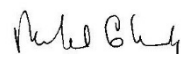
- ❖ SKA Consulting Fees: \$119,000 – Estimated \$18,000 per month for six months for contract administration services plus an additional \$11,000 for east basin equipment observation services. Fees consumed per month could be more or less depending on contractor scheduling, work efficiency, and problems encountered during construction. However, SKA will not exceed these fees without COG authorization.
- ❖ Additional Subconsultant Fees (Critek): \$11,900 {See appended Affidavit-D} – Includes additional amount to complete equipment observations services in addition to construction observations services as assigned by SKA.
- ❖ Additional Services Reserve. \$20,000 - It is the nature of Repair Projects that many unknowns must be addressed in the course of the project. Additional engineering services are typically necessary for varying reasons. This reserve will only be used for additional services outside the Proposed Scope of Services or to compensate for engineering services rendered beyond March 2019. Potential additional services might include those associated with hidden or unforeseen conditions, contractor inefficiency, rejected submittals, additional review of non-compliant work, inclusion of other scope items at Owner's request, etc. If additional services are requested, SKA will perform them on an hourly basis plus reimbursable expenses as applicable. SKA will not utilize these funds without COG's consent.

SKA appreciates the opportunity of continuing to provide construction administration services on this project. Please let us know if you have any questions concerning the additional engineering fees requested for extending the construction duration.

Sincerely,

SKA CONSULTING ENGINEERS, INC.


David Keatts, P.E.
Project Engineer


Robert G. Kennerly, Sr., PE
Senior Engineering Consultant

cc: SKA – File, SDK, RGK, DGT, LLR, TLS

Attachments

- ❖ SKA – Form C – Subcontractor Utilization Commitment
- ❖ Critek – Contract Amendment Request with:
 - Affidavit D – Letter of Intent to Perform as a M/WBE Subcontractor

Mitchell FP: Phase II Structural Durability

Name of Prime Contractor: SKA Consulting Engineers, Inc. Project Name: Improvement Project

The Bidder/Participant must indicate all subcontracts (M/WBE & NON-M/WBE) it intends to utilize as follows:

MBE	WBE	NON M/WBE	Subcontractor Name & County**	Nature of Work to be Performed	% Utilization
X			Critek Engineering Group Guilford County	Construction Observation Services	7.9%
**Only M/WBE firms that are certified by the North Carolina Department of Administration or the North Carolina Department of Transportation and have a significant business presence within the Greensboro MSA (Guilford, Randolph, Rockingham, Forsyth, Stokes, Davie, Yadkin, Davidson, Alamance and Surry Counties) will be counted towards the M/WBE goal(s).				Total NON-M/WBE Utilization Commitment	
				Total MBE Utilization Commitment	7.9 %
				Total WBE Utilization Commitment	

(Submit Additional pages, if necessary)

Pursuant to "Special Instructions to Bidders Regarding Compliance with the City of Greensboro Minority and Women Business Enterprise (MWBE) Program Policies", the Bidder certifies that the above Minority/Women-owned Business Enterprise(s) was (were) contacted in good faith.

The undersigned hereby certifies that he or she has read the terms of this certification and is authorized to bind the Bidder in accordance herewith.



Date: September 13, 2018 Name of Authorized Officer: Stephen P. Robinson, PE
 Signature: [Signature] Title: President
 State of North Carolina County of Guilford
 Notary Public [Signature] My commission expires: July 18, 2020

August 30, 2018

Mr. David Keatts PE
Project Engineer
SKA Consulting Engineers, Inc.
300 Pomona Drive
Greensboro, NC 27407-1620

**Subject: Mitchell Filter Plant Structural and Durability Improvement Project
Contract Amendment Request**

CriTek # GSO.2016.07

Dear Mr. Keatts:

CriTek has reached 55% billable of the maximum upper limit for the contract. At the current utilization rate, the funds attributed to CriTek's construction observation services would end on or around November 30, 2018. CriTek would enjoy the opportunity to remain on the project through the projected duration of March 2019 and to do so, we are requesting a funding increase of \$11,900.00 to extend our services. All rates and other terms of the original contract will remain unamended.

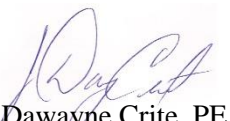
This budget amendment should be sufficient to cover CriTek's costs and the cost of any work through March 2019, provided we don't experience any additional delays or significant scoping changes. We are requesting an amendment to the existing Agreement to include the following tasks:

- New Upper Limit for Construction Observation - \$41,400.00

If this is acceptable to you, please sign this letter indicating your acceptance of this Amendment.

Sincerely,

CriTek Engineering Group



J. Dawayne Crite, PE
President



David Keatts, PE
Project Manager
SKA Consulting Engineers

Name of Prime Contractor: SKA Consulting Engineers, Inc. Project Name: Mitchell Filter Plant Structural and Durability Improvement Project

The undersigned intends to perform work in connection with the above project as:

<input checked="" type="checkbox"/>	Minority Business Enterprise		Women Business Enterprise
	Individual	<input checked="" type="checkbox"/>	A Corporation
	A Partnership		A Joint Venture

The undersigned is certified by the North Carolina Department of Administration or the North Carolina Department of Transportation and is headquartered or has a significant business presence within the Greensboro MSA.

The undersigned is prepared to provide the work (described below) in connection with the above project at the following price: \$ 11,900.00. Any changes in this commitment must be approved in advance by the M/WBE Office.

0 % of the dollar value of the subcontract will be sub-let to (if applicable) _____.

You have projected the following commencement date for such work, and the undersigned is projecting completion of such work as follows:

Description of the Work	Projected Commencement Date	Projected Completion Date
Construction Observation	October 2018	March 2019

This document shall not serve in a manner as an actual subcontract between the two parties. A separate binding agreement will describe in detail the contractual obligation of the contractor and the M/WBE subcontractor. The undersigned will enter into a formal agreement for the above work with you conditioned upon your execution of a contract with the City of Greensboro. Breach of this commitment constitutes breach of bidder's contract if awarded.

The undersigned hereby certifies that he or she has read the terms of this certification and is authorized to bind the Bidder in accordance herewith. Signature and title of authorized official of the company and the date must be properly executed or this document will be deemed nonresponsive.

DEBORAH T. COLLINS Notary Public Forsyth Co., North Carolina My Commission Expires Sept. 14, 2021	Date: <u>8/30/18</u>	Company Name: <u>CriTek Engineering Group, P.C.</u>
	Signature: <u>[Signature]</u>	Name of Authorized Officer: <u>J. Dawayne Crite</u>
	State of <u>NC</u>	Title: <u>President</u>
	County of <u>Guilford</u>	My commission expires: <u>September 14, 2021</u>