

**TOWN OF MEAD, COLORADO
RESOLUTION NO. 39-R-2023**

**A RESOLUTION OF THE TOWN OF MEAD, COLORADO, APPROVING
THE 3RD AMENDMENT TO SPECIAL PROJECT TASK ORDER FOR
FELSBURG HOLT & ULLEVIG, INC. TO COMPLETE FINAL DESIGN OF
THE 3RD AND WELKER INTERSECTION**

WHEREAS, the Town of Mead is authorized under C.R.S. § 31-15-101 to enter into contracts for any lawful municipal purpose; and

WHEREAS, the Board of Trustees previously approved that certain Agreement for Professional Services between Felsburg Holt & Ullevig, Inc. (“Contractor”) and the Town of Mead for on-call traffic engineering services, including special projects, dated April 8, 2019, as extended by that certain Agreement for Professional Services 2023 Extension (the “Agreement”); and

WHEREAS, the Board of Trustees previously approved Task Order No. 2020-010 by Resolution No. 67-R-2020 dated July 27, 2020 (“Original Task Order”) for design services related to the 3rd and Welker Intersection Improvement Project (the “Project”); and

WHEREAS, the Town previously approved Task Order No. 2020-016 (“Task Order - 1st Amendment”) and Task Order No. 2022-005 (“Task Order – 2nd Amendment”) for additional design services related to the Project; and

WHEREAS, the Town has need of Contractor’s services to assist with completing the final design of the Project including continued design and coordination support for the Project through advertisement in Fall 2023 (the “Additional Design Services”); and

WHEREAS, in accordance with the terms of the Agreement, Task Order No. 2023-005 – 3rd Amendment, attached hereto as **Exhibit 1** (“Task Order – 3rd Amendment”), has been prepared for the Additional Design Services; and

WHEREAS, the total cost for completion of the Additional Design Services is eighty-one thousand three hundred twenty-five dollars (\$81,325.00), inclusive of costs of the Contractor and approved Project subcontractors, as set forth and detailed in the Task Order – 3rd Amendment; and

WHEREAS, approval of the Task Order – 3rd Amendment will authorize total expenditures on Project design services of \$668,602.00 (inclusive of funds encumbered under the Original Task Order, Task Order – 1st Amendment, and Task Order – 2nd Amendment); and

WHEREAS, the Board of Trustees desires to approve the Task Order – 3rd Amendment in substantially the form attached to this Resolution and delegate authority to the Town Manager to execute the Task Order – 3rd Amendment on behalf of the Town.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

Section 1. The Board of Trustees hereby: (a) approves the Task Order – 3rd Amendment with the Contractor in substantially the same form as is attached hereto and incorporated herein; (b) authorizes the Town Manager, in consultation with the Town Attorney, to make any non-material or non-substantive changes to the Task Order – 3rd Amendment as may be necessary that do not increase the Town’s obligations; and (c) authorizes the Town Manager to execute the Task Order – 3rd Amendment when in final form.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

Section 3. Certification. The Town Clerk shall certify to the passage of this Resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 30th DAY OF MAY, 2023.

ATTEST:

By: 
Mary E. Strutt, MMC, Town Clerk



TOWN OF MEAD:

By: 
Colleen G. Whitlow, Mayor

Exhibit 1
Task Order No. 2023-005

[see attached task order and memorandum]



TASK ORDER - SPECIAL PROJECTS

TASK ORDER NO.: 2023-005- 3rd Amendment

Task Name: Additional Design Services for 3rd Street/Welker Avenue Intersection Improvements

Requested By: Erika Rasmussen, Town Engineer

Proposed Start Date: Upon NTP

Funding Source: 14-40-5500

Proposed Completion Date: Fall 2024

Tasks / Deliverables: See attached memorandum

Total Task Order Budget: \$81,325.00

Approval:

_____ **Date:** _____
Town Manager

Additional Comments: This Task Order is not valid without attached Task Order memorandum, approved by the Town Engineer.

Attachment: Task Order Memorandum

TOWN TREASURER / FINANCE REVIEW:

Town Treasurer / Finance has reviewed this Task Order and the funds:

- are appropriated*
- are not appropriated (note: _____)*

By:  _____

Account reference/information:
14-40-5500 - Transportation Fund



TASK ORDER MEMORANDUM

To: Helen Migchelbrink, Town Manager

From: Erika Rasmussen, Town Engineer

Date: May 30, 2023

Subject: Additional Design Services for 3rd Street/Welker Avenue Intersection Improvements – New Scope for Prolonged Federal Process, 3rd Party Review Appraisals, and Construction Phase Services

Task Order No.: 2023-005

This Task Order Memorandum has been prepared in accordance with the Town's Professional Services Agreement (PSA) with **Felsburg, Holt & Ullevig, Inc.** (the "Contractor") for engineering services, including special projects. No special projects shall be performed by the Contractor until the Town's Authorized Representative has executed a Task Order authorizing the Contractor to proceed with the Task(s) identified below.

Task(s) to be performed: Additional Design Services associated with 3rd Street/Welker Avenue Intersection Improvements project, as described in Contractor proposal dated April 3, 2023 (and revised on May 14, 2023) (copy attached to this Task Order Memo).

Time schedule: Design approval and utility clearance in late fall of 2023. ROW clearance, Construction is expected to start in Winter of 2023/2024.

Deliverables: See attached Contractor proposal dated April 3, 2023 (revised on May 14, 2023) (seven (7) pages).

Charges: Unless otherwise set forth in this Task Order Memorandum, the Charges authorized herein shall be considered a not to exceed (NTE) figure. Charges shall be calculated pursuant to the hourly rates in the PSA, unless otherwise set forth herein. A copy of Contractor proposal related to the Task(s) outlined above is attached to this Task Order Memorandum. I have reviewed and approved the scope of services set forth in the Contractor's proposal, and I therefore request that you proceed to approve the attached Task Order, which will authorize the Contractor to proceed with the additional design services described above for the not to exceed fee of **\$81,325.00**.

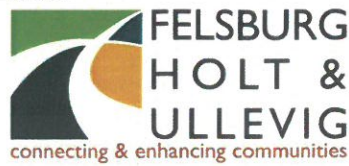


Review and approval of Task Order Memorandum:

DocuSigned by:
Erika Rasmussen 5/18/2023
33B626E1E6C04EF.....
Erika Rasmussen, Town Engineer

(Note: This Task Order Memorandum is not valid unless and until a Task Order has been executed by the Town Manager and approved by the Town Treasurer/Finance.)

Attachment: Contractor proposal dated April 3, 2023 (revised on May 14, 2023)
(7 pages)



April 3, 2023, Revised May 14, 2023

Ms. Erika Rasmussen, PE
Town Engineer/Public Works Director
Town of Mead
441 Third Street
Mead, Colorado 80542

Reference: Proposal for Engineering Design Services
3rd Street/Welker Avenue Intersection Improvements
Amendment 3

Dear Ms. Rasmussen:

Per our discussion, Felsburg Holt & Ullevig (FHU) is submitting this contract **amendment** for additional services required to complete the project design. These additional services include continued design and coordination support for the project through advertisement in Fall 2023.

FHU proposes the following scope of work and fee estimate to complete the project.

Task 1a – Meetings and Project Management

It is anticipated that 7 additional design review/coordination meetings with Town staff will be required to discuss specific questions, comments, or issues related to the project. Kat will manage budget and schedule and prepare monthly progress reports that will be submitted with invoices.

Task 3 – ROW

This task includes additional FHU time to prepare ROW exhibits for 11 properties to assist the Town and TRS in ROW negotiations. FHU is not scoped for coordination meetings.

Also included are review appraisal services by TRS. It is our understanding from CDOT that they are unable to provide review appraisal services for this project and the local agency will be required to provide these. See attached for additional detail.

Task 4c – Bid Solicitation and Construction

Bid plans

Prior to advertisement, the bid documents will be updated to current specifications and incorporate minor additional changes to the design. The opinion of cost will be updated. Significant changes to the design related to ROW negotiations, CDOT, Town, Railroad, utility or development comments are not scoped. It is assumed the existing topographic survey from 2020 and as-built and final design files provided by others is sufficient to complete the design and bid package. Additional topographic survey is not scoped.

CDOT Clearances

CDOT clearances have taken longer to achieve than originally anticipated. FHU will provide continued assistance to the Town in providing the required documentation to receive CDOT authorization to advertise. With environmental clearance in hand, the additional required authorizations include Utility, and ROW clearance from CDOT. The scope of work is expected to require coordination between the land agent, Town and CDOT, utility clearance letter and coordination on required signatures, CDOT form 859 and construction schedule, once the required documentation is submitted.

April 3, 2023, Rev. May 14, 2023

Erika Rasmussen, PE

Page 2

Advertisement

FHU will provide support during the bid solicitation period and prepare any addendum as needed (up to two). Once a Contractor is selected, FHU will attend one preconstruction meeting, as directed by the Town, and issue a construction set of plans.

Task 5– Additional Design Services

Services outside of the above scope may be included in this task item up to the amount included in the attached fee estimate. These services may include, but are not limited to, additional railroad, utility, development or CDOT comments, design support during construction or other out-of-scope design work. FHU will identify additional services to be completed under this task and receive approval from the Town prior to conducting work.

Construction management is not included in this task order, but could be provided by FHU, if desired, through a separate contract.

Schedule

Upon Notice to Proceed for this amendment, we anticipate design approval and Utility clearance in late fall 2023. ROW clearance Construction is expected to start in Winter 2023/2024.

Fee Estimate

For the above scope of work, see attached for personnel, hours, and fee (based on our 2023 billing rates attached). In summary, we estimate the following not to exceed fee:

Total Not to Exceed fee for this amendment: **\$81,325.**

Our costs will be invoiced monthly on a time and material basis.

If necessary, FHU will evaluate any unforeseen work efforts that have not been identified above and discuss them with Town staff before conducting the work. If the conditions of this proposal are acceptable, please sign this proposal and return as our contract for these additional services.

Please feel free to contact me if you have any questions. Thank you for the opportunity to continue our work with the Town of Mead.

April 3, 2023, Rev. May 14, 2023
Erika Rasmussen, PE
Page 3

Sincerely,

FELSBURG HOLT & ULLEVIG



Jenny Young, PE
Principal

Accepted By

Title



Katharine Duitsman, PE
Project Manager

Date

REVIEW APPRAISAL SCOPE OF SERVICES

A. REVIEW APPRAISAL

A review appraiser, approved by the Colorado Department of Transportation (“CDOT”) will be sub-contracted to review appraisals prepared on behalf of the CLIENT, and the property owners pursuant to CRS 38-1-121, to confirm compliance with applicable appraisal standards, Colorado revised statutes, the Uniform Act and Chapter 3 of the CDOT Right of Way Manual.

A technical field review of the appropriate reports for each parcel shall be completed. The level of review analysis depends on the complexity of the appraisal problem.

The review appraiser shall meet the following requirements:

- I. The review appraiser shall be a Certified General Appraiser currently licensed in Colorado.
- II. The review appraiser shall be knowledgeable and experienced with eminent domain appraisal laws and procedures in Colorado.

The review appraiser’s scope of work shall be as follows:

- I. The review appraiser shall review documents (plans, letter of information, environmental study, other project appraisals, etc.) to gain a thorough knowledge of the project.
- II. The review appraiser may be included in project meetings in advance of the appraisal process as applicable.
- III. The review appraiser shall field-review subject and comparable sales/rentals used in the appraisal.
- IV. The review will be a technical field review. The minimum review process is prescribed in 49C.F.R. 24.104 and Chapter 8 “Appraisal Review” of the FHWA Project Development Guide when reviewing an appraisal for a federally funded project. Other guiding principles for technical field reviews are found in the Uniform Standards of Professional Practice (USPAP) and Chapter 3 of the CDOT Right of Way Manual.
- V. Before accepting an appraisal, the review appraiser must determine that the appraiser’s documentation, including valuation data and the analyses of that data, demonstrates the soundness of the appraiser’s opinion of value.
- VI. The review appraiser must assure the appraisals meet applicable requirements, and prior to acceptance seek necessary correction or revisions to facilitate the appraiser’s development of an acceptable appraisal.
- VII. The review appraiser shall identify each appraisal report as:
 1. recommended (the basis to establish an amount believed to be just compensation);
 2. accepted (meets all requirements, but not selected as recommended);
 3. not accepted.

- VIII. If a property owner appraisal is provided, the review appraiser will also review this appraisal and provide a review report to the CLIENT and CDOT, as to whether the appraisal is recommended, accepted, or not accepted.

B. PROJECT MANAGEMENT

TRS will coordinate transmittal of appraisals between the CLIENT's appraiser, the property owner's appraiser and the review appraiser.

Upon completion of the review appraisal and preparation of the FMV by the review appraiser, TRS will provide CDOT with a copy of the review appraisals, and keep to incorporate with the CLIENT's file.

TRS will sub-contract with the review appraiser, and process payments to the review appraiser.



TRS Corp.

3rd Welker Intersection Appraisal Review
Town of Mead/FHU 5-12-2023 TO Amend

Employee Classification	Project Manager	Sr. ROW Agent	Admin	TOTALS
Rate	\$160.00	\$123.00	\$55.50	
RIGHT OF WAY TASKS	hours	hours	hours	COMMENTS
A. Appraisal Review				
1. Review appraisal Coordination		6	4	
2. Review appraisal subcontracting	2			
subtotal hours	2	6	4	12
subtotal fees	\$320.00	\$738.00	\$222.00	\$1,280.00
THIRD PARTY EXPENSES	QTY	Price	Fee	
Review Appraisals (Doug Nitzkowski-MAI)	10	\$ 1,900.00	\$19,000.00	Appraisal reviews (CDOT approved reviewer)
Expense Total			\$19,000.00	
TRS PROFESSIONAL SERVICES FEE ESTIMATE				\$20,280.00