




## CITY of NOVI CITY COUNCIL

**Agenda Item 1**  
**October 14, 2013**

**SUBJECT:** Approval to award an amendment to the engineering services agreement with Orchard, Hiltz & McCliment for additional design engineering services for the East Lake- Novi Road Neighborhood Connector in the amount of \$19,591.

**SUBMITTING DEPARTMENT:** Department of Public Services, Engineering Division 

**CITY MANAGER APPROVAL:** 

<b>EXPENDITURE REQUIRED</b>	<b>\$ 19,591</b>
<b>AMOUNT BUDGETED</b>	<b>\$ 16,695</b>
<b>APPROPRIATION REQUIRED</b>	<b>\$ 2,896 (To be included in a future budget amendment)</b>
<b>LINE ITEM NUMBER</b>	<b>204-204.00-974.432</b>

### BACKGROUND INFORMATION:

The 2011 Non-Motorized Master Plan identified several cross-country pathways to provide non-motorized connections between neighborhoods. This pathway, identified in the master plan as Neighborhood Connector #1 (NC1), was planned to connect East Lake Drive to Novi Road through Hickory Woods Elementary School. The design of NC1 was originally awarded to Orchard, Hiltz & McCliment (OHM) by City Council on November 26, 2012.

The design phase of the NC1 pathway was initiated in fall 2012 after discussions with Walled Lake Consolidated School District (WLCSD) personnel to establish a route through the Hickory Woods Elementary property. This route utilized the City's parcel at 1285 East Lake Drive and WLCSD property. After initial approval of the concept and preliminary design by WLCSD, the final design of the project was completed and plans sent to WLCSD for review at which time they notified the City that the route was no longer acceptable due to recently implemented procedures and policies related to school safety. (The attached memo from Brian Coburn dated October 2, 2013 provides additional detail in this regard.)

The construction of NC1 is still possible although a new alignment will be required on WLCSD property. Because the final design was completed based on the original alignment, the design fee that was awarded in 2012 has been exhausted; therefore, an amendment to the engineering agreement is necessary to complete the additional engineering design for a new alignment.

The proposed new route would utilize another parcel owned by the City at 1303 East Lake Drive and then follow the southern limits of the school property along New Court (private road) over to Novi Road (see attached map). The route is located on the portion of the school property that is not utilized by students and is separated by wooded areas, existing fences and possibly new fences to be installed as part of the project. In initial discussions WLCDS has indicated that they believe this route would be acceptable. Once the preliminary design is complete, staff intends to request more formal documentation from WLCSD stating their approval of the alignment before authorizing the consultant to complete the final design.

OHM's engineering fees are based on the fixed fee schedule established in the Agreement for Professional Engineering Services for Public Projects. The design fees for the new alignment for this project will be \$19,591 (10.8% of the estimated construction cost of \$181,400). The construction phase engineering fees will be awarded at the time of construction award and will be based on the contractor's bid price and the fee percentage established in the Agreement for Professional Engineering Services for Public Projects.

The design engineering could be completed over the winter and could be ready for construction in spring 2014, but the schedule will be dependent on design approval by WLCSD.

**RECOMMENDED ACTION:** Approval to award an amendment to the engineering services agreement with Orchard, Hiltz & McCliment for additional design engineering services for the East Lake-Novi Road Neighborhood Connector in the amount of \$19,591.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

# NEIGHBORHOOD CONNECTOR #1 East Lake Drive to Novi Road Route No. 2

Location Map



Proposed Pathway Route

New Ct

City Owned Parcel  
1303 East Lake Drive

East Lake Dr

Morgan Creek Ct

Novi Rd

Map Author: Croy  
Date: 9/10/13  
Project: NC#1 (Route 2)  
Version #: v1.0



1 inch = 160 feet



**City of Novi**

Engineering Division  
Department of Public Services  
26300 Lee BeGole Drive  
Novi, MI 48375  
cityofnovi.org

**MAP INTERPRETATION NOTICE**

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



## MEMORANDUM

**TO:** ROB HAYES, P.E.; DIRECTOR OF PUBLIC SERVICES/CITY ENGINEER  
**FROM:** BRIAN COBURN, P.E.; ENGINEERING MANAGER *BIC*  
**SUBJECT:** EAST LAKE/HICKORY WOODS NEIGHBORHOOD CONNECTOR *To Mayor/City*  
**DATE:** OCTOBER 2, 2013 *10/2/13* *Carrie Miller*

*FYI*

The 2011 Non-Motorized Master Plan identified several cross-country pathways to provide non-motorized connections between neighborhoods. One of those, identified in the master plan as Neighborhood Connector #1 (NC1), was planned to connect East Lake Drive to Novi Road through Hickory Woods Elementary School. The engineering design for NC1 was funded in the FY12-13 budget and a design contract was awarded to Orchard, Hiltz & McCliment on November 26, 2012.

Since the cooperation and approval of the Walled Lake Consolidated School District (WLCSD) is necessary for the construction of the pathway on school property, there were discussions with WLCSD about the use of school property for the pathway prior to the design engineering award. A follow-up meeting was held on December 3, 2012 with Bill Chatfield, Director of Operations at WLCSD, to discuss potential pathway routes through school property. Staff presented the alignment that was included in the motion sheet for engineering award (also attached), which begins on the City owned parcel at 1285 East Lake Drive, proceeds east to the school property, and around the north side of the soccer field to connect to the existing pathways on school property. Since there were no major objections to the proposed alignment from WLCSD at that time, staff worked with the consultant to prepare a preliminary design.

A preliminary design plan showing a proposed alignment was sent to WLCSD for their review in mid-March 2013. In mid-April 2013, we were contacted by Bill Chatfield and he indicated that WLCSD had some security concerns related to public use of the pathway on school property during school hours. In subsequent meetings between City and WLCSD staff, it was determined that a lockable gate would be added to the final design so school grounds could be secured during recess times. With this approval from WLCSD, staff gave the consultant authorization to complete the final design of the pathway.

*Post-Sandy Hook*

The final design was completed in early August 2013 and was routed to WLCSD for review and comment. In late August 2013, staff was contacted by Bill Chatfield and he informed us that WLCSD would no longer support the installation of the pathway in the vicinity of the playground. The entire design fee of \$6,491 was exhausted to complete the final design plans, but unfortunately we will be unable to construct the project as designed because of WLCSD's objections.

We have had some additional conversations with WLCSD regarding a new alignment for NC1 along the south property line of the school (see attached map depicting "Route No. 2" and related correspondence) beginning at another City-owned parcel adjacent to New Court (a private street). Since we are basically starting over with respect to engineering

design with a new alignment in a new location, we are working with the consultant on a revised construction cost estimate so we can calculate the new design fee for the re-design of NC1. Based on our past experience, we intend to request more formal documentation from WLCSD stating their approval of the alignment before completing another final design for the project. The first step is to have the consultant prepare a preliminary design for discussion with WLCSD to seek formal approval by WLCSD before final design would commence.

The construction of the pathway is funded for FY13-14 in the amount of \$52,000; however the new alignment is longer, requires more tree removal and grading, and may require fencing to separate the pathway from the school grounds, likely causing the construction cost estimate to increase.

If you concur with this approach, we will prepare the engineering award for consideration on a future City Council agenda.

cc: Barb McBeth, Community Development Deputy Director  
Jason Mangum, Parks, Recreation and Cultural Services Director  
Ben Croy, P.E.; Civil Engineer

# NEIGHBORHOOD CONNECTOR #1 East Lake Dr to Hickory Woods Elementary

Location Map



Map Author: Croy  
Date: 11/9/12  
Project: NC#1  
Version #: v1.0



**City of Novi**  
Engineering Division  
Department of Public Services  
26300 Lee BeGole Drive  
Novi, MI 48375  
cityofnovi.org

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1 inch = 125 feet

## Coburn, Brian

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**From:** Chatfield, William <WilliamChatfield@wlcscd.org>  
**Sent:** Monday, September 23, 2013 4:05 PM  
**To:** Croy, Ben  
**Cc:** Coburn, Brian  
**Subject:** RE: Neighborhood Connector No. 1 Pathway

Ben,

After speaking with some folks in the district, we like this concept and feel we can make it work. If it's tight to our property line, or even on it, we may need to install a second containment fence. Having the path through the woods doesn't appear to pose any problems for us. Please let me know if you wish to discuss further. Thanks.

Bill Chatfield, Director of Operations  
Walled Lake Consolidated Schools  
(248) 956-3060  
[williamchatfield@wlcscd.org](mailto:williamchatfield@wlcscd.org)

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**From:** Croy, Ben [<mailto:bcroy@cityofnovi.org>]  
**Sent:** Wednesday, September 11, 2013 9:17 AM  
**To:** Chatfield, William  
**Cc:** Coburn, Brian  
**Subject:** Neighborhood Connector No. 1 Pathway

Bill

Attached is a figure showing a second potential route for our Neighborhood Connector Pathway to connect East Lake Drive to Novi Road. This route generally follows the southern limits of the school property. We briefly discussed this route the last time we talked, and I believe you indicated that this may be a route that WLCSD would consider.

Please review this proposed alignment and let me know if you see any major obstacles with this route. If you agree that a path in this location may be possible, we will have a survey completed to help us define the route. But we don't want to go through that effort until we hear from you first.

This pathway connection is considered a high priority in the City's Non-Motorized Master Plan, and we believe this connection would be beneficial to the school as well as other recreational users. Once you've had a chance to review this route, please give me a call to discuss.

Thank you  
Ben



**Ben Croy, PE** | Civil Engineer  
City of Novi | Department of Public Services  
Field Services Complex | 26300 Lee BeGole Drive | Novi, MI 48375  
t: 248.735-5635 f: 248.735.5659

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**FIRST AMENDMENT TO THE  
SUPPLEMENTAL PROFESSIONAL ENGINEERING SERVICES AGREEMENT**

**EAST LAKE DRIVE—HICKORY WOODS ELEMENTARY  
NEIGHBORHOOD CONNECTOR PATHWAY (NC 1)**

First Amended Agreement between the City of Novi, 45175 W. Ten Mile Road, Novi, MI 48375-3024, hereafter, “City,” and Orchard, Hiltz & McCliment, Inc., whose address is 34000 Plymouth Road, Livonia, Michigan 48150, hereafter, “Consultant,” relating to modifications of the fee basis for engineering services. The following sections of the Supplemental Professional Engineering Services Agreement, as made and entered into on January 14, 2013 shall be amended as follows:

**Section 2. Payment for Professional Engineering Services.** The following Paragraphs shall be amended as follows:

1. Basic Fee.
  - a. Design Phase Services: The Consultant shall complete the design phase engineering services for a lump sum fee of \$26,082.75, as further described herein:
    - i. Lump sum fee for the design of the original alignment as previously awarded and described in the January 14, 2013 supplemental agreement in the amount \$6,491.75.
    - ii. Lump sum fee of \$19,591 for the design of a new alignment as described in the scope of services as attached in Exhibit A. The lump sum fee is 10.8% of the estimated construction cost (\$181,400) and indicated on the design and construction engineering fee curve provided in Exhibit B of the Agreement for Professional Engineering Services for Public Projects.
  - b. *Unchanged*
2. *Unchanged*

Except as specifically set forth in this First Amendment, the Supplemental Professional Engineering Services Agreement remains in full force and effect.



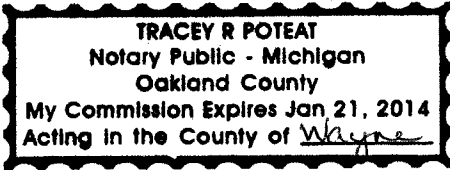
WITNESSES

Orchard, Hiltz & McCliment, Inc.

Tracey R. Poteat

Vytautas P. Kaunelis  
By: Vytautas P. Kaunelis, PE  
Its: Principal

The foregoing Amendment was acknowledged before me this 8<sup>th</sup> day of October,  
2013, by Vytautas P. Kaunelis on behalf of Orchard, Hiltz & McCliment, Inc



Tracey R. Poteat  
Notary Public  
Oakland County, Michigan  
My Commission Expires: January 21, 2014

WITNESSES

CITY OF NOVI

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
By:  
Its:

The foregoing \_\_\_\_\_ was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_ on behalf of the City of Novi.

\_\_\_\_\_  
Notary Public  
Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

## **EXHIBIT A - Scope of Services**

### **City of Novi – Neighborhood Connector #1 Route 2 – Preliminary Design**

OHM Advisors is pleased to provide engineering services to the City of Novi. We understand that the City desires to construct an eight foot wide non-motorized pathway between East Lake Road and Novi Road. The pathway will begin at the southeast corner of the intersection of East Lake Road and New Court extending east, then crossing to the north side of New Court and continue on an alignment adjacent to the existing fence line and connecting to the existing asphalt pathway on Novi Road. Design of the pathway will be required to meet accessibility requirements of the Americans with Disabilities Act (ADA). We also understand it will be necessary to remove and relocate portions of the existing fence to accommodate the proposed pathway and separate pathway users from the school and private property. This scope is contingent on Hickory Woods Elementary School's agreement with the pathway and fencing alignment.

The scope of engineering services shall include the following tasks:

1. Conduct a site visit and develop a preliminary alignment plan.
2. Perform a complete topographic survey of the project area including all significant surface features (manholes, trees, pavement edge, etc.) from the intersection of New Court and East Lake Road along the proposed pathway alignment to proposed connection at Novi Road.
3. Request existing facility maps from utility companies (electric, gas, etc.) and incorporate the information into the topographic survey drawing.
4. Prepare two (2) easement document exhibits (sketch and legal description) for permanent easements required to construct the pathway. Changes to preliminary pathway alignment may result in additional easement acquisitions and costs.
5. Coordinate with the Michigan Department of Environmental Quality (MDEQ) regarding potential impacts to the regulated wetland located south of proposed pathway alignment. It is anticipated that no direct impacts will be generated from the proposed alignment as described and that no permit will be required.
6. Prepare preliminary pathway construction plans and specifications.
7. Prepare a preliminary engineer's opinion of probable construction costs.
8. Coordinate with the City's geotechnical engineer regarding soil borings and analysis, if applicable.
9. Attend one meeting with the City to review the plans and specifications and address any requested revisions.
10. Revise preliminary plans and alignment for the pathway based upon City staff comments.
11. Revise preliminary engineer's opinion of probable construction costs.
12. Prepare final design plans, specifications, and contract documents for bidding.
13. Prepare a final engineer's opinion of probable construction cost.
14. Assist the City with advertising and soliciting bids, printing and distributing bidding documents to interested bidders, attend the bid opening, tabulate and review the bids, check contractor references and provide a recommendation of the award of the project construction to a qualified contractor.

The following services have not been included. In the event any of these services are required, an addendum to the supplemental engineering agreement will be submitted for your approval prior to performing said services.

1. Permit or application fees. Any necessary permit fees are to be paid by the City.
2. Coordination or design for utility relocations or repairs.
3. Right-of-way and/or easement acquisitions – to be acquired by the City.
4. MDEQ Permit Application for Wetlands Protection (Part 303). It is anticipated that no direct impacts will be generated from the proposed alignment as described and that no permit will be required. Changes to the proposed alignment may necessitate this permit.
5. Coordination with Hickory Woods Elementary – to be coordinated by the City.
6. Remediation or removal of contaminated or hazardous soils or materials.

We can perform any of these above-mentioned services. In the event any of these services are required, an authorization for additional services will be submitted for your approval prior to performing said services.

Schedule:

1. Design completed in February 2014.
2. Bids received in April 2013.
3. Construction to begin in June 2014 and be completed by August 2014.

We thank you for this opportunity to provide professional engineering service and we look forward to continuing to serve the City of Novi.



**ORCHARD, HILTZ & McCLIMENT, INC.**  
 34000 Plymouth Road, Livonia, Michigan, 48150

**CLIENT:** City of Novi  
**PROJECT:** Neighborhood Connector No. 1  
**LOCATION:** New Court (E Lake Rd to Novi Rd)

**ENGINEER'S OPINION OF PROBABLE  
 CONSTRUCTION COST**

Telephone: (734) 522-6711 FAX: (734) 522-6427

**DATE:** Oct 7, 2013  
**PROJECT NO.:** \_\_\_\_\_  
**ESTIMATOR:** BSA  
**CHECKED BY:** JAR

**BASIS FOR ESTIMATE:**  CONCEPTUAL  PRELIMINARY  FINAL

**WORK:** **8 foot wide concrete pathway along north side of New Court connecting E Lake Rd to Novi Rd.**

**ASSUMPTIONS:** Construct pathway from E Lake Rd to Novi Rd.  
 8 foot wide pathway cross-section to be 6 inch concrete on 6 inch 21AA aggregate base.  
 New fence installed parallel to the existing fence. Some existing fence will need to be removed to facilitate the pathway.  
 Traffic control includes E Lake Rd, New Court, and Novi Rd.

Item	Description	Unit	Total Quantity	Unit Price	Total Cost
1	Mobilization, Max. 10%	LS	1	\$16,490.00	\$16,490.00
2	Digital Recorded Video Survey	LS	1	\$2,000.00	\$2,000.00
3	Traffic Maintenance and Control	LS	1	\$2,500.00	\$2,500.00
4	Erosion Control	LS	1	\$4,000.00	\$4,000.00
5	Clearing	LS	1	\$7,000.00	\$7,000.00
6	Tree, Rem	Ea	10	\$300.00	\$3,000.00
7	Pavt, Rem	Syd	22	\$10.00	\$220.00
8	Fence, Rem	Ft	930	\$5.00	\$4,650.00
9	Pathway Grading	Ft	1,250	\$15.00	\$18,750.00
10	Structure, Recon	Ft	4	\$250.00	\$1,000.00
11	Sign, Type IIIB	Sft	13	\$25.00	\$321.88
12	Post, Steel, 3lb	Ft	32	\$12.00	\$384.00
13	Aggregate Base, 21AA, 6 inch	Ton	640	\$15.00	\$9,600.00
14	Pathway, Conc, 6 inch	Sft	10,800	\$6.00	\$64,800.00
15	Sidewalk Ramp, Conc, 6 inch	Sft	128	\$6.00	\$768.00
16	Detectable Warning Surface	Ft	10	\$35.00	\$350.00
17	Fence, Chain Link, 96 inch	Ft	1,900	\$20.00	\$38,000.00
18	Topsoil, Seed and Mulch, 3 inch	Syd	1,500	\$5.00	\$7,500.00

**Opinion of Construction Cost** **\$181,400.00**