

THREE-PARTY DESIGN ENGINEERING SERVICES CONTRACT BETWEEN

City of La Crosse (MUNICIPALITY),

State of Wisconsin Department of Transportation (DEPARTMENT),

AND

Short Elliott Hendrickson, Inc. (CONSULTANT)

FOR

ID 5991-07-31
City of La Crosse, Ped Improvements
(Various Locations)
Local Street
La Crosse County

DOT FOS OBJECT CODE 5525

This is a DESIGN ENGINEERING SERVICES CONTRACT between MUNICIPALITY, DEPARTMENT, and CONSULTANT to provide consultant engineering services and will be completed by December 1, 2016.

The MUNICIPALITY proposes a transportation improvement PROJECT described as follows:

Design of new sidewalk near Southern Bluffs Elementary School, identify locations for new school zone signs, identify locations for new solar powered speed indicator signs, install a skateboard rack, and provide specifications for pedestrian stanchions located in Sections 20 and 29, T16, R7W and Sections 5, 8, 9, 10, 27, T15, R7W located in the City of La Crosse, La Crosse County, Wisconsin.

The MUNICIPALITY and DEPARTMENT deem it advisable to engage CONSULTANT to provide certain engineering services and have authority to contract for these services.

ALL SERVICES

Compensation for all Services provided by the CONSULTANT under terms of the CONTRACT shall be from the:

- DEPARTMENT or
 MUNICIPALITY

(1) A lump sum of \$32,630.13.

Compensation in excess of the total CONTRACT amount of \$32,630.13 shall not be allowed unless approved by a written CONTRACT amendment. Compensation for costs incurred as a result of improper performance by the CONSULTANT will not be allowed. Details of CONTRACT compensation provisions follow in the text of the CONTRACT and STANDARD PROVISIONS incorporated by reference.

The CONSULTANT represents it is in compliance with the laws and regulations relating to the profession of engineering and signifies its willingness to provide the desired engineering services.

The CONSULTANT representative is Jeremy Tomesh, PE, whose work address, e-mail address and telephone number are 312 S. 3rd Street, La Crosse, WI 54601, jtomes@sehinc.com and 608.498.4947.

The MUNICIPALITY representative is Matthew Gallager, PE, whose work address, e-mail address and telephone number are 400 La Crosse Street, La Crosse, WI 54601, gallagerm@cityoflacrosse.org and 608.789.7392.

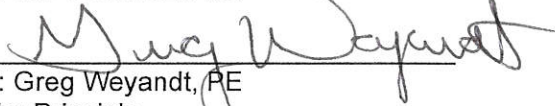
This CONTRACT incorporates and the parties agree to all of the STANDARD PROVISIONS of the August 2, 2002, THREE PARTY DESIGN ENGINEERING SERVICES BOILERPLATE, Procedure 8-15-1, Exhibit 1.2 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT and MUNICIPALITY acknowledge receipt of a copy of these STANDARD PROVISIONS.

The parties also agree to all of the special provisions which are annexed and made a part of this CONTRACT, consisting of six (6) pages.


This CONTRACT also incorporates the State of Wisconsin Facilities Development Manual and all other Manuals referenced therein, unless this CONTRACT expressly excludes a provision thereof or the context of this CONTRACT clearly indicates an entirely different understanding of the parties.

Nothing in this CONTRACT accords any third party beneficiary rights whatsoever on any non-party that may be enforced by any non-party to this CONTRACT.


For the CONSULTANT

By: 
By: Greg Weyandt, PE
Title: Principle
Date: 5/27/15

For the DEPARTMENT

By: 
Contract Manager, WisDOT
Date: 6/16/15

For the MUNICIPALITY

By: 
Title: City Traffic Engineer
Date: 5/28/15
By: _____
Title: _____
Date: _____

APPROVED

By: SCOTT WALKER
GOVERNOR, State of Wisconsin
Date: 6/16/15

VI. SPECIAL PROVISIONS

Section I.F. is revised as follows: "MANUAL means the DEPARTMENT'S Facilities Development Manual and other manuals referenced therein, including the "Sponsor's Guide to Non-Traditional Project Implementation" dated August 2014, referred to as "Sponsor's Guide", the Wisconsin Bicycle Facility Design Handbook, and the Wisconsin Guide to Pedestrian Best Practices."

SCOPE OF SERVICES

The Scope of Services under this CONTRACT shall follow the procedures in the "Sponsor's Guide" unless otherwise noted.

The PROJECT shall consist of providing design engineering services for new sidewalk near Southern Bluffs Elementary School on the west side of Laurel Street from Sunnyside Drive to Old Town Hall Road, on the north side of Old Town Hall Road from Laurel Street to Rio Grande Boulevard, on the west side of Rio Grande Boulevard from Old Town Hall Road to Mariah Drive North, and on the north side of Mariah Drive North from Rio Grande Boulevard to City Easement. The PROJECT also includes a plan layout of seventy six (76) school zone signs and plaques at various locations around Franklin, Hamilton, and State Road Elementary Schools, the layout of ten (10) solar powered speed indicator signs near Franklin Elementary, Hamilton Elementary, State Road Elementary, Logan Middle, and Lincoln Middle Schools, and the specifications for six (6) yield-to-pedestrian stanchions for Franklin, Hamilton, and State Road Elementary Schools. Additionally, the PROJECT includes the installation of a skateboard rack at Logan Middle School.

A. DESIGN REPORTS

Sections II.B. (2) and (3) of the STANDARD PROVISIONS are deleted.

B. ENVIRONMENTAL DOCUMENTATION

By its execution of this CONTRACT, the CONSULTANT does hereby specify in accordance with the disclosure statement requirements of 40 CFR 1506.5(c) and 23 CFR 771.123(d) that CONSULTANT has no financial or other interest in the outcome of this PROJECT.

The CONSULTANT shall prepare a Programmatic Environmental Report Type pER for the PROJECT as specified in the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code. The CONSULTANT shall review the PROJECT for Programmatic criteria, and prepare appropriate documentation as required. The appropriate number of copies shall be furnished to the MUNICIPALITY and DEPARTMENT for approval.

The CONSULTANT shall comply with the requirements specified in the Sponsor's Guide, the MANUAL as well as in Chapter TRANS 400, Wisconsin Administrative Code. In the event of any unresolvable conflict between the

Sponsor's Guide, the MANUAL and Chapter TRANS 400, Wisconsin Administrative Code, the administrative rule controls.

(1) Historical and Archaeological Surveys:

- (a) The DEPARTMENT will provide notification to the Native American tribes as provided in the MANUAL. The CONSULTANT shall provide a draft letter and map, and identify the appropriate tribes for the DEPARTMENT'S use. The CONSULTANT shall follow the procedures as set forth in the MANUAL to notify other interested parties of this PROJECT.
- (b) The CONSULTANT shall follow the procedures set forth in the MANUAL for the Section 106 Screening Process, to confirm whether this PROJECT meets the requirements for the Environmental Services Section "Screening List". The CONSULTANT shall notify the DEPARTMENT if any changes to the "Screening List" are required. If the PROJECT does not meet the requirements for the Section 106 Screening Process, work necessary to complete the Section 106 Document shall be considered "extra services".

(2) Hazardous Materials/Contamination Assessments:

The CONSULTANT shall prepare the Initial Site Reconnaissance for the PROJECT and any Parcel Reconnaissance Checklists that may be required.

C. AGENCY COORDINATION

(1) Section II.D. is amended to include the following:

This PROJECT does not fall under the purview of the Cooperative Agreement between the Department of Natural Resources and the DEPARTMENT. The CONSULTANT shall apply for all necessary permits from the DNR in accordance with state law.

D. UTILITY INVOLVEMENTS

- (1) The CONSULTANT shall follow the procedures of the WisDOT Guide to Utility Coordination for non-TRANS 220 projects.

E. PUBLIC INVOLVEMENT

(1) Public Involvement Meetings:

- (a) The CONSULTANT shall conduct two (2) public involvement meetings to acquaint the public with the concepts and probable impacts of this PROJECT. A mailing database of up to 150 addresses will be created and used to send out meeting information.
- (b) The CONSULTANT shall prepare all exhibits and documentary handout material and provide the equipment necessary to conduct the public involvement meetings.
- (c) The CONSULTANT shall prepare a summary memorandum after the public involvement meetings.
- (d) The CONSULTANT shall consult with the MUNICIPALITY after the public involvement meetings to discuss the comments received and shall recommend as to the possible disposition of these comments and suggestions.
- (e) The CONSULTANT shall make all the necessary arrangements for scheduling the meetings and provide notices and press releases for the MUNICIPALITY'S use. The CONSULTANT shall notify up to 150 adjacent and affected property owners.
- (f) The CONSULTANT shall provide the MUNICIPALITY and DEPARTMENT with copies of all public involvement correspondence and file notes.
- (g) The CONSULTANT shall coordinate meeting schedules with the MUNICIPALITY.

F. SURVEYS

- (1) The CONSULTANT shall temporarily mark the existing right of way for coordination with affected utilities and property owners by utilizing the right of way information from existing right of way plats and/or La Crosse County GIS. The right of way marking is for informational purposes only and is not intended to identify property lines.
- (2) The CONSULTANT shall conduct a topography survey for the new sidewalk near Southern Bluff Elementary. The remaining PROJECT area will utilize aerial photographs in order to illustrate proposed sign locations.
- (3) Surveys related to information necessary for the preparation of plats and acquisition of rights of way and property is not included and is considered "extra services".

- (4) Section II.G.(3) of the STANDARD PROVISIONS is deleted and replaced with the following:

Surveys shall be tied into the Wisconsin State Plane Coordinate System – Southern Zone for horizontal control, and the USGS NAV 88 datum for vertical control.

G. SOILS AND SUBSURFACE INVESTIGATIONS

Sections II.H. of the STANDARD PROVISIONS is deleted.

H. ROAD PLANS

- (1) It is anticipated that the PROJECT length for the new sidewalk construction will not exceed 1,800 feet.
- (2) It is anticipated that the Plan & Profile Sheets will be developed to a 1"=40' scale on the 11-inch by 17-inch size sheets.
- (3) Plans shall be submitted to the DEPARTMENT for review a minimum of thirty (30) days prior to the submittal of the "Request to Advertise" form.
- (4) Section II.I.(2)(a) thru (k) of the STANDARD PROVISIONS is deleted and replaced with the following:

Road Plans are the compilation of documents, reproducible drawings, depicting the location, character, dimensions, and relevant data necessary to the layout and construction of the prescribed work. Road Plans generally consist of the following:

- (a) Title Sheet
- (b) Typical Cross Sections and General Notes
- (c) Special Details including roadway elements, geometric layouts, and salvage/disposal of highway materials.
- (d) List of Standard Detail Drawings
- (e) Engineering Estimates On Computer Worksheet
- (f) Miscellaneous Quantities
- (g) Plan and Profile Sheets
- (h) Cross Sections
- (i) Traffic Control Plan
- (j) Erosion Control Plan

I. PLATS

- (1) A right-of-way plat is not included in the PROJECT and is considered "extra services".

J. MEETINGS

- (1) The CONSULTANT shall hold an Operational Planning meeting to discuss the organization and processing of the services under this CONTRACT. The CONSULTANT shall coordinate all meeting schedules with the MUNICIPALITY.
- (2) The CONSULTANT shall attend the pre-construction conference as scheduled by the MUNICIPALITY.
- (3) The CONSULTANT shall hold two (2) Progress Meetings at the MUNICIPALITY'S location.

K. PLANS, SPECIFICATIONS & ESTIMATES (P.S.&E.)

- (1) Section II. K.(2) of the STANDARD PROVISIONS is amended as follows:

The CONSULTANT shall prepare a P.S.&E. for a bid letting by the MUNICIPALITY in accordance to the Sponsor's Guide. The CONSULTANT shall assist the MUNICIPALITY with the bid letting as required, including completion of the Request to Award forms.

L. SERVICES PROVIDED BY THE MUNICIPALITY OR DEPARTMENT

The MUNICIPALITY will provide to the CONSULTANT the following for the PROJECT:

- (1) As-built plans, if available
- (2) Previously completed field surveys, if available

M. PROSECUTION AND PROGRESS

- (1) Services under this CONTRACT shall be completed by December 1, 2016. This assumes that the MUNICIPALITY will bid the project by August 2016.

- (2) The following items shall be completed and submitted to the DEPARTMENT by the indicated dates, if CONSULTANT has received the Notice to Proceed by June 1, 2015

	<u>DATE</u>
Preliminary Plans	November 1, 2015
Environmental Document	March 1, 2016
Final P.S.&E. to Management Consultant	June 1, 2016

N. BASIS OF PAYMENT

- (1) The CONSULTANT will be compensated by the MUNICIPALITY for services provided under this CONTRACT on the following basis:

(a) For Road Plans performed by CONSULTANT, a lump sum of \$32,630.13.

(b) For the CONSULTANT'S total costs, not to exceed \$32,630.13.

O. ACCESS TO RECORDS

Section V.E. of the STANDARD PROVISIONS is amended to include the following: The CONSULTANT'S record of the services provided under this CONTRACT will be available for inspection and copying at: 312 South 3rd Street, La Crosse, WI 54601.

Consultant Individual Direct Labor Rates

City of La Crosse
 City Wide SRTS Project
 La Crosse County
 ID 5991-07-31/32

Employee Name(a)	Classification (b)	Current Rate(c)	Rate of Pay AFTER JULY 2015 (1.7%)	Rate of Pay AFTER JULY 2016 (1.7%)	Rate of Pay AFTER JULY 2017 (1.7%)	% of Work At Current Rate	% Work After JULY 2015	% Work After JULY 2016	% Work After JULY 2017	TOTAL %	FINAL Weighted Average Hourly Rate(V)
Jeremy Tomesh	Project Manager	\$ 47.62	\$ 48.43	\$ 49.25	\$ 50.09	10%	90%	0%	0%	100%	\$ 48.35
Savannah Hallock	Staff Engineer	\$ 26.95	\$ 27.41	\$ 27.88	\$ 28.35	20%	80%	0%	0%	100%	\$ 27.32
Annie Jerome	Cad Technician	\$ 25.38	\$ 25.81	\$ 26.25	\$ 26.70	10%	90%	0%	0%	100%	\$ 25.77
Rick Hodowanic	Survey Coordinator	\$ 36.93	\$ 37.56	\$ 38.20	\$ 38.85	80%	20%	0%	0%	100%	\$ 37.06
Steve Pilgrim	Survey Crew Chief	\$ 28.84	\$ 29.33	\$ 29.83	\$ 30.34	80%	20%	0%	0%	100%	\$ 28.94
Mary Campbell	Accounting Clerk	\$ 31.57	\$ 32.11	\$ 32.66	\$ 33.22	10%	90%	0%	0%	100%	\$ 32.06
Lori Bowe	Clerical	\$ 26.04	\$ 26.48	\$ 26.93	\$ 27.39	20%	80%	0%	0%	100%	\$ 26.39
			\$ -	\$ -	\$ -	0%	0%	0%	0%	0%	\$ -
			\$ -	\$ -	\$ -	0%	0%	0%	0%	0%	\$ -

Summary of Staff Hours and Direct Labor Costs

City of La Crosse
 City Wide SRTS Project
 La Crosse County
 ID_5991-07-31/32

Task	Activity Code	Project Manager		Staff Engineer		Cad Technician		Survey Coordinator		Survey Crew Chief		Accounting Clerk		Clerical		Total Direct Labor		
		Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	
			\$48.35		\$27.32		\$25.77		\$37.06		\$28.94		\$32.06		\$26.39			
Envir Imp-Environment Documents	767	2.0	\$ 96.70	23.0	\$ 628.36	2.0	\$ 51.54							3.0	\$ 79.17	30.0	\$ 855.77	
Proj Dev-Utilities/RR/Agency	746	2.0	\$ 96.70	10.0	\$ 273.20	3.0	\$ 77.31									15.0	\$ 447.21	
Public Inf. Meetings & Hearing	743	14.0	\$ 676.90	16.0	\$ 437.12	16.0	\$ 412.32							14.0	\$ 369.46	60.0	\$ 1,895.80	
Survey-General	729	1.0	\$ 48.35					6.0	\$ 222.36	26.0	\$ 752.44					33.0	\$ 1,023.15	
Prelim Design-General	741	2.0	\$ 96.70	26.0	\$ 710.32	6.0	\$ 154.62									34.0	\$ 961.64	
Design-Cadds-Drafting	770	2.0	\$ 96.70	11.0	\$ 300.52	38.0	\$ 979.26									51.0	\$ 1,376.48	
Finalize Design Elements	742	2.0	\$ 96.70	14.0	\$ 382.48	44.0	\$ 1,133.88									60.0	\$ 1,613.06	
Plans, SP's And PS&E Docs	794	7.0	\$ 338.45	16.0	\$ 437.12											23.0	\$ 775.57	
Project Develop-Meetings	747	6.0	\$ 290.10	2.0	\$ 54.64											8.0	\$ 344.74	
Project Dev-Admin/Coordination	740	18.0	\$ 870.30										6.0	\$ 192.36	2.0	\$ 52.78	26.0	\$ 1,115.44
																0.0	\$ -	
																0.0	\$ -	
		56.0	\$ 2,707.60	118.0	\$ 3,223.76	109.0	\$ 2,808.93	6.0	\$ 222.36	26.0	\$ 752.44	6.0	\$ 192.36	19.0	\$ 501.41	340.0	\$ 10,408.66	

Fee Computation Summary by Engineering Task

City of La Crosse
City Wide SRTS Project
La Crosse County
 ID 5991-07-31/32

Task	Activity Code	Direct Labor Costs	Overhead Costs	Fixed Fee	Direct Expenses	Total
Envir Imp-Environment Documents	767	\$855.77	\$1,497.60	\$149.76	\$90.00	\$2,593.13
Proj Dev-Utilities/RR/Agency	746	\$447.21	\$782.62	\$78.26	\$45.00	\$1,353.09
Public Inf. Meetings & Hearing	743	\$1,895.80	\$3,317.65	\$331.77	\$461.20	\$6,006.42
Survey-General	729	\$1,023.15	\$1,790.51	\$179.05	\$982.00	\$3,974.71
Prelim Design-General	741	\$961.64	\$1,682.87	\$168.29	\$102.00	\$2,914.80
Design-Cadds-Drafting	770	\$1,376.48	\$2,408.84	\$240.88	\$153.00	\$4,179.20
Finalize Design Elements	742	\$1,613.06	\$2,822.86	\$282.29	\$180.00	\$4,898.21
Plans, SP's And PS&E Docs	794	\$775.57	\$1,357.25	\$135.72	\$69.00	\$2,337.54
Project Develop-Meetings	747	\$344.74	\$603.30	\$60.33	\$24.00	\$1,032.37
Project Dev-Admin/Coordination	740	\$1,115.44	\$1,952.02	\$195.20	\$78.00	\$3,340.66
Overhead Rates		\$10,408.86	\$18,215.52	\$1,821.55	\$2,184.20	\$32,630.13
	Field	0.00%				
	Firm	175.00%				
				Fixed Fee:		
						7.0%
				Fixed Fee Calculation Overhead Rate		
						150.00%

Direct Expenses by Item

City of La Crosse
City Wide SRTS Project
La Crosse County
ID 5991-07-31/32

Item	Activity Code	Unit Amount	Unit Type	Rate	Total Expenses
Computers		340	Hours	\$3.00	\$1,020.00
Survey (1 trip)					
Survey Van Rental	729	12	Hours	\$4.50	\$54.00
GPS Equipment	729	8	Hours	\$25.00	\$200.00
Survey Mileage	729	400	Miles	\$0.57	\$228.00
Meals	729	1	Person - Days	\$46.00	\$46.00
Meetings (2 PIM's, Field Review)					
Meeting Mileage	743	60	Miles	\$0.57	\$34.20
Temporary R/W Staking (1 trip)					
Survey Van Rental	729	10	Hours	\$4.50	\$45.00
GPS Equipment	729	6	Hours	\$25.00	\$150.00
Survey Mileage	729	200	Miles	\$0.57	\$114.00
Meals	729	1	Person - Days	\$46.00	\$46.00
PIM/Costs (PIM Supplies)	743	2	Each	\$50.00	\$100.00
Postage (For Two Meetings)	743	300	Each	\$0.49	\$147.00
TOTAL					\$2,184.20

Consultant Contract Total Fee Computation

City of La Crosse
City Wide SRTS Project
La Crosse County
ID 5991-07-31/32

City of La Crosse	Project ID	Project ID	Project ID	Project ID	Totals
	340	XXXX-XX-XX	XXXX-XX-XX	XXXX-XX-XX	
Number of Staff Hours	340				340
Total Direct Labor (\$)	\$10,408.86				\$10,408.86
Total Overhead Costs (\$)	\$18,215.52				\$18,215.52
Total Direct Expenses (\$)	\$2,184.20				\$2,184.20
Fixed Fee_% (\$)	\$1,821.55				\$1,821.55
Subtotal	\$32,630.13	\$0.00	\$0.00	\$0.00	\$32,630.13
Subcontract 1 (\$)					\$0.00
Subcontract 2 (\$)					\$0.00
Subcontract 3 (\$)					\$0.00
Subcontract Total (\$)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL COST	\$32,630.13	\$0.00	\$0.00	\$0.00	\$32,630.13

Fixed Fee amount determined as described in FDM 8-10-10

Negotiated Overhead Rate:

1.75

Fixed Fee:

7.0%