

COMMISSION FILE NO: 24-116-9 **DATE INTRODUCED:** September 9, 2024

INTRODUCED BY: Executive Director (Signature on File in the Office of the Commission)

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Executive Director Change Order Authority for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management

SUMMARY:

The Commission is requested to delegate \$50,000 in change order authority to the Executive Director for future change orders for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management, with Ramboll Americas Engineering Solutions, Inc. (Ramboll).

In December 2013, the Commission approved the 30th Street Industrial Corridor North Stormwater Plan (Plan) to address historic flooding in an area bounded by West Townsend Avenue, West Hampton Avenue, North 27th Street, and North 41st Street in the City of Milwaukee (City). Flooding has historically caused significant disruption to the operation of District facilities and significant property damage in this area. The Plan, including updates, recommends constructing three separate stormwater basins with the total capacity of 40 million gallons. Two basins (East and North Basins) are east of the Wisconsin Southern Railroad tracks that bisect the area, while the other (West Basin) is west of the railroad tracks. The Plan also recommends a stormwater conveyance system to transport stormwater in and out of the basins.

The District completed Phase 1 of the Plan, which consisted of constructing the East and North basins and associated infrastructure. Phase 2 of the plan is currently underway and includes preliminary engineering, final design, and construction of the West Basin and associated infrastructure.

ATTACHMENTS: **BACKGROUND** ☐ **KEY ISSUES** ☐ **RESOLUTION** ☒

FISCAL NOTE ☒ **S/W/MBE** ☐ **OTHER** ☐ _____

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SUMMARY (Cont'd)

Executive Director Change Order Authority for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management

As preliminary engineering for Phase 2 was near completion in late 2023, the District became aware that Waste Management (WM) had a limited opportunity to dispose impacted soils containing per- and polyfluoroalkyl substances (PFAS) at their Ridgeview Landfill near Manitowoc that could save the District a significant amount of money compared with taking PFAS soils to an out-of-state hazardous waste landfill or incinerator; however, WM would only commit to taking impacted soils containing PFAS through the end of 2024. To capitalize on this opportunity, in May 2024, the Commission awarded Contract W11031C04, 30th Street Corridor Wet Weather Relief Phase 2a Early Out Soil Management, to Super Western, Inc., to excavate and dispose impacted soil from the West Basin project site and authorized Industrial Services Agreement W11031C05 with WM to receive and properly landfill the impacted soil.

In June 2024, the Executive Director executed Contract W11031C07 with Ramboll in an amount not to exceed \$284,126 under his delegated contract authority. The purpose of this contract is to provide specialized environmental construction inspection services necessary for Contract W11031C04.

The Ramboll contract includes the following tasks:

- Performing full-time construction inspection, including environmental field testing, material tracking, confirmation, and reporting.
- Completing environmental regulatory compliance site inspections.
- Collecting and analyzing water treatment system samples and report results for regulatory confirmation.
- Preparing record drawings, reviewing contractor as-built drawings, and field verifying completed work.
- As requested by the District:
 - Reviewing contractor construction submittals.
 - Reviewing and responding to requests for clarification and technical questions.
 - For change orders, preparing drawings, specifications, and cost estimates.
 - Reviewing construction contractor claims, preparing documentation and providing negotiation assistance.

SUMMARY (Cont'd)

Executive Director Change Order Authority for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management

Commission policy delegates to the Executive Director the authority to approve contracts less than \$300,000 without Commission approval, which was done for Contract W11031C07. If the contract and cumulative change orders exceed \$300,000 in total, the Executive Director shall seek the approval of the Commission. There is a reasonable chance that this could occur given that the contract value is only \$15,874 less than the threshold for Commission approval. Any construction oversight services needed above the remaining \$15,874 could result in the District not being able to provide necessary oversight while the contractor continues to perform construction.

Per Commission Policy 1-78.02, Contracts, the Executive Director has been delegated the authority to authorize up to \$50,000 in change orders to contracts awarded by the Commission that were originally less than \$500,000. This request to authorize the Executive Director to approve change orders in a cumulative amount of up to \$50,000 is consistent with the Commission Policy. Any contract changes above \$50,000 would still need Commission approval.

RESOLUTION

Executive Director Change Order Authority for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is delegated \$50,000 in change order authority for future change orders for Contract W11031C07, Engineering Services During Construction for North 30th Street Corridor Wet Weather Relief West Basin Early Out Soil Management, with Ramboll Americas Engineering Solutions, Inc.