



COMMISSION FILE NO: 24-129-10 **DATE INTRODUCED:** October 14, 2024

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

REFERRED BY COMMISSION CHAIRPERSON TO: Operations Committee

RELATING TO: Change Order Request, Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer Relief Sewer, and Restore Executive Director’s Original Delegated Authority

SUMMARY:

The Commission is requested to authorize the Executive Director to execute a change order to Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer (MIS) Relief Sewer, with Mead & Hunt, Inc., (Mead) in an amount not to exceed \$1,400,452 and to restore the Executive Director’s original delegated authority.

In 2019, the District completed a planning level evaluation of the North Shore MIS System with a goal of identifying ways to reduce sanitary sewer overflow (SSO) and basement backup (BBU) risks, remove direct connections, and improve access to MIS manholes. The evaluation has led to development of four separate projects that are in the District’s capital improvement program. One of these projects is Project C04010, Mill Road MIS Relief Sewer.

The proposed Mill Road MIS Relief Sewer will provide hydraulic relief to the existing North Shore MIS system and reduce SSO and BBU risks for portions of Glendale, Bayside, River Hills, Fox Point, and Mequon. The project will also evaluate the Green Tree Road Pump Station to determine if it can be removed from service or reconfigured after the Mill Road MIS Relief Sewer goes into service.

ATTACHMENTS: **BACKGROUND** **KEY ISSUES** **RESOLUTION**
FISCAL NOTE **S/W/MBE** **OTHER** Mill Rd MIS Relief Sewer Alignments

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09-25-24*

COMMITTEE ACTION: _____ **DATE:** _____

COMMISSION ACTION: _____ **DATE:** _____

SUMMARY (Cont'd)

Change Order Request, Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer Relief Sewer, and Restore Executive Director's Original Delegated Authority

During the planning phase, the District evaluated various alternatives to provide the necessary hydraulic relief. The recommended alternative consists of about 9,000 feet of 42-inch to 60-inch tunneled sewer starting at the Green Tree Road Pump Station, running south through the Milwaukee County Parks Department's (Parks) Kletzsch Park to Mill Road, then west along Mill Road to near Range Line Road. (See Kletzsch Park alignment in attachment.) This relief sewer would connect to the Inline Storage System at this location. During wet weather flows, this relief sewer will provide additional capacity to manage upstream flows. The District's upstream MIS system will then have reduced wet weather flow elevations, which reduce risks of basement backups and sanitary sewer overflows for 28.5 square miles within the five North Shore communities. Work would include constructing 12 work shafts (including four within Kletzsch Park) with tunneled sewers constructed between these shafts.

The District originally selected this alignment with consideration given to costs, hydraulics, constructability, traffic, utility interference, and impacts to Kletzsch Park. The recommended alternative provided the lowest cost option and optimal hydraulic conditions, while minimizing potential adverse impacts during construction and addressing concerns raised by Parks at that time.

In July 2020, the Commission authorized the Executive Director to enter into Contract C04010D01, Engineering Services – Mill Road MIS Relief Sewer, with Symbiont Science, Engineering and Construction, Inc., (now Mead) in an amount not to exceed \$1,653,535. Mead's scope consisted of performing project management, engineering design, bid package preparation, bid and award services, and engineering services during construction. Their scope and level of effort was based on designing the recommended alternative.

Since about half of the recommended alternative was located within Kletzsch Park, District staff attempted to work closely with Parks to obtain final approval for the alignment. For example, the District shifted alignment of the sewer within Kletzsch Park to meet Parks' requests. As required by Parks, the District submitted a land utilization plan for the project twice; staff was unable to obtain approval for the project. In addition, Parks did not provide adequate feedback in a timely and productive manner and delayed issuing right-of-entry permits to the District to perform environmental, geotechnical, and archeological field investigations. Subsequently, when District staff held discussions with Parks staff, they requested that the District reevaluate alternative alignments that would not affect Kletzsch Park.

SUMMARY (Cont'd)

Change Order Request, Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer Relief Sewer, and Restore Executive Director's Original Delegated Authority

Attempting to accommodate Park's request, the District reevaluated the overall project alignment to determine if other alignments could reduce or avoid impacts to Kletzsch Park. This additional alternative analysis compared three potential routes: the original alignment through Kletzsch Park, an alignment in Green Bay Avenue, and an alignment in Range Line Road. The alternative analysis concluded that the most cost effective route for installation of the new sewer is the original alignment through Kletzsch Park; however, District staff anticipates further pursuit of this alignment will result in requests from Parks for costly additional park amenities, along with continued delays. The most cost effective alignment with no excavation in Kletzsch Park is the Green Bay Avenue alignment. (See Green Bay Avenue alignment in attachment.) Note that, while there is no excavation in Kletzsch Park, there would be a tunneled sewer underneath the far northern portion of Kletzsch Park. Sewer installation for the Green Bay Avenue alignment is estimated to cost \$4 million more than the Kletzsch Park alignment. District staff recommend proceeding with the Green Bay Avenue alignment to minimize future delays and coordination efforts with Parks.

The Green Bay Avenue alignment begins at the Green Tree Road Pump Station and travels southwest under the Milwaukee River and Kletzsch Park via tunneling. The sewer continues west within the right-of-way of West Green Tree Road. The sewer turns south within the right-of-way of North Green Bay Avenue. The sewer turns west on West Mill Road. The sewer will connect to the Inline Storage System near the intersection of North Range Line Road and West Mill Road. This alignment would result in constructing 9,350 feet of 54-inch tunneled sewer, including 14 work shafts. Construction will be primarily in the public right-of-way. This alignment provides the same hydraulic relief benefit as the Kletzsch Park alignment.

The proposed change order includes the additional preliminary and final design tasks required to design the new Green Bay Avenue alignment. Preliminary design tasks include additional subsurface investigations, soil borings, rock coring, and environmental investigations along Green Bay Avenue. This proposed change order also increases the Contract C04010D01 not to exceed amount to account for the higher labor rates associated with existing project tasks due to the 43-month project delay.

The attempts to obtain concurrence and approval from Parks has resulted in 43 months of project delays. These delays result in additional costs for Mead due to labor cost escalation. Mead's contract allows for annual consultant labor billing rate increases up to the Consumer Price Index. The project delay pushed the final design and subsequent engineering services into higher billing rates than anticipated at the time of contract award in 2020, which affects the total budget for performing these delayed tasks.

SUMMARY (Cont'd)

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As this contract progressed, several change orders have been executed under the Executive Director’s delegated change order authority to address additional scope items necessary to complete the project. The previously authorized change orders include:

- Performing a rare plant floristic survey.
- Providing archeological monitoring during wetland delineation.
- Performing environmental subsurface characterization effort.
- Additional project management effort due to Parks’ delays (28 months).
- Alternative route analysis.

CONTRACT COST CHANGES

	AMOUNT	PERCENTAGE INCREASE OVER ORIGINAL CONTRACT	AUTHORIZED BY	SWMBE
Original Contract	\$1,653,535	-	Commission	42.4%
Previous Change Orders	\$159,409	9.6%	Executive Director	31.2%
Requested Change Order	\$1,400,452	84.7%	Request of Commission	46.2%
Total Change Orders	\$1,559,861	94.3%		41.6%
TOTAL	\$3,213,396			42.0%

For engineering service contracts greater than or equal to \$500,000, the Commission has delegated to the Executive Director the authority to make changes up to \$200,000 or 10% of the original contract price, whichever is less. For Contract C04010D01, a limit of \$165,353 prevails. To date, the Executive Director has utilized \$159,409 of this authority, leaving a balance of \$5,944. The request to restore the Executive Director’s authority is in case any additional changes beyond the remaining Executive Director’s authority are necessary. Without this restored authority, work may need to stop while staff obtains necessary change order authority from the Commission.

RESOLUTION

Change Order Request, Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer Relief Sewer, and Restore Executive Director’s Original Delegated Authority

RESOLVED, by the Milwaukee Metropolitan Sewerage Commission, that the Executive Director is authorized to execute a change order to Contract C04010D01, Engineering Services – Mill Road Metropolitan Interceptor Sewer Relief Sewer, with Mead & Hunt, Inc., in an amount not to exceed \$1,400,452, and that the Executive Director’s original delegated authority is restored.