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2 **BILL NO. S-13-04-15**

SPECIAL ORDINANCE NO. S- 41-13

3 AN ORDINANCE approving PRELIMINARY
4 ENGINEERING FOR DUPONT ROAD PROJECT,
5 DES. NO. 0901798 - SUPPLEMENTAL #1 -
6 DUPONT ROAD ADDED TRAVEL LANES - LIMA
7 TO COLDWATER ROADS - WO #12227 between
8 GAI CONSULTANTS and the City of Fort Wayne,
9 Indiana, in connection with the Board of Public
10 Works.

11 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
12 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

13 **SECTION 1.** That the PRELIMINARY ENGINEERING FOR
14 DUPONT ROAD PROJECT, DES. NO. 0901798 - SUPPLEMENTAL #1 -
15 DUPONT ROAD ADDED TRAVEL LANES - LIMA TO COLDWATER ROADS
16 - WO #12227 by and between GAI CONSULTANTS and the City of Fort
17 Wayne, Indiana, in connection with the Board of Public Works, is hereby
18 ratified, and affirmed and approved in all respects, respectfully for:

19 All labor, insurance, material, equipment, tools, power,
20 transportation, miscellaneous equipment, etc., necessary for
21 preliminary engineering associated with the design of the
22 Dupont Road Added Travel Lanes project between
23 Coldwater and Lima Roads to included noise analysis, 1400
feet of redesigned roadway, relocation of the intersection of
Hickory Tree Road at the Pufferbelly Trail, and design of a
terraced wall and additional retaining wall with stairs at the
grade separation of the Pufferbelly Trail with Dupont Road:


24 involving a total cost of ONE HUNDRED SIXTY-FIVE THOUSAND, ONE
25 HUNDRED EIGHTY AND 00/100 DOLLARS (\$165,180.00) - (Total contract
26 amount \$1,247,380.00). A copy said Contract is on file with the Office of the
27 City Clerk and made available for public inspection, according to law.

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SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM AND LEGALITY


Carol Helton, City Attorney

**CITY OF FORT WAYNE
DUPONT ROAD
SUPPLEMENTAL AGREEMENT
NO. 1**

THIS SUPPLEMENTAL AGREEMENT, is made and entered into effective as of *May 16*, 2012 ("Effective Date") by and between the City of Fort Wayne Board of Public Works and Safety, acting by and through its proper officials ("LOCAL PUBLIC AGENCY" or "LPA"), and GAI Consultants, Inc. ("the CONSULTANT"), a corporation organized under the laws of the Commonwealth of Pennsylvania, WITNESSETH:

WHEREAS, on December 15, 2010, the Local Public Agency entered into an agreement with the CONSULTANT for services required including; survey, environmental administration, preliminary design and final design for the Dupont Road Project, Des. No. 0901798; and

WHEREAS, the City has determined that additional scope of work is needed to complete the roadway design including the curb and gutter as well as mill and resurfacing from 400 feet east of Lone Eagle Way to Coldwater Road; and

WHEREAS, the limits of the improvements to Hickory Tree Road have been extended to accommodate the vertical curve needed for the pedestrian underpass at the Pufferbelly Trail; and

WHEREAS, a terraced stair design is now required at the northeast corner of the Pufferbelly Trail underpass; and

WHEREAS, additional retaining wall design is needed due to the requested terraced stair design at the Pufferbelly Trail; and

WHEREAS, the Indiana Department of Transportation (INDOT) changed the requirements that trigger the need for a noise analysis on July 13, 2011 now causing this project to require this service; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

LPA-CONSULTING CONTRACT

- Replace **SECTION IV COMPENSATION** with the following:

The LPA shall pay the CONSULTANT for the Services performed under this Contract as set forth in Appendix "D" which is herein attached to and made an integral part of this Contract. The maximum amount payable under this Contract shall not exceed \$1,247,380.

Appendix "A"

- Replace the third paragraph of Public Hearing Phase with the following:

CONSULTANT shall distribute early coordination letters to all concerned local and State public agencies requesting comments on the proposed project. The Environmental Study will be prepared in the form of a Categorical Exclusion (CE) Level 4 and submitted to the INDOT for review and approval. CONSULTANT will perform a Historical/Architectural Records Check and Survey, Section 106 Documentation and Assessment of Effects, Memorandum of Agreement Development, Noise Analysis and an archeological records check and reconnaissance survey. CONSULTANT will make revisions necessary to the Study to receive INDOT and FHWA approvals.

- Insert the following after the ninth paragraph of Public Hearing Phase:

CONSULTANT will provide roadway design to include roadway widening and mill and resurfacing from approximately 600 feet east of Lima Road to Coldwater Road. Hickory Tree Road improvements will be included to approximately 400 feet north of Dupont Road to accommodate the vertical curve needed for the pedestrian underpass at the Pufferbelly Trail. The alignment of Hickory Tree Road will also be shifted east approximately 50 feet to minimize impacts to the property at the northwest corner of the intersection of Dupont Road and Hickory Tree Road. A terraced stair design will be provided at the northeast corner of the Pufferbelly Trail underpass. This terraced stair design will include retaining wall to be incorporated with the proposed terraced stair design.

Appendix "D"

- Replace the first paragraph of Appendix "D" as follows (**bolded items are amended items**):

Methods of Payment for Services of CONSULTANT:

A lump sum fee of **\$1,247,380** for Design Services of CONSULTANT including services of CONSULTANT's Sub-Consultants. The consulting Fees will be distributed as follows:

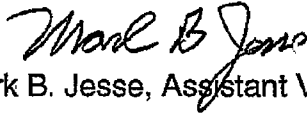
1. Topographic Survey-Route Survey Plat	\$132,000
2. Environmental Services	\$71,590
3. Road Design and Plan Development	\$714,630
4. Utility Coordination	\$38,600
5. Subsurface Utility Engineering	(see below)
6. Geotechnical	\$44,000
7. Public Hearing	\$10,000
8. Traffic Signal Design and Plans	\$19,000
9. Lighting Design	\$31,800
10. Bridge Design	(not applicable)
11. Small Structure Design	\$117,860
12. Environmental Permits	\$8,700
13. Landscape Architecture	\$46,000
14. Right-of-Way Services	(see below)
15. Public Information Meetings	(see below)
16. Bidding Phase	\$6,200
17. Construction Administration	\$7,000
TOTAL	\$1,247,380

This is an increase of **\$165,180**

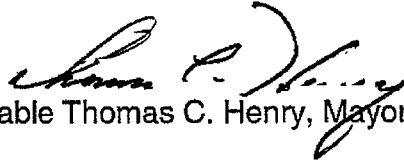
IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT
GAI Consultants, Inc.

LOCAL PUBLIC AGENCY
City of Fort Wayne
Board of Works and Public Safety



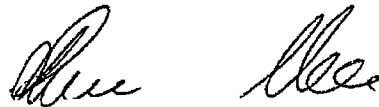
Mark B. Jesse, Assistant Vice President



Honorable Thomas C. Henry, Mayor

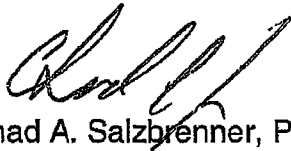


Robert P. Kennedy, Chair

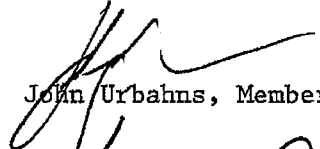


Kumar Menon, Member


Attest:



Chad A. Salzbrenner, Project Manager



John Urbahms, Member



Patricia A. Roller, Controller

DIGEST SHEET

Department: Transportation Engineering

Resolution Number: N/A (W/O# 12227)

Title of Ordinance: Dupont Road Added Travel Lanes – Lima to Coldwater
(Supplemental #1 – GAI Consultants)

Awarded To: GAI Consultants

Amount of Contract:

Supplemental fee of \$165,180 which will increase the original contract amount to \$1,247,380 (80% Federal, 20% Local)

Number of Bidders: N/A (this is a supplemental agreement to an existing contract)

Description of Project (Be Specific):

Contract is between the City of Fort Wayne and GAI Consultants for the preliminary engineering associated with the design of the Dupont Road Added Travel Lanes project between Coldwater and Lima Roads. The supplemental fees represent the following:

- Noise analysis, which was not included in the original contract as this is a new federal requirement
- Approximately 1400 feet of redesigned roadway from existing shoulder to curb and gutter section.
- Relocation of the intersection of Hickory Tree Road to accommodate a grade separated crossing of the Pufferbelly Trail under Dupont Road
- Design of a terraced wall and additional retaining wall with stairs at the grade separation of the Pufferbelly Trail with Dupont Road.

What Are The Implications If Not Approved:

The additional services will not be incorporated into the design.

If Prior Approval Is Being Requested, Justify: N/A

Additional Comments:


Signature

04 11 2013
Date

Public Hearing Date, if applicable

Read the first time in full and on motion by Councilman *Martin Bender*,
Read the second time by title and referred to the *Public Works Committee*
Committee. Read the third time in full and on motion by Councilman
Bender, placed on passage by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	9			
BENDER	✓			
CRAWFORD	✓			
DIDIER	✓			
HARPER	✓			
HINES	✓			
JEHL	✓			
PADDOCK	✓			
SHOAF	✓			
SMITH	✓			

DATED:

5-14-13

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. *S-42-13* on the *14th* day of
May, 2013

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the *15th* day
of *May*, 2013, at the hour of *1:00* o'clock *P.M.* .E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this *15th* day of *MAY*

2013, at the hour of *4:00* o'clock *PM* .E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. S-13-04-15

REPORT OF COMMITTEE ON PUBLIC WORKS

MAY 7, 2013

**MARTIN BENDER, CHAIR
GEOFF PADDOCK, CO-CHAIR
ALL COUNCIL MEMBERS**

WE, YOUR COMMITTEE ON PUBLIC WORKS TO WHOM WAS REFERRED AN ORDINANCE approving Preliminary Engineering for Dupont Road Project, DES. No. 0901798 - Supplemental #1 - Dupont Road added travel lanes - Lima To Coldwater Roads - WO #12227 between GAI Consultants and the City of Fort Wayne Indiana, in connection with the Board of Public Works. **COMMITTEE ON PUBLIC WORKS** HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG I.EAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE.

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Martin B. Bender
Homer F. Dulien
John
Jeff
Carl
...
...
...

**SANDRA E. KENNEDY
CITY CLERK**