



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BUREAU FOR PUBLIC HEALTH
OFFICE OF ENVIRONMENTAL HEALTH SERVICES

Bill J. Crouch
Cabinet Secretary

Rahul Gupta, MD, MPH, MBA, FACP
Commissioner
State Health Officer

MEMORANDUM

TO: Marie Prezioso, Chairman, Funding Committee
WV Infrastructure and Jobs Development Council

THROUGH: Patrick M. Murphy, P.E., Director, EED *PM*

FROM: Robert W. DeCrease, P.E. *RWD*
Water Technical Review Committee

DATE: July 24, 2018

RE: Use of Bid Underrun For Inspection Service
Eastern Wyoming Public Service District
Barkers Ridge Waterline Extension – Phase II
IJDC Project No.: **2016W-1667**

REQUEST:

The Eastern Wyoming PSD is requesting a waiver for the E.L. Robinson Engineering Co. engineering total fees for the PSD's Barkers Ridge Waterline Extension – Phase II Project.

The Eastern Wyoming PSD opened bids for the project on June 19, 2018 and the Construction Cost and Contingency totaled \$2,239,030. The previously approved Total Engineering Fee was \$357,000. At 14.9% of construction, the total fee was between the Very Complex and Average Complexity Curves and a waiver was granted on September 7, 2017. Since that time, the District has required that an inspector be with each contractor work crew the entire time that they are working. The previously approved engineering costs only included one inspector to float between the multiple contractor work crews. To meet this new requirement, they are assuming that one additional inspector will be needed for nine months of the ten-month construction period at a cost of \$120,000. This Amendment will increase the Total Engineering Fee to \$477,000, or 21.3% of construction. This is above both the Very Complex Curve and the Average Complexity Curve.

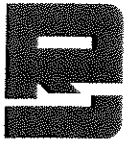
The Project Engineer, Rick Roberts of E.L. Robinson Engineering Co. states that the Total Engineering Fee is above the ASCE curve due to the project being very complex and the District requiring that an inspector be with each contractor work crew the entire time that they are working. The project lies along the top of a mountain and the work areas are separated by several miles.

Use of Bid Underrun For Inspection Service
Eastern Wyoming Public Service District
Barkers Ridge Waterline Extension – Phase II
IJDC Project No.: **2016W-1667**
July 24, 2018
Page Two

The district has had problems with pipe joints on previous projects and wants to ensure gasketing is installed properly. Under the one inspector scenario, the inspector would be in transit a significant amount of time. Two inspectors will allow uninterrupted oversight of the two crews. Additionally, time will only be charged when multiple crews are on site. Should all inspection funding not be needed, it will not be drawn down.

RECOMMENDATION:

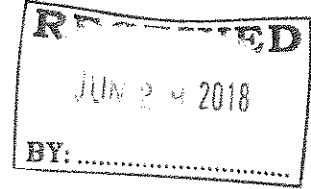
The Technical Review Committee recommends approving the use of bid underrun for the additional inspection fees. Since an engineering total fee waiver was already approved on prior fees an additional waiver is not necessary for this project revision.



5088 Washington St. West
Charleston, WV 25313

June 27, 2018

elrobinsonengineering.com



Wayne Morgan, P.E., Executive Director
WV Infrastructure and Jobs Development Council
1009 Bullitt Street
Charleston, WV 25301

Re: Eastern Wyoming Public Service District
Barkers Ridge Waterline Extension Project – Phase II
IJDC Project No. 2016W-1667

Dear Mr. Morgan:

This letter is to provide additional information to the the West Virginia Infrastructure and Jobs Development Council (WVIJDC) in support of our request for a Variance of the Engineering Fees as they relate to the total engineering fee. The District opened bids for the project on June 19, 2018 and the Construction Cost and Contingency totaled \$2,239,030. The previously approved Total Engineering Fee was \$357,000. At 15.94 percent of construction, the total fee was between the Very Complex and Average Complexity Curves and a waiver was granted (see attached letter dated September 7, 2017).

Since that time, the District has required that an inspector be with each contractor work crew the entire time that they are working. The previously approved engineering costs only included one inspector to float between the multiple contractor work crews. To meet this new requirement, we are assuming that one additional inspector will be needed for nine months of the ten-month construction period at a cost of \$120,000 (see attached AE Amendment No. 3). This Amendment will increase the Total Engineering Fee to \$477,000, or 21.3 percent of construction. This is above both the Very Complex Curve and the Average Complexity Curve.

It is our opinion that it is a very complex project. The project lies along the top of a mountain and the work areas are separated by several miles. Under the one inspector scenario, the inspector would be in transit a significant amount of time. Two inspectors would allow uninterrupted oversight of up to two crews at a time. Additionally, since inspection is a reimbursable expense, only time will be charged when multiple crews are on site. Should all inspection funding not be needed, it will not be drawn down.

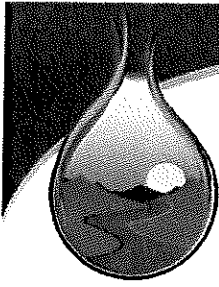
For the reasons above, we hereby request a waiver approval from the WVIJDC for the total fees.

If you have any questions, please do not hesitate to let us know.

Sincerely,

Rick Roberts, P.E.
Project Engineer
E.L. Robinson Engineering Co.

CC: w/ Attachments
Eastern Wyoming PSD



WEST VIRGINIA

Infrastructure & Jobs Development Council

September 7, 2017

William Baisden (*via email*)
P.O. Box 506
Logan, WV 25601

Re: Eastern Wyoming PSD
Water Project 2016W-1667
Approval of Engineering Fee Waiver Request

Mr. Baisden:

At its September 7, 2017 meeting, the West Virginia Infrastructure and Jobs Development Council (Council) approved the engineering fee waiver as requested. If the Sponsor has any questions regarding this approval, please contact the undersigned at (304) 414-6501 (X110).

Sincerely,

Timothy P.
Keegan

Digitally signed by Timothy P. Keegan
DN: cn=Timothy P. Keegan, o=IJD, ou, email=tkeegan@wwda.org, c=US
Date: 2017.09.07 15:31:48 -0400

Timothy P. Keegan

cc: Rick Roberts, E.L. Robinson (*via email*)
Michael Griffith, Griffith and Associates PLLC (*via e-mail*)
Eric Combs, R1 PDC (*via email*)
Samme Gee, Jackson Kelly, PLLC (*via e-mail*)

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated July 10, 2018.

AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 3

1. *Background Data:*

- a. Effective Date of Owner-Engineer Agreement: January 15, 2013
- b. Owner: Eastern Wyoming Public Service District
- c. Engineer: E. L. Robinson Engineering Co.
- d. Project: Barkers Ridge/Basin Phase II Waterline Extension Project

1. *Description of Modifications:*

[NOTE TO USER: Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]

- a. Engineer shall perform or furnish the following Additional Services:
N/A
- b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:

Add a second Resident Project Representative to monitor construction of the Barkers Ridge/Basin Phase II Waterline Extension Project. The intent is have an inspector present with each contractor crew while working. Funds will be drawn down on a reimbursable basis as needed.
- c. The responsibilities of Owner are modified as follows:
N/A

- d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:

See attached Cost Adjustment Breakdown
See attached revised Exhibit C

- e. The schedule for rendering services is modified as follows:

Extended by 7 months to December 9, 2019.

- f. Other portions of the Agreement (including previous amendments, if any) are modified as follows:

None

5. Agreement Summary (Reference only)


a. Original Agreement amount:	\$670,000.00
b. Net change for prior amendments:	\$(313,000.00)
c. This amendment amount:	\$120,000.00
d. Adjusted Agreement amount:	\$477,000.00

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is July 10, 2018.

OWNER:

ENGINEER:



By: Virgil A. Shrewsbury, Jr.

By: Charles R. Roberts, Jr.

Title: Chairman

Title: Project Manager

Date Signed: July 10, 2018

Date Signed: July 10, 2018

**EASTERN WYOMING PUBLIC SERVICE DISTRICT
BARKERS RIDGE PHASE II - AE AMENDMENT NO. 3**

COST ADJUSTMENTS BREAKDOWN

	Prior Amendments			AE Amendment 3	
	Original	Minus	Revised	Plus	Revised
Study and Report	\$20,000	\$8,400	\$11,600	\$0	\$11,600
Preliminary Design	\$135,000	\$66,700	\$68,300	\$0	\$68,300
Final Design	\$95,000	\$39,900	\$55,100	\$0	\$55,100
Bidding	\$20,000	\$0	\$20,000	\$0	\$20,000
Construction	\$60,000	\$16,000	\$44,000	\$0	\$44,000
Post Construction	\$0	\$0	\$0	\$0	\$0
Sub-Total	\$330,000	\$131,000	\$199,000	\$0	\$199,000
Inspection	\$280,000	\$140,000	\$140,000	\$120,000	\$260,000
Soils	\$6,000	\$6,000	\$0	\$0	\$0
Property Surveys	\$6,000	\$6,000	\$0	\$0	\$0
Environmental	\$8,000	\$4,000	\$4,000	\$0	\$4,000
Construction Stakeout	\$5,000	\$5,000	\$0	\$0	\$0
Easement Plats	\$20,000	\$14,000	\$6,000	\$0	\$6,000
Funding Applications	\$15,000	\$7,000	\$8,000	\$0	\$8,000
Sub-Total	\$60,000	\$42,000	\$18,000	\$0	\$18,000
Grand Total	\$670,000	\$313,000	\$357,000	\$120,000	\$477,000