RESOLUTION NO. 2394

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AWARDING THE SR 410 / PEDESTRIAN IMPROVEMENTS MILE POST 13.91 CONTRACT TO WHH NISQUALLY FEDERAL SERVICES, LLC.

WHEREAS, the City Council approved the 2013-2014 Biennial Budget on December 11, 2012 per Ordinance 1447; and

WHEREAS, the 2013-2014 Biennial Budget provided funding for the SR 410 / Pedestrian Improvements Project; and

WHEREAS, the City Council approved Resolution 2286 on April 9, 2013 to design sidewalk improvements along SR 410 completing the missing sidewalk link between Downtown and Mid-town; and with SCJ Alliance to prepare the plans, specifications, and engineering package for advertisement; and

WHEREAS, the City Council approved Resolution 2386 on May 13, 2014 to increase the budget of the SR 410 Missing Link – 192nd Avenue to Main Street from $445,000 to $665,000, an increase of $220,000; and

WHEREAS, the City opened bids for the SR 410 / Pedestrian Improvements M.P. 13.91 on November 19, 2014 and found the lowest responsible bidder to be WHH Nisqually Federal Services, LLC;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bonney Lake does hereby authorize the Mayor to sign the attached contract with WHH Nisqually Federal Services, LLC in the amount of $1,690,684.24 which includes tax.

BE IT FURTHER RESOLVED that the City Council of the City of Bonney Lake Council does hereby authorize a 10% Construction Contingency ($179,855) amount and a 10% Construction Engineering ($179,855) amount based on the contract bid.

PASSED by the City Council this 9th day of December, 2014.

Neil Johnson, Jr., Mayor

AUTHENTICATED:
Harwood T. Edvalson, MMC, City Clerk
APPROVED AS TO FORM:
Kathleen Haggard, City Attorney
CITY OF BONNEY LAKE CONTRACT FORM

THIS CONTRACT, hereinafter referred to as the "Agreement", is made and entered into this 9th day of December, 2014 by and between the CITY OF BONNEY LAKE, a Washington municipal corporation, hereinafter referred to as the "Owner" and WHH Nisqually Federal Services, LLC, hereinafter referred to as the "Contractor."

WITNESSETH:

WHEREAS, the Owner desires to have certain work, services and/or tasks performed as set forth below requiring specialized skills and other supportive capabilities; and

WHEREAS, the Contractor represents that the Contractor is qualified and possesses sufficient skills and the necessary capabilities, including technical and professional expertise, to perform the work, services and/or tasks set forth in this Agreement; and

WHEREAS the Owner has heretofore caused to be prepared the following documents, hereinafter referred to as "Contract Documents":

Addenda
Agreement
Proposal
Proposal Form
Special Provisions - SR 410 Pedestrian Improvements MP13.91
Contract Plans - SR 410 Pedestrian Improvements MP13.91
Amendments to the Standard Specifications
The 2014 Washington Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction
The City of Bonney Lake Public Works Design Standards
The Washington State Department of Transportation Standard Plans

WHEREAS, the Contractor did on the 19th day of November, 2014, file with the Owner a Proposal to construct said work and agreed to accept as payment therefore the sum fully stated and set forth in the Proposal Form; and

WHEREAS, the said Contract Documents fully and accurately described the terms and conditions upon which the Contractor proposes to furnish said equipment, labor, materials, and appurtenances and perform said work, together with the manner and time of furnishing same;

IT IS THEREFORE AGREED, first, the Contractor shall perform such work and accomplish such tasks, including the furnishing of all materials and equipment necessary for full performance thereof, as are identified and designated as Contractor responsibilities throughout this Agreement and as detailed in the Contract Documents. It is agreed that the said Contract Documents do, in all particulars, become a part of this Agreement by and between the parties hereto in all matters and things therein set forth and described;

AND FURTHER, that the Owner and the Contractor hereby accept and agree to the terms and conditions of said Contract Documents as filed as completely as if said terms and conditions
and plans were herein set out in full.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

CITY OF BONNEY LAKE

Neil Johnson, Jr., Mayor

Date: 12/9/2014

CONTRACTOR: WHH Nisqually Federal Services, LLC

By

Title: General Manager

Date: 12-1-14
City of Bonney Lake
City Council Agenda Bill (AB)

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**Agenda Subject:** Awarding the Construction Contract for the SR410 Pedestrian Improvements MP 13.91

**Full Title/Motion:**
A Resolution Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Awarding the Construction Contract for the SR410 Pedestrian Improvements MP 13.91 to WHH Nisqually Federal Services, LLC.

**Administrative Recommendation:**

**Background Summary:** The Public Works Department (PWD) applied for and received a $445,000 grant from the Transportation Improvement Board (TIB) in the latter half of 2012 and received an additional $220,000 to this grant in May of 2014 for the completion of the “missing link” of sidewalk from Main Street to 192nd Avenue East. This grant has a 50% matching requirement which the City matched. The improvements will also add lighting infrastructure along the pedestrian pathway, street lights will be added as funding allows. The city has added a sewer trunk line replacement element as well to this project to address future sewer capacity needs to the system. This added expense will be addressed through a Budget Amendment in the current 2014 Approved Budget.

The City opened bids for the project on November 19, 2014. Six bids were received and WHH Nisqually Federal Services, LLC was the apparent low bidder with a bid of $1,798,549.33. The Engineer’s Estimate was $1,690,684.24. Staff has determined that the WHH Nisqually Federal Services, LLC submittal is consistent with the requirements of the contract provisions.

**Attachments:** Resolution, Bid Tabulation, Contract, Map

### BUDGET INFORMATION

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**Budget Balance:** $2,158,259

**Budget Explanation:**

- **2015 - 301.054.032.595.30.63.10 Street CIP:** SR 410/Pedestrian Improvements - $1,600,000
- **2015 - 301.000.042.595.61.63.10 Street Operations:** Sidewalk Improvements - $286,000
- **2015 - 402.054.035.594.35.63.05 Sewer CIP:** - $400,000
- **Construction Contract Amount:** $1,798,549 + 10% Contingency $179,855 + 10% $2,158,259
- **Project Mgt. $179,855 = Total $2,158,259**
- **Revenue:** General Fund, TIB Grant, Sewer SDC

### COMMITTEE, BOARD & COMMISSION REVIEW

**Council Committee:** Community Development Committee

**Approvals:**

- Chair/Councilmember: Donn Lewis
- Councilmember: Randy McKibbin

**Committee Date:** 12-2-2014

*Rev. January 2014*