

**RESOLUTION NO. 2011-26**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
SPEEDWAY, INDIANA APPROVING AN AMENDMENT TO AN  
ENGINEERING CONTRACT WITH AMERICAN STRUCTUREPOINT,  
INC. FOR DESIGN AND RELATED SERVICES FOR IMPROVEMENTS  
AT THE WATER PLANT**

WHEREAS, the Town of Speedway, Indiana (the "Town") has heretofore established, constructed and financed a municipal water collection, treatment and distribution system and now owns and operates the water system; and

WHEREAS, the Town has found that certain improvements are necessary to the water system of the Town; and

WHEREAS, the Town engaged American Structurepoint Inc. ("Structurepoint") to complete certain segments of the project, and

WHEREAS, the initial contract includes engineering and related services for the preliminary engineering report and well replacement services for a total of \$208,650; and

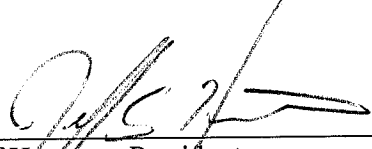
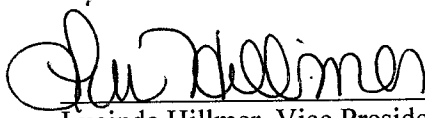
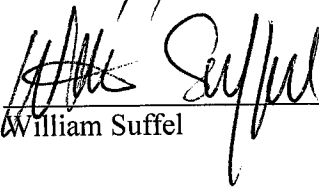
WHEREAS the final scope of work has been determined for the remaining work including the intake structure and related work.

NOW THEREFORE BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF SPEEDWAY, INDIANA:

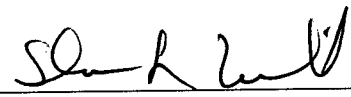
1. The Council approves the amendment to the contract with American Structurepoint for the scope of work as outlined in Attachment A hereto.
2. The Council approves the amendment amount not to exceed the amount of \$140,890.
3. The Town Manager is authorized to sign the amendment.

PASSED BY the Speedway Town Council this 26<sup>th</sup> day of September 2011.

TOWN COUNCIL OF THE TOWN OF  
SPEEDWAY, INDIANA

  
\_\_\_\_\_  
Jeff Hartman, President  
\_\_\_\_\_  
Lucinda Hillmer, Vice President  
\_\_\_\_\_  
Eileen Fisher  
\_\_\_\_\_  
Gary L. Raikes  
\_\_\_\_\_  
William Suffel

ATTEST

  
\_\_\_\_\_  
Sharon L. Zishka  
Clerk-Treasurer

This is **EXHIBIT K**, consisting of 1 page, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated November 29, 2010.

### AMENDMENT 1 TO OWNER-ENGINEER AGREEMENT

1. Background Data:

- a. Effective Date of Owner-Engineer Agreement: November 29, 2010
- b. Owner: Town of Speedway
- c. Engineer: American Structurepoint, Inc.
- d. Project: Speedway Water Works Source of Supply Improvements

2. Nature of Amendment

- ☒ Additional Services to be performed by Engineer
- ☒ Modifications to Payment to Engineer

3. Description of Modifications

Attachment 1, "Modifications"

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 September 12, 2011.

OWNER:	<u>Barbara A. Lawrence</u>	ENGINEER:	<u>Willis R. Conner</u>
	<u>Town of Speedway</u>		<u>American Structurepoint, Inc.</u>
By:	<u>Barbara A. Lawrence</u>	By:	<u>Willis R. Conner</u>
Title:	<u>Town Manager</u>	Title:	<u>Willis R. Conner, President</u>
Date Signed:	<u>9/14/11</u>	Date Signed:	<u>September 12, 2011</u>
	<u>9/26/11</u>		

## **Modifications**

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1. Engineer shall perform the following Additional Services:

In general, the Additional Services shall consist of the Preliminary Design, Final Design, and Bidding Phases for the Surface Water Intake facility selected in the June 17, 2011, Preliminary Engineering Report. In addition to the new Surface Water Intake, the Project will modify the existing Surface Water Intake to act as an emergency backup. It will also tie the new facility into the existing raw water pump station. No other modifications to the raw water pump station are anticipated.

A. *A.1.02 Preliminary Design Phase is revised by modifying item A.5.d to read as follows (changes in bold):*

d. Prepare Draft Permit Applications

- 1) IDEM Construction, including Attachment A (water main construction) and Attachment B (Well Construction)
  - a) A total of **three (3)** IDEM Construction permit applications will be prepared: one application for Well No. 11 replacement; one for Well No. 8 replacement and Well No. 15 combined; **and one for Surface Water Intake Facility.**
- 2) IDNR Construction in a Floodway Permit
  - a) A total of **three (3)** IDNR Construction in a Floodway permit applications will be prepared: one application for Well No. 11 replacement; one for Well No. 8 replacement and Well No. 15 combined; **and one for Surface Water Intake Facility.**
- 3) Applicable "waters of the United States," including jurisdictional wetlands, permit applications, if the designed well collection line crosses a waterway or wetland:
  - a) One application for Section 404 Department of the Army Permit by the US Army Corps of Engineers will be prepared (if necessary) for the Well No. 15 collection line.
  - b) One application for Section 401 Water Quality Certification by IDEM will be prepared (if necessary) for the Well No. 15 collection line.
  - c) Section 401/404 permit for Wells 8 and 11 is not anticipated, as the proposed replacement wells will be located near the existing well sites. This permit would only be required if the well is located on the far side of Eagle Creek from the treatment plant and a well collection line would be needed to cross the creek (i.e., open cut the creek).
  - d) **One application for Section 404 Department of the Army Permit by the US Army Corps of Engineers will be prepared for the Surface Water Intake Facility.**

- e) **One application for Section 401 Water Quality Certification by IDEM will be prepared for the Surface Water Intake Facility.**

**4) Rule 5 Erosion Control**

*B. A.1.02 Preliminary Design Phase is revised by modifying item A.5.e and adding item A.5.f to read as follows:*

**e. Surface Water Intake Facility**

- 1) Conduct a detailed site topographic survey for the proposed intake project area, including site topography, existing structures, utilities, stream cross-sections every 100 feet from the low head dam to 300 feet upstream of the proposed intake structure, and property boundaries
- 2) Conduct a site visit and measure silt depths between low head dam and approximately 1,300 feet upstream. Determine the most beneficial location for the intake screens based on silt depths. The most beneficial location would nominally be where the silt is the shallowest within the 1,300-foot distance.
- 3) Perform stream modeling for Eagle Creek using HEC-RAS to satisfy IDNR requirements regarding impacts to the floodway
- 4) Perform geotechnical borings and analysis of intake location and alignment to determine soil makeup, provide foundation recommendations, and provide dewatering recommendations
- 5) Coordinate design of intake components with the design of the treatment plant by Owner's Representative
- 6) Coordinate design with City of Indianapolis Levee Authority. It is anticipated that modifications to the levee will be designed per US Army Corps of Engineer standards.
- 7) Design of site lighting improvements selected as part of the SRF PER

**f. Preliminary Project Plans for Surface Water Intake Facility**

It is anticipated one design and bid package will be prepared that will be independent of the water treatment plant project and the well replacements. The preliminary design submittal will include the following:

- 1) Site layout, including:
  - a) Intake piping
  - b) Intake screen and support equipment
  - c) Access stairs
  - d) Access platforms/docks

- e) Existing intake modifications
- 2) Structural plans, notes, and details
- 3) Electrical plan layout, including site lighting
- 4) Electrical, instrumentation, and SCADA control one-line diagrams
- 5) Electrical, instrumentation, SCADA, and control panel wiring diagrams
- 6) Outline of anticipated technical specification sections (including section number and title)
- 7) Opinion of probable cost broken down into major items of construction
- 8) Furnish three review copies of the Preliminary Design Phase documents and any other deliverables to Owner within 120 calendar days of authorization to proceed with this phase, and review them with Owner. Within 30 calendar days of receipt, Owner shall submit to Engineer any comments regarding the Preliminary Design Phase documents and any other deliverables.

*C. A.1.03 Final Design Phase is revised by modifying item A.4.c to read as follows:*

c. Surface Water Intake Improvements

- 1) Coordinate final design of intake components with the design of the treatment plant by Owner's Representative
- 2) Coordinate final design with City of Indianapolis Levee Authority
- 3) Prepare final design of the intake screen, including:
  - f) Title sheet
  - g) General notes and index
  - h) Site layout
  - i) Intake piping plan and profile
  - j) Intake screen and support equipment details
  - k) Access stairs and platform/dock details
  - l) Existing intake modifications
  - m) Structural plans, notes, and details
  - n) Electrical site plan and details
  - o) Electrical, instrumentation, and SCADA control one-line diagrams

- p) Electrical and control panel wiring diagrams
- 4) Prepare project manual including:
  - a) Front-end documents
  - b) Technical specifications
- 5) Final opinion of probable cost broken down into major items of construction
- 6) Prepare and submit final permit applications
  - a) IDEM Facilities Construction
  - b) IDNR Construction in a Floodway Permit
  - c) Applicable "waters of the United States," including jurisdictional wetlands, permit applications, if the designed well collection line crosses a waterway or wetland:
    - i. One application for Section 404 Department of the Army Permit by the US Army Corps of Engineers will be prepared.
    - ii. One application for Section 401 Water Quality Certification by IDEM will be prepared.
  - d) Rule 5 Erosion Control
  - e) Provide response to one round of regulatory agency comments per each permit application submitted
- 7) Furnish three review copies of the Bidding Documents for review by Owner, its legal counsel, and other advisors within 90 calendar days of authorization to proceed with this phase, and review them with Owner. Within 30 days of receipt, Owner shall submit to Engineer any comments and, subject to provisions of Paragraph 6.01.G, instructions for revisions.
- 8) Revise the Bidding Documents in accordance with comments and instructions from the Owner, as appropriate, and submit five final copies of the Bidding Documents, a revised opinion of probable Construction Cost, and any other deliverables to Owner within 14 calendar days after receipt of Owner's comments and instructions.

*D. A.1.04 Bidding or Negotiating Phase is amended by adding item A.5.c as follows*

- c. It is anticipated one (1) bid package will be prepared for the Surface Water Intake Improvements independent of any other project at the water plant, including wells.
  - 1) For the bid package, prepare documentation required by the Indiana Finance Authority (IFA) pursuant to the State Revolving Loan Fund (SRF) requirements for advertising and awarding bids, including:
    - a) Complete the SRF Front End Certification form and other applicable forms

- b) Obtain a copy of the applicable Davis-Bacon wage determination
- c) Submit the Front End Certification to IFA to obtain a bid authorization letter
- d) Submit the required post-bid documentation to IFA to obtain a contract award approval letter

*E. Construction Phase, Post-Construction Phase, and land acquisition services (if needed) related to the new scope described above will be added in a subsequent amendment.*

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

*A. A Lump Sum amount of \$140,890 based on the following assumed distribution of compensation:*

- |                                  |          |
|----------------------------------|----------|
| 1. Preliminary Design Phase      | \$77,570 |
| 2. Final Design Phase            | \$50,720 |
| 3. Bidding and Negotiating Phase | \$12,600 |

*B. The total fee for services authorized under the Owner-Engineer agreement dated November 29, 2010, and this Amendment 1 is \$349,540.*