

**Town of Lyons, Colorado
Board of Trustees
BOT Agenda Cover Sheet
Agenda Item No: VIII.1
Meeting Date: September 18, 2023**

TO: Holly Rogin and Members of Board of Trustees
FROM: Tracy Sanders, Project Manager
DATE: September 18, 2023
**ITEM: Resolution 2023-58 – A Resolution of the Town of Lyons, Colorado
approving a Third Amendment to the Professional Services
Agreement with Horrocks Engineering for Design Services for St.
Vrain Trail Extension**

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

I. REQUEST OR ISSUE:

This resolution approves a Third Amendment to the professional services agreement with Horrocks Engineering for the CDOT and Boulder County funded St Vrain Trail Extension

II. RECOMMENDED ACTION / NEXT STEP:

Approve Resolution 2023-58

III. FISCAL IMPACTS:

Expenses for this Professional Services Agreement are eligible for reimbursement through CDOT other supplemental funding will be provided by Boulder County and Town of Lyons.

IV. BACKGROUND INFORMATION:

About This Project:

This project scope includes a just short of a one-mile crusher fine trail with three ped bridge crossing three ditches. This multi-modal trail will ensure safe connectivity from the west end of Town to the east ending at Hwy 36. This project is part of an overall regional trail connectivity initiative as well as promoting safety for all.

About This Amendment:

This Amendment is an amendment for added scope and fee to the original scope and fee.

Design Status: Horrocks has completed 30% of the design, which has been reviewed by CDOT with design comments sent to the consultant. 30% of the design has been sent to two of the three ditches companies with comments received back from them. The Town is waiting for Horrocks to adjust a couple of the design sheets for the remaining ditches before sending them to the Ditch Co. for their review and comments.

Amendment Request

Environmental **\$10,440.00**

The consultant is continuing to gather data for the environmental assessment. Once a report is drafted it will be submitted to CDOT and all State agencies for clearances. Environmental considerations are wetlands, historic and Prebble's Jumping Mouse habitat. This process can take 6-9 months for agency review and approvals. The environmental sub is requesting additional fee for the added scope for historical data to be collected. Initially it was thought that this data would not be needed because the Town had full environmental clearance in this same location in 2018. However, after meeting with CDOT environmental team they felt that additional historic review was required because of concerns of potential impacts to the ditches. The Town changed two of the crossing designs from pedestrian crossings to box culvert crossing which can be seen as an adverse effect to the historic ditches. In addition, any rip rap required to protect the one pedestrian bridge abutment may also be seen as an adverse effect. The environmental assessment needs to be completed and submitted to SHPO (State Historic Preservation Office) for approval.

Rate Adjustment: **\$23,868.22**

Horrocks signed a design contract in April 2022 at their 2021 rates with the intent to complete the majority of the design in 2022. However due to delays to the project beyond the control of the consultant, they are now requesting to adjust their rates moving forward from 2021 fee schedule to their 2023 fee schedule. The delays to the project were due to trail alignment constraints that had to be worked out by the Town. In addition, the project was at a significant shortfall for funding, which again had to be addressed by the Town. Both these constraints have been addressed and should not be a reason for additional delay to the project design. Staff supports the one-time rate increase due to the delay beyond the control of the design consultant. The rate increase will for the remaining design work for this project and will not be retroactively paid for 2023.

Sub Utility Engineering (SUE): **\$12,511.00**

Town staff has requested sub utility investigation at the ditch crossings to confirm City of Longmont and Town of Lyons water and sewer locations. With utilities running close to the locations of the ped bridge and box culverts the Town would like the consultant to confirm locations prior to 90-100% design.

Contract Info:

Original Agreement:	\$244,571.00
Amendment 1	18,138.00
Amendment 2	0.00
<u>Amendment 3</u>	<u>\$ 46,819.22</u>
TOTAL:	\$309,528.22

V. LEGAL ISSUES:

None

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

Possible impacts to wetlands, historic areas or Prebble's Jumping Mouse impact.

VII. SUMMARY AND ALTERNATIVES:

PROPOSED MOTION:

**"I move to approve Resolution 2023-58, A Resolution of the Town of Lyons, Colorado
Approving the Third Amendment to the Professional Services
Agreement with Horrocks Engineering for Design Services for the St
Vrain Trail Extension Project**