



Legislation Details (With Text)

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**On agenda:** 12/19/2023      **Final action:**

**Title:** Waive the applicable provisions of the Naperville Procurement Code and award Procurement 23-302, Phase III Construction Engineering Services for the Washington Street Downtown Streetscape project, to Civiltech Engineering, Inc. for an amount not to exceed \$727,282 (requires six positive votes)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/19/2023	1	City Council	approved	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Waive the applicable provisions of the Naperville Procurement Code and award Procurement 23-302, Phase III Construction Engineering Services for the Washington Street Downtown Streetscape project, to Civiltech Engineering, Inc. for an amount not to exceed \$727,282 (requires six positive votes)

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** William J. Novack, Director/City Engineer

**BOARD/COMMISSION REVIEW:**

N/A

**BACKGROUND:**

On May 17, 2022, the City Council awarded RFP 22-128, Downtown Streetscape - Washington Street Phase II Design Engineering, to Civiltech Engineering, Inc. The contract was to provide design engineering services and prepare construction documents for the utility, roadway, and streetscape improvements on Washington Street, between Chicago Avenue and Benton Avenue, as well as the east side of Main Street, between Jefferson Alley and Van Buren Avenue. In addition to necessary improvements to the aging utility and roadway infrastructure, the streetscape will be reconstructed to the 2018 Downtown Streetscape Design Standards.

As discussed in December 19, 2023 agenda item M4, 2024 Downtown Streetscape Construction Project, the construction documents and specifications prepared by Civiltech were used to issue Bid 24-026 to hire a contractor to perform the streetscape improvements.

For continuity between design and construction, the RFP for the design of this project included a condition that the “consultant may be used for additional phases of this project, including Phase III Construction Engineering.”

While the intent was to proceed with Civiltech for Phase III Construction Engineering, the original RFQ (RFQ 17-122) used to award the design of this project expired in February 2023.

### **DISCUSSION:**

Since RFQ 17-122 has expired, to proceed as intended, the Procurement Code will need to be waived. Specifically, Section 1-9B-4 (Methods of Source Selection) of the Naperville Procurement Code must be waived because the recommended process is not one of the enumerated procurement methods in the Code. This is in the best interest of the City of Naperville, the downtown merchants, and its residents for the following reasons:

1. Civiltech is performing Phase III engineering services for the Washington Street bridge. This bridge is directly adjacent to the streetscape project. The work zones for these projects meet at the intersection of Washington Street and Chicago Avenue, one of the busiest pedestrian intersections in the City of Naperville. It is vital to the success of both projects that the construction contractors for these projects coordinate their work. It is unlikely that the contractor for the bridge project will be the same contractor for the streetscape project. As work zones change for both projects, shifts in vehicle travel lanes will be required to maintain traffic through downtown. The streetscape project will need to modify its traffic control plan throughout the duration of construction to accommodate the bridge construction. Having the same Phase III consultant on both projects will result in the greatest potential for a positive working relationship between the projects’ contractors with the least delay in progress.
2. Civiltech completed the design of this project. They have the most knowledge regarding why decisions were made the way they were, and they have a vested interest in working through any issues that arise during construction. This is a complicated project in a tight corridor with an aggressive construction schedule through the heart of downtown. Streamlining any issues that arise during construction will keep the project moving forward.
3. The Civiltech team performed Phase III engineering, as well as the design, for the streetscape project constructed in 2022 (Main Street and Jefferson Street). They performed very well, and we were highly satisfied with their work as well as the constructed product. Civiltech already knows key members of the DNA and downtown merchants, who greatly appreciate how well Civiltech advocated for them during construction. They addressed issues quickly and gained the trust of the downtown business owners. Maintaining these established relationships will give confidence to the downtown merchants that if/when issues arise during construction, they have a trusted advocate. Through their work on the 2022 Streetscape project, they also gained invaluable experience and a thorough understanding of the City’s Streetscape Standards. This will reduce the amount of time required from city staff as well as Civiltech to ensure the streetscape is built according to the City’s requirements.
4. While this is an expensive and high manpower project, Civiltech can still provide efficiencies since they will be working on two jobs directly adjacent to each other. The proposal provided by Civiltech indicates that their Senior Resident Engineer will split time between the Washington Street Bridge project and the Streetscape project. If issues arise during the

construction of either project, Civiltech will be available to quickly respond to avoid unnecessary delays in progress.

Using Civiltech for the construction engineering phase of this project will build upon the relationships they have established with businesses and staff, allow for coordination with the design team for rapid resolution of potential field construction issues, allow for coordination with the bridge construction, and help minimize the disruption to the adjacent businesses and the public. These unique qualifications allow Civiltech to provide Phase III services efficiently, both financially and in terms of the project schedule. These efficiencies are imperative to the goal of completing the project in one construction season. Staff negotiated the scope and hours for the construction engineering services contract with Civiltech.

The completion date of the project will coincide with the anticipated construction schedule and continue through final closeout.

**FISCAL IMPACT:**

CIP #: CS015

Engineering Services for Downtown Streetscape are expensed to the Architect and Engineering Service and the Infrastructure accounts listed below. Funding for the construction engineering contract will be split proportionately between the Capital Projects Fund (\$545,461.50), the Water Capital Fund (\$174,547.68), and the Electric Utility Fund (\$7,272.82).

A total of \$506,553 was budgeted for Phase 3 engineering. The requested award amount exceeds the total budget for Phase 3 engineering by \$220,729. Due to the complexity of the work, the bid for engineering services came in higher than anticipated. Although the award amount is significantly higher than the budget amount, staff recommends moving forward with this award due to the importance of completing this project in coordination with the Washington Street Bridge. Staff will monitor other project bids throughout the year and defer projects slated in 2024 if necessary to remain in line with the approved budget.

Account Number	Fund Description	Total Budget Amount
30282300-531301	Capital Projects Fund	\$3,225,010
41252000-531301	Water Capital Fund	\$7,171,909
40251300-551502	Electric Utility Fund	\$15,179,200