

RESOLUTION AUTHORIZING THE TOWN MANAGER TO AMEND THE  
ENGINEERING CONTRACT WITH GAROFALO & ASSOCIATES, INC. TO PROVIDE  
ADDITIONAL SERVICES FOR CONSTRUCTION OVERSIGHT & CONSTRUCTION  
ADMINISTRATION ASSISTANCE FOR IMPROVEMENTS TO CROSS STREET –  
CHANGE ORDER NO. 7

WHEREAS, the Town of Westerly has previously entered into a contract agreement with Garofalo & Associates, Inc. on June 10, 2010 to perform engineering design consulting services required for the road reconstruction design and development of construction documents for Improvements to Cross Street for the amount of \$30,940.00; and

WHEREAS, the Town of Westerly has received a recent amended commitment from the Rhode Island Department of Transportation (RIDOT) for a RILEAP (Roadway Investment – Local Equity Aid Program) grant in the amount of \$600,000.00 to be used for the road reconstruction and drainage improvements to Cross Street; with the Town of Westerly continuously coordinating with RIDOT to preserve these funds as reimbursement for the project; and

WHEREAS, the Town Manager has previously amended the engineering contract with Garofalo & Associates, Inc. (Garofalo) as recommended by the prior Interim Town Engineer – Anthony M. Sylvia, P.E. for design scope changes to the original Contract due to insufficient pavement thickness to perform anticipated milling and overlay design, requiring the project design scope to be modified for full pavement reconstruction; said Change Order No. 1 was approved and executed on March 2, 2012 for \$7,970.00; and

WHEREAS, the Town Manager has previously amended the engineering contract with Garofalo & Associates, Inc. as recommended by the prior Interim Town Engineer – Anthony M. Sylvia, P.E. for design scope changes to the original contract due to: unforeseen conditions duration the evaluation of the existing drainage system components via video inspection of the drainage components, additional design efforts required for storm drainage system improvement repairs, preparation of a traffic management plan, RIDOT Contract Book and Specification revisions, additional road cross sections for roadway grading at driveway locations and behind sidewalks, assessing temporary impacts to private property beyond the Town's right-of-way limits; said Change Order No. 2 was approved and executed on August 15, 2012 for \$11,350.00; and

WHEREAS, the Town Council authorized the Town Manager to amend the engineering contract with Garofalo & Associates, Inc. for additional work scope items within Change Order No. 3 dated May 17, 2013, revised thru July 31, 2013, to perform additional work beyond the original Contract scope necessary to complete the prior 90% construction documents to incorporate comments provided by the RIDOT Road Design Section, incorporating revisions to the RIDOT's Specification package to reflect the latest changes in RIDOT standard specifications; this work was performed within the Change Order No. 3 estimated budget amount of \$25,450.00; and

WHEREAS, the prior Town Manager has previously amended the engineering contract with Garofalo & Associates, Inc. as recommended by the current Town Engineer – Paul D. LeBlanc, P.E. for required additional work to perform property and roadway layout research within the Westerly Land Evidence Records, and perform field survey services to locate existing monumentation along and adjacent to Cross Street to establish the public right-of-way limits for Cross Street for an estimated fee of \$4,260.00 under Change Order No. 4; and

WHEREAS, after incorporation of the right-of-way survey data into the design construction base plans (completed under Change Order No. 4), it was identified by the Town Engineer and Garofalo that significant encroachments and impacts to properties fronting the project limits would result from the proposed improvements if existing curb lines remained unchanged from their present location and from the proposed widening concrete sidewalks to be ADA compliant; and

WHEREAS, Garofalo was directed by the Town Engineer to provide a concept base plan to provide for a slightly reduced roadway curb to curb width within portions of the project limits, and to provide for revised road centerline and radii geometry as a means to reduce as many property impacts as possible to reduce the extent of permanent easements and land acquisitions for the road reconstruction project limits; and

WHEREAS, the conceptual base plan horizontal realignment work performed by Garofalo resulted in the elimination of many of the permanent easements and land acquisitions required from the design plans prepared under the original contract work scope; and

WHEREAS, Garofalo was directed by the Town Engineer and Town Manager to provide a Change Order Proposal to estimate the design effort to modify the prior 90% Design Plans and Specification Documents for the project to incorporate these horizontal alignment changes; and

WHEREAS, the Town Council under resolution 14/15-141 granted the prior Town Manager authorization to amend the engineering contract with Garofalo & Associates, Inc. for Change Order No. 5 dated March 12, 2015, which included approval of additional work scope items to provide revisions to the design plans, specifications, quantities, and construction estimate for the project; and to provide assistance to the Town for procurement of temporary and permanent easements, or land acquisitions; and to provide assistance during the public information hearing phase for the project; and to complete the project bid documents to allow the project to proceed to the bid phase; for a total estimated amount of \$33,200.00; and

WHEREAS, the Town Council under resolution 15/16-143 granted the Town Manager authorization to amend the engineering contract with Garofalo & Associates, Inc. for Change Order No. 6 dated February 12, 2016 and Revised thru March 15, 2016 in order to complete additional design workscope items to provide changes to the PS&E Bid Documents required for construction bidding purposes to include: additional storm drainage system design replacement from Elm Street to Main Street within Cross Street, incorporate new ADA wheel chair ramp design & details into the bid documents, provide full depth mill in-lieu of the prior pavement reclamation to reduce utility disturbance impacts, provide for utility conflict assessment, incorporation of newly installed gas utilities by NGRID Gas Company into the bid documents, incorporate new watermain replacement and water system component appurtenances as specified by the Westerly Water Department into the bid documents, and provide revisions to the contract specifications and project's estimated cost for RIDOT's PS&E Final Review Phase; and

WHEREAS, the Town Engineer – Paul D. LeBlanc, PE has requested, received, and reviewed Change Order No. 7 as submitted by Garofalo & Associates, Inc. which the Town's Design Consulting Firm for the Cross Street Road Improvements project will provide additional services requested during the construction phase of the project by providing construction oversight and construction administrative assistance to the Town; and

WHEREAS, Task I of Garofalo's Change Order No. 7 corresponds to additional services requested by the Town during the Bid Advertisement and Bid Evaluation Phase, including Addendum review and minor bid document revisions made during this period; and

WHEREAS, the RILEAP Grant requires that the construction oversight for the project be performed by a RIDOT Certified Construction Inspector which will provide full time oversight presence during construction; coordinate third party material testing for quality control measures; prepare daily construction logs; provide determination of project quantities expended, anticipated, and accepted; review certified payrolls; and provide project adherence to Federal/State requirements as outlined in Task II of Change Order No.7; and

WHEREAS, funds for the Cross Street Road Reconstruction additional design workscope totaling \$5,000.00 for (Task I) and \$100,000.00 for (Task II) items within Change Order No. 7 is available from the 2014 Bond – Paving, Sidewalks and Drainage Repairs - Account Number 01140114-589302; now therefore, be it hereby

RESOLVED: That the Town Council of the Town of Westerly authorizes the Town Manager to amend the engineering contract with Garofalo & Associates, Inc. of 85 Corliss Street, Post Office Box 6145, Providence, RI 02940 for additional Contract work scope items as referenced in Change Order No. 7 dated May 24, 2016 and Revised Thru June 10, 2016, for the estimated total amount of \$105,000.00.

ADOPTED: June 29, 2016

*Town of Westerly*  
*Rhode Island*



June 10, 2016

Dear Honorable Members of the Town Council,

Proposed Resolution Regarding, “Resolution Authorizing the Town Manager to Amend the Engineering Contract with Garofalo & Associates, Inc. to Provide Additional Services For Construction Oversight & Construction Administration Assistance for Improvements to Cross Street – Change Order No.7”.

**Background**

This agenda item is for Town Council review, discussion and approval of a resolution put forth by the Westerly Town Engineer – Paul D. LeBlanc, PE for amending the original design services contract and subsequent approved change order amendments of the contract workscope to include additional services necessary for the Design Consultant to provide construction oversight and construction contract administrative services during the construction phase for the proposed reconstruction work to Cross Street.

**Highlights**

Bullet points of things council needs to be aware of:

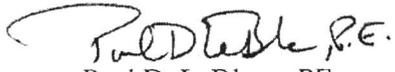
- The Town Engineer recommends the inclusion of additional services provided by Garofalo & Associates, Inc. during the Advertisement and Bid Phase for the incorporation of minor revisions to the Bid Documents for the Advertisement of Bid Phase, review of Addenda, and review of bid evaluation.
- The Town Engineer recommends the inclusion of additional services to be provided by Garofalo & Associates, Inc. which includes providing a full time RIDOT Certified Construction Inspector to be present to provide construction oversight and to coordinate third party materials testing in order to be compliant with requirements of the RILEAP Grant for the project.

**Fiscal Impact**

The additional consultant services to provide: RIDOT Certified Inspector for construction oversight, additional Project Engineer Construction Administration assistance for the Construction Phase of the project, and additional plan modifications & project bid advertising efforts as outlined within Change Order No. 7 (Tasks I & II) totaling an estimated **\$105,000.00** will be paid for from the 2014 Paving/Drainage/Sidewalk Infrastructure Improvements Bond – **Account 01140114-589302 – Cross Street (Design & Construction Oversight).**

The total estimated additional contract amendment amount presented within Garofalo & Associates, Inc. **Change Order No. 7** is **\$105,000.00**.

Respectfully Submitted,



Paul D. LeBlanc, PE  
Westerly Town Engineer

Attachments:

1. Copy of Resolution
2. Copy of Garofalo & Associates, Inc. C.O. #7 – Revised thru June 10, 2016

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ADOPTED:



Garofalo & Associates, Inc.

Civil & Structural Engineers

Surveyors ♦ Land Planners

Environmental Scientists

Landscape Architects

REVISED JUNE 10, 2016

May 24, 2016

Mr. Paul LeBlanc, P.E.

Town Engineer

**TOWN OF WESTERLY**

Town Hall

68 White Rock Road

Westerly, RI 02891

**RE: Improvements to Cross Street  
Westerly, Rhode Island  
Our Project No. 6723.00  
Change Order No. 7**

Dear Mr. LeBlanc:

*Garofalo & Associates, Inc. (Garofalo)* is pleased to submit the following Change Order to the Town of Westerly. This Change Order is to incorporate additional comments to the plans, finalize the specifications and bid documents for advertising and to include construction inspection and construction administration to our scope of work.

**SCOPE OF SERVICES:**

**Task I – Plan Modifications & Advertising**

To prepare the project for advertising, the bid documents needed to be updated for contract dates, times and location of the bid opening, pre-bid meeting, etc and the Town's insurance requirements. The plans, specifications and estimate were revised to incorporate requested changes in the drainage pipe types and elevations as well as include information from the water department for connection callouts, tees, valves and hydrants.

**Task II – Construction Administration and Inspection:**

RIDOT Road Design has requested that a full time RIDOT certified construction inspector be present during construction operations in compliance with LEAP program requirements. This inspector will coordinate any required testing with a third party testing company selected by the Town, preparation of daily construction logs, determination of project quantities expended and anticipated, work schedules, critical path, maintenance of traveled way, adherence to Federal and State requirements, daily clean-up, etc. The inspector will also coordinate with the Town representative on a daily basis as to the progress and any outstanding items. It is assumed that the *Garofalo* inspector will be assigned full time. The inspector will report to *Garofalo's* Project Engineer who will then track expenses, schedules and project budget as well as adherence to the project scope. Fees are based on an assumed construction time of eight (8) months and a forty-hour work week with an hourly rate of \$60.00/hr. for the inspector. The inspector's rate includes travel costs to and from the site. The Project Engineer time is based on an average of 4 hours per week for administrative work associated with the construction, 24 hrs for project close out and an estimated 184 hrs for engineering time associated with preparation of addenda, attending a pre-bid meeting, reviewing bids, reviewing contractor submittals and RFIs and attending site meetings. The Project Engineer rate is \$110/hr. Should the construction time extend beyond the anticipated time or more time is required for the Project Engineer, the Town will be notified and the fees will be adjusted accordingly.

85 Corliss Street, Post Office Box 6145, Providence, Rhode Island 02940

Phone: (401) 273-6000 ♦ Fax: (401) 273-1000 ♦ E-Mail: [admin@garofaloassociates.com](mailto:admin@garofaloassociates.com)

Visit our Web Site at [www.garofaloassociates.com](http://www.garofaloassociates.com)





**FEES:**

<u>Task</u>	<u>Fee</u>
Task I – Plan Modifications & Advertising .....	\$5,000.00
Task II – Construction Administration and Inspection.....	<u>\$100,000.00</u>
<b>TOTAL.....</b>	<b><u>\$105,000.00</u></b>

**Work not included in this Change Order:**

- Material Testing company services
- Any copies of digital or AutoCAD files
- Any work not specifically mentioned herein

Please sign, date and return one (1) copy of this Change Order to this office signifying your authorization of this work. **Please Note: Once the authorized Change Order has been received, we will be able to start this project immediately thereafter. This change order is valid for thirty (30) days.**

Thank you for the opportunity to submit this change order. We look forward to being of service to you. Please feel free to call on me with any questions.

Sincerely,  
*Garofalo & Associates, Inc.*

Jeff E. Lewis, PE  
Senior Project Manager

JEL:kar

*Authorization Signature:*

\_\_\_\_\_  
Name & Title

\_\_\_\_\_  
Date

