

SOUTHEAST METRO STORMWATER AUTHORITY
acting by and through
SEMSWA WATER ACTIVITY ENTERPRISE

RESOLUTION 17-29

Authorization for Additional Funding for the Willow Creek Stream Stabilization Improvements

WHEREAS, Willow Creek has eroded vertically and horizontally creating steep banks in the area between Quebec Street and Dry Creek Road adjacent to public trails and residential property, creating a hazard to life and property; and

WHEREAS, Willow Creek between Quebec Street and Dry Creek Road is on property owned by the South Suburban Parks and Recreation District and Dry Creek Townhome Owners Association; and

WHEREAS, SEMSWA and the Urban Drainage and Flood Control District (UDFCD) participated in a planning study titled "Willow Creek, Little Dry Creek, and Greenwood Gulch Outfall Systems Planning Study" dated February 2010 (OSP), which identified the need for channel stabilization measures on Willow Creek between Quebec Street and Dry Creek Road (Project); and

WHEREAS, SEMSWA and UDFCD completed the first phase of the Project with Resolutions 10-46 and 12-12; and

WHEREAS, the stream channel bottom and banks in the second and final phase area of the Project has continued to erode significantly, threatening sanitary sewer crossings and private property; and

WHEREAS, with Resolution 16-14 the Board authorized the total funding of \$200,000 for the engineering and design related services for the second and final phase of the Project; and

WHEREAS, SEMSWA completed coordination with Southgate Sanitary District (Southgate) during the design of the Project; and

WHEREAS, Southgate wishes to participate with SEMSWA in the Project by cost sharing with SEMSWA specific channel improvements to protect its sanitary lines and to solely fund and complete the Willow Creek Sanitary Sewer Improvements (the Sanitary Project) as one project; and

WHEREAS, Southgate and SEMSWA have both completed the design for both of their respective projects; and

WHEREAS, SEMSWA and Southgate wish to enter into an Intergovernmental Agreement (IGA) for construction of the Project and the Sanitary Project as project (the Projects) under one general contract; and

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WHEREAS, SEMSWA and Southgate have completed the bidding process for construction of the Projects and selected the lowest responsible bidder; and

WHEREAS, the selected bid for construction of the Project is \$1,389,654.21 submitted by ESCO Construction Company; and

WHEREAS, it is typical to budget the construction bid amount plus an additional ten (10) percent (\$138,965.42) to cover contingencies that may be encountered during construction; and

WHEREAS, SEMSWA has estimated the cost of construction management services, materials testing, re-vegetation services, and post construction engineering services at \$255,500; and

WHEREAS, SEMSWA has adopted a budget for calendar year 2017 subsequent to public hearing, which includes funds for the construction of the second and final phase of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Executive Director is authorized to enter into an IGA with Southgate and collect Southgate's funds for 100% of the Sanitary Project's cost and Southgate's agreed upon cost share for the Project which shall not be less than 60% of the Project's construction cost.
2. The Executive Director is authorized to enter into contract in the amount of \$1,389,654.21 with ESCO Construction Company on behalf of SEMSWA and Southgate for the construction of the Projects.
3. The Executive Director is authorized to enter into contracts for construction management services, materials testing services, re-vegetation services, and post construction engineering services associated with the Project and expend an amount not to exceed \$255,500.
4. Total funding for the construction of the Projects, including contingency, including costs associated with construction management services, materials testing services, re-vegetation services, and post construction engineering services is limited to \$1,784,119.63, which includes no less than \$1,077,000 contribution by Southgate, without prior approval of the BOARD.

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Date: _____

ATTEST:

Secretary

Chairperson

APPROVED AS TO FORM:
Attorney for
Southeast Metro Stormwater Authority

By _____
Edward J. Krisor

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Willow Creek Stream Stabilization - Phase 2

