

NO. 2017-101

A RESOLUTION APPROVING THE AMENDED AND RESTATED ARCHITECT/ENGINEERING AGREEMENT BETWEEN THE CITY OF ST. PETERSBURG, FLORIDA, AND BROWN AND CALDWELL (CORPORATION) (“A/E”) TO REVISE AND EXPAND THE SCOPE OF SERVICES, INCREASE THE FEES AND COSTS OWED TO THE A/E IN AN AMOUNT NOT TO EXCEED \$2,790,031 (FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$3,540,031), AND MODIFY OTHER PROVISIONS; AUTHORIZING THE CITY ATTORNEY’S OFFICE TO MAKE NON-SUBSTANTIVE CHANGES TO THE AMENDED AND RESTATED ARCHITECT/ENGINEERING AGREEMENT; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE THE AMENDED AND RESTATED AGREEMENT; RESCINDING AN APPROPRIATION IN THE AMOUNT OF \$506,647 IN THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) FROM THE COS OPTIMIZATION CONSTRUCTION FY17 PROJECT (15783); APPROVING SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$506,647 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) RESULTING FROM THE ABOVE RESCISSION TO THE WRF SW CAPACITY UPGRADES PROJECT (15965) AND IN THE AMOUNT OF \$1,995,334 FROM THE UNAPPROPRIATED BALANCE OF THE WATER RESOURCES CAPITAL PROJECTS FUND (4003) TO THE WRF SW CAPACITY UPGRADES PROJECT (15965); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Petersburg, Florida (“City”) issued a Request for Qualifications for the SWWRF Capacity Upgrade Project (“Project”) on July 11, 2016; and

WHEREAS, the existing agreement between the City and Brown and Caldwell (Corporation) (“A/E”) was approved by City Council on December 15, 2016; and

WHEREAS, the A/E has performed the preliminary design phase services and other services related to the Project (such services are described in Appendix A, Part I of the scope of services); and

WHEREAS, City Council approved payment to A/E in an amount not to exceed seven hundred fifty thousand dollars (\$750,000) for performing such services and providing the required deliverables for Appendix A, Part I; and

WHEREAS, the City and the A/E desire to amend and restate the existing agreement to expand the scope of services (add Appendix A, Part II of the Scope of Services for final design documents, permitting assistance and other services), increase the fees and costs owed to the A/E in an amount not to exceed \$2,790,031 (for a total contract price not to exceed \$3,540,031), and modify other provisions; and

WHEREAS, the City and A/E desire to execute an amended and restated architect/engineering agreement (“Amended and Restated Agreement”); and

WHEREAS, A/E has agreed to the terms and conditions set forth in the Amended and Restated Agreement; and

WHEREAS, a rescission in the amount of \$506,647 in the Water Resources Capital Projects Fund (4003) from the COS Optimization Construction FY17 Project (15783) and supplemental appropriations in the amount of \$506,647 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) resulting from the above rescission to the WRF SW Capacity Upgrades Project (15965) and in the amount of \$1,995,334 from the unappropriated balance of the Water Resources Capital Projects Fund (4003) to the WRF SW Capacity Upgrades Project (15965) are necessary to provide funding for this Amended and Restated Agreement.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the Amended and Restated Agreement between the City of St. Petersburg, Florida, and Brown and Caldwell (Corporation) (“A/E”) to revise and expand the scope of services, increase the fees and costs owed to A/E in an amount not to exceed \$2,790,031 (for a total contract price not to exceed \$3,540,031), and modify other provisions is hereby approved.

BE IT FURTHER RESOLVED that the City Attorney’s Office is authorized to make non-substantive changes to the Amended and Restated Agreement to correct typographical errors and clarify provisions of the Amended and Restated Agreement to conform to City Council’s direction.

BE IT FURTHER RESOLVED that the Mayor or his designee is authorized to execute the Amended and Restated Agreement and all other associated documents.

BE IT FURTHER RESOLVED that the appropriation in the amount of \$506,647 in the Water Resources Capital Projects Fund (4003), COS Optimization Construction FY17 Project (15783) is hereby rescinded.

BE IT FURTHER RESOLVED that there are hereby approved from the unappropriated balance of the Water Resources Capital Projects Fund (4003) the following supplemental appropriations for Fiscal Year 2017:

<u>Water Resources Capital Projects Fund (4003)</u>	
WRF SW Capacity Upgrades Project (15965)	\$506,647
<u>Water Resources Capital Projects Fund (4003)</u>	
WRF SW Capacity Upgrades Project (15965)	\$1,995,334

This Resolution shall become effective immediately upon its adoption.

Adopted at a regular session of the City Council held on the 16th day of February,
2017.

Darden Rice, Chair-Councilmember
Presiding Officer of the City Council

ATTEST: _____
Chan Srinivasa, City Clerk