



STAFF REPORT

AGENDA ITEM #: 16-118
COUNCIL MTG OF: September 6, 2016
FROM: M. Fowler, Public Works Director
OFFERED BY: M. Fowler, Public Works Director
PREPARED BY: T. Carrier, Public Works Deputy Director
SUBJECT: NHDOT Force Account Agreement Amendments: NHDOT I-93 Widening Project

PURPOSE

This report seeks Council authorization to execute Agreements with the NH Department of Transportation related to the relocation of Derry's Effluent Sewer Force Main as part of the I-93 Widening Project.

TOWN ADMINISTRATOR COMMENTS

This is clearly an action that must be taken by the Town in order to keep pace with the progress of the I-93 Widening Project. I concur with the recommendation of the Public Works Director.

BACKGROUND

In February 2015 the Town Council authorized the Town Administrator to enter into agreement with the NHDOT for design engineering associated with the relocation Derry's effluent sewer force main underneath I-93 in the area of Pillsbury Road in Londonderry. This work is necessitated by the I-93 Widening Project scheduled to begin this fall. The design has been completed and NHDOT is requesting to enter into agreement with Derry whereby Derry will pay certain costs to relocate its pipeline and NHDOT will agree to pay certain costs and make certain reimbursements to Derry for costs related to this work.

DISCUSSION

The I-93 Widening Project from Kendall Pond Rd. bridge through to Londonderry including the Exit 4 interchange is expected to be advertised for bid September 20, 2016. This portion of the project will include the construction of a new 24 inch effluent sewer force main to replace Derry's old 14 inch pipeline. Derry's consulting engineers, Underwood Engineers, Inc. have been working with NHDOT over the past year to complete the design. NHDOT and the Town have also been negotiating cost share for this work. The I-93 general contractor will be responsible for the construction. Construction engineering and inspections will be a combined effort between Derry's consultants and NHDOT engineers. The work will occur over two years and in 2 separate phases. The agreement details Derry's and NHDOT's responsibilities with respect to this project. Attached for Council review is:

1. An **Amendment** to the original engineering services agreement where the State will reimburse Derry's construction engineering costs up to \$8,548.53.
2. A **Utility Agreement** where Derry will pay those costs detailed in the agreement to relocate its pipeline, estimated at \$223,783.58, and NHDOT will pay certain costs as also detailed in the agreement, estimated at \$66,461.96, plus reimburse Derry \$44,138 for the value of the old pipeline, plus certain installation costs for the new pipeline.

FISCAL IMPACT

The total construction project cost is estimated at \$383,619. Derry's costs are estimated at \$264,470. The Council has appropriated a total of \$410,000 for this project.

Construction	\$ 302,732.50
Construction Engineerin	56,529.93
NHDOT Administration Overhead	24,356.51
Total	<u>\$ 383,618.94</u>
NHDOT Net Share	\$ 119,148.61
Derry Net Share	\$ 264,470.33

RECOMMENDED ACTION BY COUNCIL

The recommended action is that the Town Council approve both the Amendment and the Utility Agreement and authorize the Town Administrator to execute the both.

RECOMMENDED MOTIONS

1. I MOVE THAT THE TOWN COUNCIL adopt Resolution #2016-026 as follows ... *(Read the Resolution)*

Vote Required: Simple majority of Councilors present

2. I MOVE THAT THE TOWN COUNCIL adopt Resolution #2016-027 as follows ... *(Read the Resolution)*

Vote Required: Simple majority of Councilors present

Attachment(s): Resolution #2106-026 & 2016-027
 Amendment to Agreement (re engineering)
 Utility Agreement (re shared construction costs)

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RESOLUTION

Number 2016-026

To Approve an Amendment to the NHDOT Utility Agreement of March 5, 2015 Related to Engineering of a Replacement Sewage Effluent Force Main Traversing Under Interstate 93

WHEREAS, Section 5.1 of the Town Charter establishes the Town Council as the governing body of the Town and, acting as Sewer Commissioners, the Council is empowered to enter into contracts; and

WHEREAS, the relocation of the Town's sewage effluent force main is required by the New Hampshire Department of Transportation in order that its construction of necessary drainage infrastructure will not conflict with the Town's force main; and

WHEREAS, the Town and NHDOT entered into a Utility Agreement setting out the shared responsibilities of each and the framework for cost-sharing; and

WHEREAS, NHDOT has approved the cost estimate for work to be done by the Town's engineering consultant and has calculated the 20% of the cost that it will reimburse to the Town, an amount not to exceed \$8,548.65;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the "Amendment to Agreement" designated by the State as "Salem-Manchester. 10418X, 14633D, A003(954), A004(375), Construction Engineering", is hereby approved; and that the Town Administrator is hereby authorized to execute all required documents on behalf of the Town.

This Resolution shall take effect immediately upon its passage.

Adopted: September 6, 2016.

Attest:

X _____

Brian Chirichiello, Council Chair

Date: _____

X _____

Daniel Healey, Town Clerk

Date: _____



RESOLUTION

Number 2016-027

To Approve an NHDOT Utility Agreement Related to Construction of a Replacement Sewage Effluent Force Main Traversing Under Interstate 93

WHEREAS, Section 5.1 of the Town Charter establishes the Town Council as the governing body of the Town and, acting as Sewer Commissioners, the Council is empowered to enter into contracts; and

WHEREAS, the relocation of the Town's sewage effluent force main is required by the New Hampshire Department of Transportation in order that its construction of necessary drainage infrastructure will not conflict with the Town's force main; and

WHEREAS, the Town and NHDOT entered into a Utility Agreement setting out the shared responsibilities of each and the framework for cost-sharing; and

WHEREAS, NHDOT has approved the cost estimate for construction of the replacement force main at Three Hundred Two Thousand Seven Hundred Thirty-two and 50/100's Dollars (\$302,732.50) and has calculated the Town's share of the cost as Two Hundred Twenty-three Thousand Seven Hundred Eighty-three and 58/100's Dollars (\$223,783.58);

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the "Utility Agreement" designated by the State as "Salem-Manchester, 14633D, A004(375), Sewer Relocations and Water Adjustments", is hereby approved; and that the Town Administrator is hereby authorized to execute all required documents on behalf of the Town.

This Resolution shall take effect immediately upon its passage.

Adopted: September 6, 2016.

Attest:

X _____

Brian Chirichiello, Council Chair

Date: _____

X _____

Daniel Healey, Town Clerk

Date: _____