

March 8, 2023

Mr. Cody Maberry
Director of Community Services
City of Keller
P.O. Box 770
Keller, Texas 76244

Re: Bear Creek Park – Parking Lot Additions

Dear Mr. Maberry:

Dunkin Sims Stoffels, Inc. (DSS) appreciates your request for a professional services proposal for the development of construction documents and associated flood plain impact study for the parking lot additions in Bear Creek Park.

PROJECT SCOPE

DSS will prepare the design development and construction documents for two – 22 space parking lot additions within the western portions of Bear Creek Park. The construction documents will also address the realignment of the ten-foot (10') wide concrete trail to facilitate the construction of the four new pickleball courts (via the Texas BuyBoard) and connecting walkways to the pickleball courts. The two parking lots will be constructed in the flood plain and/or floodway of Big Bear Creek; therefore, engineering services for a flood plain impact study are included within this proposal, as a correlated service.

SCOPE OF SERVICES

- A. Site Investigation: A combination of Public LiDar information and an on-site survey will be compiled for those portions of Bear Creek Park that will be developed for the pickleball courts and additional parking lots. The aforementioned compiled survey information will be prepared as part of the correlated services associated with the flood plain impact study. The compiled information will yield an accurate base of the existing site facilities, plant materials, physical features, creek corridor and appurtenances; and will serve as the base drawing file for the preparation of the construction documents and the flood plain impact study.
- B. Design Development: The accepted site plan developed under the separate schematic design contract will be further refined and analyzed to facilitate the implementation of the construction documents.

- C. Construction Documents: The Consultant will prepare construction documents for the site and design elements included within the Bear Creek Park – Parking Lot Additions Schematic Master Plan. Construction Documents for the design elements shall include:

Site Grading Plan – Establish elevations and slopes for the proposed project elements.

Site Layout Plan – Establish dimensions of and between the proposed project elements and the existing natural and man-made site features.

Flood Plain Impact Study (Correlated Service) – A hydrological engineer will prepare a flood plain impact study analyzing the impact of those elements located within the flood plain and/or floodway upon the flood levels within the creek corridor. The services associated with this study are delineated within the correlated services task.

Construction Details – Prepare plans, sections and elevations of the individual components of the design to facilitate proper construction and implementation.

Project Specifications - Technical specifications will be prepared for the site development components of the Bear Creek Park – Parking Lot Additions.

DSS will meet with City Staff a minimum of two times during the Construction Document phase to review progress, discuss items which need City Staff input and discuss the opinion of probable cost.

Upon completion of the construction documents three (3) full size sets of 100% complete drawings will be submitted to Parks' Staff for distribution to City Departments. Three (3) bound specification manuals, modified to comments received from the final meeting with Parks' Staff, will be submitted for distribution with the drawing sets. A PDF file(s) containing the drawings and specification manual will be forwarded to City Staff. The final opinion of probable cost will also be forwarded to City Staff.

- D. Construction Bidding: The Consultant will assist the City in receiving bids for the construction of the Bear Creek Park – Parking Lot Additions Project by:

- Distributing the plans and specifications to potential bidders.
- Answering questions and interpreting the drawings during the bidding phase.
- Preparing addenda to clarify the construction plans and specifications.
- Issuing addenda to all plan holders of record.
- Opening of bids.
- Tabulation of the bids.
- Checking references and qualifications of the lowest bidder.
- Preparing a letter of recommendation for the apparent lowest qualified bidder.

- E. Construction Observation: The Consultant will perform the following tasks during the construction phase:
- Preparation of elementary and supplementary sketches required to resolve field conditions and to respond to the Contractor's Request for Information (RFI).
 - Review the submittals and shop drawings, submitted by the contractor, for conformance with the design concept.
 - The Consultant will attend monthly construction meetings, held to discuss the construction schedule, completed work, upcoming work, anticipated issues, etc. The meetings will be held to facilitate a smooth construction process.
 - The Consultant shall make periodic site visits (prior to or following the construction meetings) to determine if the project is proceeding in accordance with the contract documents. The site visits shall not be construed as inspections and shall not be continuous, daily or exhaustive. The consulting team shall not be responsible or liable for the Contractor's failure to perform the construction work in accordance with the contract documents. It is recommended that the owner have a representative on-site to observe the daily work performed.
 - Review and approval of all certificates for payment submitted by the Contractor.
 - Prepare Change Orders for the City's approval and execution.
 - Coordinate final site walk through with the City at the conclusion of construction and provide a punch list, to the Contractor, of items to be completed and corrected prior to acceptance of the project.
 - Following substantial completion and/or final acceptance, the Consultant will prepare one set of record drawings. The record drawings will be based on written record of observations by the City's Inspectors and information provided by the Contractor through written records and construction mark-ups made to the project record drawings and specifications. If desired the Consultant will provide AutoCAD, version 2012 drawing files of the record drawings. This AutoCAD file will be one drawing file with all of the information encompassed within it and paper space delineation of each individual sheet. There will not be a separate AutoCAD drawing file for each sheet within the drawing set.

CORRELATED SERVICES

The Consultant will provide the following services to develop/provide information which supplements the Consultant's basic scope of services.

Flood Plain Impact Study

DSS will retain Birkhoff, Hendricks & Carter, L.L.P. to prepare a flood study of Bear Creek.

Preparation of the flood impact study will consist of the following components:

1. On-the-ground topographic field surveys in the proposed improvements area.
2. Preparation of the existing conditions base map drawing with 0.5-foot contours.
3. Flood Impact Study of Bear Creek
 - a. Utilizing available flood computer models provided by City of Keller.
 - b. On-the-ground cross sections of Bear Creek suitable for modeling purposes.
 - c. Establishing an Existing Conditions effective flood model.
 - d. Establishing a Proposed Conditions flood model.
 - e. Brief letter report with Exhibits and Profiles.

ADDITIONAL SERVICES

1. Project Meetings - The Consultant has allowed for a total of two (2) meetings within the construction document phases. Additional meetings or public hearings with City Boards or other governmental bodies will be considered additional services and billed at the hourly rates outlined within this agreement.
2. Design Changes/Increased Scope - Any substantial design changes following commencement of construction documents, as well as, increased project scope will be considered an additional service and the Consultant may invoice for the resultant changes to the construction documents and increased services at the hourly rates outlined within this agreement.
3. Preparation of Alternates – Should the City request design alternates be prepared for bidding that increase the project scope or exceed the current construction budget the Consultant will invoice the City, in addition to the original contract amount, for the hours expended in preparing the alternates; at the hourly rates outlined within this agreement.

COMPENSATION

The Consultant's professional fee for the scope of services, exclusive of the correlated services and reimbursable expenses delineated within this proposal, is \$44,110.00, this fee shall not be exceeded without written authorization.

The professional fees for the services outlined within the separate phases of work delineated within the proposal are as follows:

Site Investigation	\$ 1,410.00
Design Development	\$ 2,050.00
Construction Documents	\$ 25,500.00
Construction Bidding	\$ 5,500.00
Construction Observation	<u>\$ 9,650.00</u>
Total Professional Fee: *	\$ 44,110.00

* Exclusive of correlated services and reimbursable expenses

For billing purposes and additional services, the following hourly rates shall be used:

DSS Principal	\$150.00 per hour
Landscape Architect	\$110.00 per hour
Project Manager – C.E.	\$280.00 per hour
Design Engineer	\$175.00 per hour
EIT III / Staff Engineer	\$175.00 per hour
Senior AutoCAD Technician	\$190.00 per hour
AutoCAD Drafting	\$145.00 per hour
Survey Field Crew (2 man)	\$185.00 per hour
CADD Technician	\$ 90.00 per hour
Technical Support	\$ 70.00 per hour
Clerical	\$ 95.00 per hour

Reimbursable Expenses: Reimbursable expenses shall include delivery charges, postage, CAD Plots, commercial printing/reproduction charges, preparation of presentation boards. The cost for the reimbursable items represents an 'out-of-pocket' expense to the consultant and shall be billed at the consultant's direct incurred cost.

Another reimbursable cost is the fee for submittal of the plans and specifications to a third party, Registered Accessibility Specialist (RAS), for the required Texas Department of Licensing and Regulation's (TDLR) Architectural Barriers plan review and post-construction inspection. There is also a TDLR project registration fee. Any cost associated with certification of ADA compliance, if applicable, will be considered a reimbursable expense.

The following chart delineates anticipated costs for correlated services and reimbursable expenses, as defined within this proposal.

Correlated Services	
Flood Plain Impact Study	\$ 46,325.00
Reimbursable Expenses – Budgetary	\$ 3,000.00
TAS Registration, Plan Review & Post Construction Inspection	<u>\$ 1,800.00</u>
Total Reimbursable Expenses:	\$ 51,125.00

Invoices shall be submitted by cover letter from the consultant. The letter shall certify that the invoice properly represents work actually done. Invoices will be based on percentage of work completed per identifiable unit of work. The City agrees to make prompt payments for all approved invoices.

INDEMNIFICATION

The Consultant shall indemnify and does hereby hold harmless, the City, its agents and employees from and against all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from the negligent performance of the services on this project performed by the Consultant, its employees, sub-contractors, agents and representatives and others for whom the Consultant is legally liable.

TERMINATION

This Agreement may be terminated without cause at any time prior to completion of the Consultant's services by the City, or by the Consultant with cause, upon seven days written notice to the City at the address of record. Termination shall release each party from all obligations of this Agreement. Upon notice of termination, the Consultant shall prepare and submit to City a final invoice within thirty (30) days.

AUTHORIZATION

DSS is prepared to initiate work on this project upon receipt of a signed copy of this agreement or upon execution of a professional services agreement with the City of Keller. We look forward to working with the City of Keller on the Bear Creek Park – Parking Lot Additions Project.

Sincerely,
Dunkin Sims Stoffels, Inc.



Bob Stoffels, RLA

ACCEPTED AND APPROVED BY:

(Signature)

(Typed Name)

(Title)

**AUTHORIZED TO EXECUTE
AGREEMENTS FOR:**

ATTACHMENT 'A'

**PROFESSIONAL FEE SCHEDULE
Bear Creek Park – Parking Lot Additions Project
Keller, Texas**

PROFESSIONAL DESIGN SERVICES

Site Investigation	\$ 1,410.00
Design Development	\$ 2,050.00
Construction Documents	\$ 25,500.00
Construction Bidding	\$ 5,500.00
Construction Observation	<u>\$ 9,650.00</u>
Professional Services Total:	\$ 44,110.00
Reimbursable Expenses – Budgetary	\$ 3,000.00
TAS Registration, Plan Review & Post Construction Inspection	<u>\$ 1,800.00</u>
Reimbursable Expense Total:	<u>\$ 4,800.00</u>
Professional Services Total:	\$ 48,910.00

Correlated Services

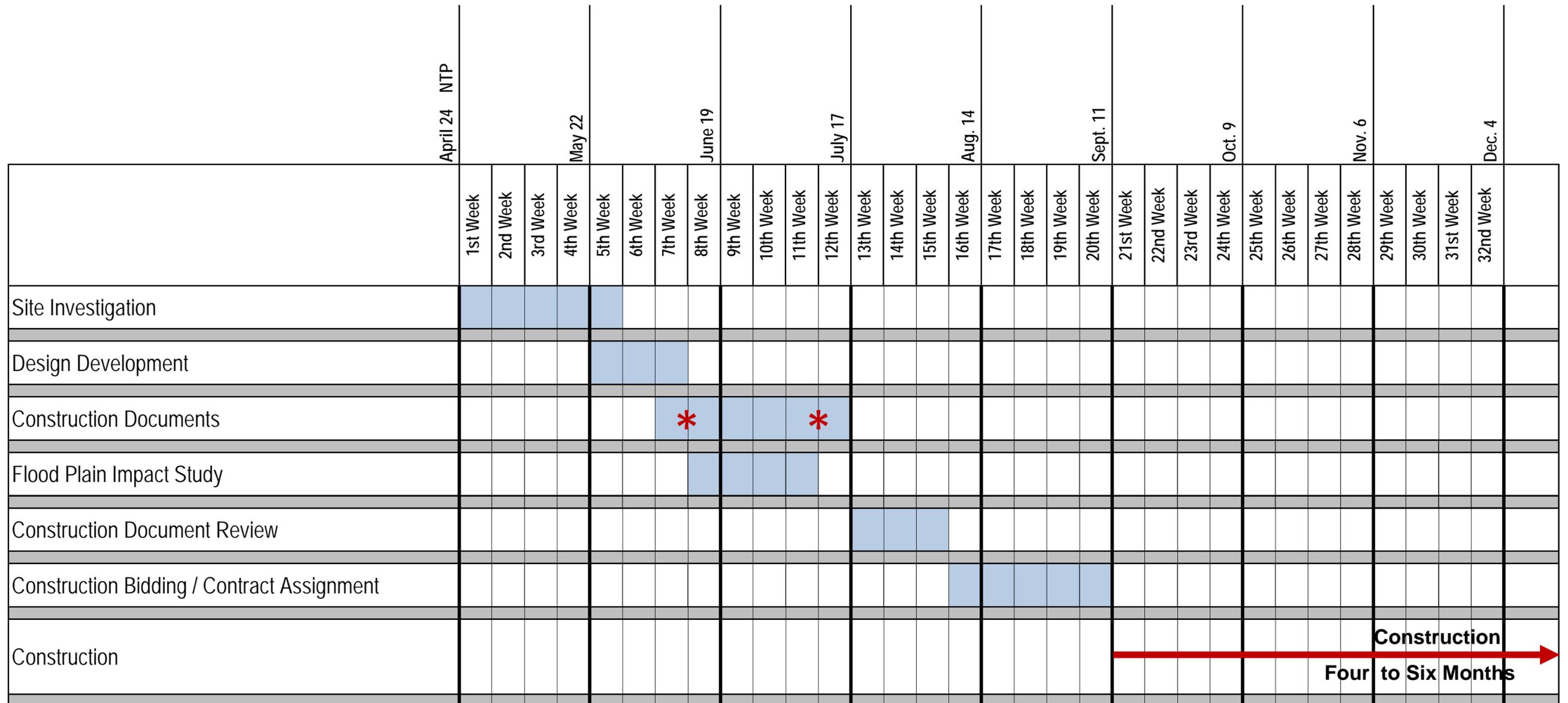
Flood Plain Impact Study	\$ 46,325.00
Correlated Services Total:	<u>\$ 46,325.00</u>
TOTAL PROFESSIONAL FEES:	\$ 95,235.00

Project Timeline

BEAR CREEK PARK - PARKING LOT ADDITIONS PROJECT

Keller, Texas

March 8, 2023



Meeting with City Staff *

NTP - Estimated Notice To Proceed