



Recommendation for Action

File #: 19-2335, **Agenda Item #:** 21.

6/19/2019

Posting Language

Authorize negotiation and execution of an emergency design-build contract with Hayward Baker, Inc., for further design and construction of the Shoal Creek Emergency Landslide Repair project in the amount of \$12,500,000 plus a \$7,500,000 contingency, for a total contract amount not to exceed \$20,000,000 and ratify an agreement and authorize payment for design work already performed and to be paid under the design-build contract not-to-exceed contract amount. Related Item #22.

[Note: This procurement is exempt from the City's MBE/WBE Program requirements as a public health and safety purchase.]

Lead Department

Capital Contracting Office

Managing Department(s)

Watershed Protection Department

Fiscal Note

Funding in the amount of \$19,000,000 is available in the Fiscal Year 2018-2019 Capital Budget of the Watershed Protection Department. Funding in the amount of \$1,000,000 is available in the Fiscal Year 2018-2019 Capital Budget of Austin Water.

Purchasing Language:

This is an emergency contract that did not go through the City's qualification-based selection process.

Prior Council Action:

May 23, 2019 - Council ratified four emergency contracts which included professional services agreements for engineering consulting services with HDR Engineering, Inc., Freese & Nichols, Inc., Geostabilization International, LLC, and a cost reimbursement agreement with Michael MacDougall and Bremond MacDougall for preliminary design alternatives analysis.

For More Information:

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or AgendaOffice@austintexas.gov.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749, Aiden Cohen, 512-974-1929, or the Project Manager, Mike Kelly, 512-974-6591.

Council Committee, Boards and Commission Action:

N/A

Additional Backup Information:

The slope failure (landslide) occurred on the west bluff overlooking Shoal Creek adjacent to the 2500 block of

North Lamar Boulevard on May 4, 2018 after a severe weather event. There were no injuries reported. For additional background, please refer to the five memos sent between May 2018 and April 2019. The trail was cordoned off from 24th Street to Shoal Creek Boulevard. The backyards of several homes on Wooldridge Drive overlooking the bluff were visibly impacted. City of Austin parkland, approximately 300 feet of the hike and bike trail, a boulder wall, and a wastewater pipe were damaged along Shoal Creek. A large quantity of soil, rock, and debris from the slope failure was deposited in the creek. The slope is still unstable and at risk of further movement. The City is monitoring the slope and creek conveyance until a permanent solution is implemented. Staff has been following emergency contract and expedited procurement procedures to advance slope repair design solutions.

The damaged 30-inch wastewater line cannot be replaced until the slope is restored. As a short term measure, a siphon was constructed under Shoal Creek and connected to a wastewater line in North Lamar. This was a temporary solution and the 30-inch line will need to be replaced. The North Lamar wastewater line does not have adequate capacity for the both the siphon flow and future growth.

It was determined that Hayward Baker, Inc. was the most qualified to perform the work. The contractor provided preliminary cost estimates for three slope stabilization design solutions with the Phase 1B - 30% Design Alternative Analysis performed under a cost reimbursement agreement with the MacDougalls for \$185,000. This contract was ratified by Council on May 23, 2019. The contract included several types of slope stabilization features on both City owned and privately-owned property. The cost estimate was for design-build services which include the cost for both design and construction services.

A design alternative was agreed upon by both the City and the private property owner. The solution for stabilizing the slope includes a series of anchored drilled shaft walls and steel bar/nail reinforced rock walls with structural shotcrete facing, a limestone block wall along the west bank of Shoal Creek, and replacement of approximately 1,100 feet of wastewater line. The proposed improvements allow space along the creek for a trail to be constructed in the future.

The selected solution is estimated to cost \$12,500,000 for design and construction. Due to the nature of design-build contracts and the dynamic nature of the landslide, there is considerable uncertainty at this stage of the cost estimate. The original base estimate received March 2019 increased from \$10,900,000 to \$12,500,000 due to additional slope failure in May 2019. The requested authorization will allow CCO to negotiate and execute a design-build contract with Hayward Baker, Inc., including contingency proportionate to the current level of uncertainty not to exceed \$20,000,000. This conservative contingency accounts for the current level of design uncertainty, unforeseen weather conditions and geological conditions. In order to avoid schedule delays, Hayward Baker, Inc. is currently advancing this work to 60% design. Approximately \$130,000 in engineering services fees out of the total \$20,000,000 have been accrued to date and will be paid out of the not-to-exceed contract amount.

The City will engage an independent engineering representative pursuant to section 2269.355 of the Texas Government Code under a separate contract. Part of their work will be to independently review the guaranteed maximum price for construction services to ensure the City receives the best quality work for the best value.

Due to the sensitive nature of the slope and extensive coordination with affected property owners, the slope repair preliminary design phase has been a measured process that has taken longer than anticipated. However, any further delays on a repair solution continue to put public and private property at risk. This authorization is necessary to proceed with the design and construction of the slope repair. The property owners directly affected by the slope failure have been informed of the selected design solution.

This project is located zip code 78703 and is located in District 9.

