



BOARD RESOLUTION ITEM

Originating
Department: Engineering and Construction Phone: 412.255.8800-2291

Department
Contact: Barry King E-mail: BKing@pgh2o.com

Date: 07.22.2022

Resolution No: 113

Approving a change order of a capital contract for Bus Rapid Transit (BRT) Water Distribution Improvements Project to A. Folino Construction, an amendment of a professional services agreement (capital) for Construction Management and Inspection Services (CM/CI) to Hatch Associates Consultants, Inc., and entering into a Cost Share and Restoration Work Agreement with Duquesne Light Company and Peoples Gas. Cumulative capital budget: \$3,457,375.22

**FINAL BOARD APPROVAL:
ADOPTED JULY 22, 2022**

Michael Domach

Michael Domach, Assistant Secretary



BOARD RESOLUTION REPORT

Resolution No:	113
DATE:	07.22.2022
TO:	PWSA Board of Directors
SUBJECT:	Approving a change order of a capital contract for Bus Rapid Transit (BRT) Water Distribution Improvements Project to A. Folino Construction, an amendment of a professional services agreement (capital) for Construction Management and Inspection Services (CM/CI) to Hatch Associates Consultants, Inc., and entering into a Cost Share and Restoration Work Agreement with Duquesne Light Company and Peoples Gas. Cumulative capital budget: \$3,457,375.22

STATEMENT OF THE ISSUE:

The contract for the construction of the Bus Rapid Transit (BRT) Water Distribution Improvements Project was originally awarded via Resolution No. 23 during the March 26, 2021 Regular Board Meeting, and was competitively bid.

A Cost Share and Restoration Work Agreement has been established in a partnership between the Duquesne Light Company (DLC), Peoples Gas, the City of Pittsburgh, and PWSA for the surface restoration within the construction limits of the Bus Rapid Transit (BRT) Water Distribution Improvements Project. With these four entities working concurrently within the overall limits of disturbance of the BRT project, it was concluded that the most cost-effective and least disruptive approach for all entities is to utilize one common contractor (A. Folino) to perform the overall surface restoration under one scope of work. Respective costs were calculated, by percentage, based on the footage of restoration work required for each individual party. Using one contractor to perform the overall restoration for all stakeholders will result in cost savings and minimize the coordination efforts for each of the stakeholders. Following is a breakdown of the current overall respective estimated surface restoration costs for each stakeholder, DLC, Peoples Gas, the City of Pittsburgh, and PWSA, based on escalated prices proposed by A. Folino as of June 24, 2022:

DLC	\$ 486,580.13
Peoples Gas	\$ 551,118.50
City of Pittsburgh	\$ 557,002.24
PWSA	\$1,862,674.35
TOTAL	\$3,457,375.22

An amendment of Hatch's CM/CI professional services agreement is necessary to allow for the CM/CI management of Folino's added scope of work. PWSA will be responsible for managing and paying Folino and Hatch directly for this additional work, and will subsequently be reimbursed by each of the respective Cost Share and Restoration Work Agreement and MOU



stakeholders.

This is the second request for change order for A. Folino's Contract that meets the Board Approval threshold, and the second request for amendment for Hatch's Professional Services Agreement. A. Folino's proposed change order for \$3,097,375.22 is a 21.1% increase to the current commitment of \$14,702,735.48 (or a 26.0% increase to the original commitment of \$11,899,999), and if approved will result in a new cumulative commitment of \$17,800,110.70. Hatch's proposed amendment for \$360,000.00 is a 20.9% increase to the approved total current commitment of \$1,722,000 (or a 29.0% increase to the original commitment of \$1,240,000), and if approved will result in a new cumulative commitment of \$2,082,000. For reference, the first change order for Folino was approved via Resolution No. 78 during the May 27, 2022 Board Meeting; and the first amendment for Hatch was approved via Resolution No. 61 during the April 22, 2022 Board Meeting.

RECOMMENDED ACTION:

Staff recommends that the Board approve:

1. A change order of a Capital Contract for construction of the Bus Rapid Transit (BRT) Water Distribution Improvements Project to A. Folino Construction Inc. in the amount of \$3,097,375.22,
2. An amendment of the Professional Service Agreement (Capital) for Construction Management and Inspection (CM/CI) Services to Hatch Associates Consultants, Inc. in the amount of \$360,000, and
3. Entering into the Cost Share and Restoration Work Agreement with Duquesne Light Company and Peoples Gas for the final restoration of the BRT project area and authorize the Chief Executive Office to sign the Cost Share and Restoration Work Agreement on behalf of PWSA

ALTERNATIVES:

If the PWSA Board does not approve this resolution, the restoration of this heavily traveled corridor: will not be coordinated with the other utilities and the City of Pittsburgh DOMI, adding to PWSA's internal and consultant CM/CI management costs; will result in costly uncoordinated restorations, unnecessarily wasting a significant amount of asphalt through the redo and/or overlap of restoration areas; increase the number and duration of traffic interruptions on these highly traveled roadways; and will not be completed until the 2023 construction season.

SUPPLIER DIVERSITY PROGRAM STATUS:

Details regarding the Supplier Diversity Program (SDP) Participation Commitments for A. Folino Construction and Hatch Associates Consultants, Inc. can be found in the attached SDP Participation Summary Memo.

FINANCIAL IMPACT OF RECOMMENDATION:

Account Information	
Account:	Capital
Operating Department Code:	325 - Water Ops



Operating Account Code:	1840 - Capital Projects Only
Total Amount Requested for Approval	\$3,457,375.22
Frequency of Expenditure	One-Time

DOCUMENTS ATTACHED:

SDP Participation Summary Memo.

FOR MORE INFORMATION:

Staff contact: Sciulli, Marco

E-mail: msciulli@pgh2o.com

LEGAL REVIEW: SHANNON BARKLEY 07.20.2022

FINANCE. REVIEW: TIM DISALVIO 07.20.2022

PROCUR. REVIEW: THORYN SIMPSON 07.20.2022

BY CHIEF EXECUTIVE OFFICER:

William J. Pickering 07.20.2022

PITTSBURGH WATER AND SEWER AUTHORITY

SUPPLIER DIVERSITY PROGRAM PARTICIPATION SUMMARY

TO: BARRY KING, DIRECTOR, ENGINEERING AND CONSTRUCTION

FROM: DARBY L. NEIDIG/MARCO SCIULLI, PROJECT MANAGER, ENG. AND CONSTRUCTION

DATE: 07/12/2022

SUBJECT: PWSA PROJECT NO. 2020-325-102-0
BUS RAPID TRANSIT (BRT) WATER DISTRIBUTION IMPROVEMENTS

CONSTRUCTION CHANGE ORDER SUMMARY

Project Schedule Review					
Existing Project Schedule			Revised Schedule		
Start	End	% Complete	Start	End	% Complete
3/31/2021	7/18/2022	98.9%	3/31/2021	8/31/2022	90.5%

Change Order Summary (A. Folino Construction)					
Original Award	Approved Change Orders to Date	Total Current Contract	Proposed Change Order Amount	% Increase over Original Contract	% Increase over Current Contract
\$ 11,899,999.00	\$ 2,802,736.48	\$ 14,702,735.48	\$ 3,097,375.22	26.0%	21.1%

Contractor Progress (A. Folino Construction)					
Historic (<i>current</i>) Commitment (<i>Original Award + Approved Amendments</i>)			Revised Commitment (<i>update including this request</i>)		
Total Current Contract	Paid to Date	% Spent	Proposed Change Order Amount	Updated Total Commitment	% Spent
\$ 14,702,735.48	\$ 10,316,038.67	70.2%	\$ 3,097,375.22	\$ 17,800,110.70	58.0%

SDP Analysis: Contractor								
Contractor Name	A. Folino Construction	Historic Summary				Revised/Updated		
		Goals (per Original Award)		Actual To Date (As of 05/31/2022)		Goals (including this Change Order)		
SDP Category	SDP Firm Name	%	\$	%	\$	%	\$ (This Change Order)	\$ (Updated Total Commitment)
WBE	DAG Supplies	9.4%	\$1,120,000.00	8.2%	\$840,995.00	8.0%	\$583,013.86	\$1,424,008.86
WBE	Crews Control	0.6%	\$70,000.00	1.3%	\$129,141.00	0.7%	\$0.00	\$129,141.00
WBE	Subtotal	10.0%	\$1,190,000.00	9.4%	\$970,136.00	8.7%	\$583,013.86	\$1,553,149.86
MBE	R & R Trucking	0.0%	\$0.00	2.1%	\$219,171.00	1.2%	\$0.00	\$219,171.00
MBE	Subtotal	0.0%	\$0.00	2.1%	\$219,171.00	1.2%	\$0.00	\$219,171.00
SDP	Total (all SDP firms)	10.0%	\$1,190,000.00	11.5%	\$1,189,307.00	10.0%	\$583,013.86	\$1,772,320.86

In review:

- A. Folino Construction has currently achieved a 11.5% SDP Participation (as of May 31, 2022, calculated on the actual total amount paid to Folino to date), which is in excess of PWSA's minimum SDP Participation level of 10%. Folino is generally anticipated to maintain the overall original goal level for their SDP subcontractor participation.

CONSTRUCTION MANAGEMENT CONTRACT AMENDMENT SUMMARY

Project Schedule Review					
Existing Project Schedule			Revised Schedule		
Start	End	% Complete	Start	End	% Complete
4/7/2021	4/7/2022	126.0%	4/7/2021	8/31/2022	90.0%

Change Order Summary (Hatch Associates Consultants)					
Original Award	Approved Contract Amendments to Date	Total Current Contract	Proposed Contract Amendment Amount	% Increase over Original Contract	% Increase over Current Contract
\$1,240,000.00	\$482,000.00	\$1,722,000.00	\$360,000.00	29%	21%

Construction Management Progress (Hatch Associates Consultants)					
Historic (<i>current</i>) Commitment (<i>Original Award + Approved Amendments</i>)			Revised Commitment (<i>update including this request</i>)		
Total Current Contract	Paid to Date	% Spent	Proposed Contract Amendment Amount	Updated Total Commitment	% Spent
\$1,722,000.00	\$1,570,015.00	91.2%	\$360,000.00	\$2,082,000.00	75.4%

SDP Analysis: Construction Management								
Contractor Name	Hatch Associates Consultants	Historic Summary				Revised/Updated		
		Goals (per Original Award)		Actual To Date (As of 7/11/2022)		Goals (including this Change Order)		
SDP Category	SDP Firm Name	%	\$	%	\$	%	\$ (This Change Order)	\$ (Updated Total Commitment)
WBE	Monaloh Basin Engineers, Inc	14.5%	\$180,000.00	16%	\$253,564.00	14.5%	\$48,661.81	\$302,225.81
WBE	Subtotal	14.5%	\$180,000.00	16%	\$253,564.00	14.5%	\$48,661.81	\$302,225.81
MBE	A&A Consultants	6.5%	\$81,112.00	7%	\$115,360.00	6.5%	\$20,829.66	\$136,189.66
MBE	SciTek	4.0%	\$50,000.00	4%	\$58,687.00	4.0%	\$25,264.61	\$83,951.61
MBE	Subtotal	10.6%	\$131,112.00	7%	\$174,047.00	10.6%	\$46,094.28	\$220,141.28
SVBVE	Trophy Point	9.8%	\$121,104.74	9%	\$148,965.00	9.8%	\$54,373.77	\$203,338.77
SVBVE	Subtotal	9.8%	\$121,104.74	9%	\$148,965.00	9.8%	\$54,373.77	\$203,338.77
SDP	Total (all SDP firms)	34.9%	\$432,216.74	33%	\$576,576.00	34.9%	\$149,129.85	\$725,705.85

In review:

- Hatch Associates Consultants has currently achieved a 33% SDP Participation (as of July 11, 2022, calculated on the actual total amount paid to Hatch to date), which is well above PWSA's minimum SDP Participation level of 10%. Hatch is anticipated to generally maintain the original goal levels for their SDP subconsultant participation.