



August 9, 2021

TO: Council President
City Council Members

FROM: Jeff Baumann, Public Works Director

CC: Council Appointees

THROUGH: Rob Hillard, City Manager

SUBJECT: Morgan St. Reservoir and Wetland Bid

Purpose and Recommendation

Together with the Environmental Design Group (EDG), the Public Works Department has prepared and bid plans and specifications for the proposed improvements to the Morgan Street Reservoirs, now 'Morgan St. Reservoir and Wetland'. Bids were opened on August 3rd. The Public Works Department recommends accepting the bid of Big Trees, Inc. of Columbia Station, Ohio in the not to exceed amount of \$535,885.00.

Background and Discussion

In the spring of 2018, the water level in the west (upper) reservoir on Morgan St. dropped approximately five feet. On September 18, 2018, the Ohio Department of Natural Resources (ODNR) conducted their 5-year inspection of these reservoirs. We received their report in mid-January, 2019. It includes numerous remedial measures requiring the assistance of a professional engineering firm. Following a qualification-based selection process, on May 20, 2019 by Ordinance 19-31, City Council authorized a \$71,200 contract with EDG to develop the Phase I Alternatives Analysis. On October 21, 2019, by Ordinance 19-63, City Council approved a \$12,500 contract amendment for additional geotechnical engineering services necessary for further evaluation of the embankments.

During the Phase I contract work, EDG conducted extensive background research on the Morgan St. reservoirs and prepared a topographic survey of the site. With this information, they planned and managed an Alternatives Workshop at the Oberlin Public Library on August 14, 2019. Numerous interested persons attended and provided feedback on the future adaptive re-use of the site in (4) subject areas: Habitat/Vegetation, Historic Character, Reservoir Use and Trails/Circulation. EDG subsequently developed three alternatives for further consideration. Alternate #1 includes the necessary improvements and repairs to maintain the reservoirs as regulated dams under ODNR jurisdiction. In Alternate #2, the west reservoir would be turned into a wetland and modifications to the east reservoir would be constructed in order to exempt it from ODNR regulations. Alternate #3 would fully decommission both reservoirs by converting them to adjacent wetlands and by developing a by-pass overflow channel for Plum Creek.

EDG presented these alternatives at a work session in advance of the February 18, 2020 City Council meeting. There was little enthusiasm for Alternate #1 due to its high up front and ongoing maintenance expenses and the significant changes to the site required to meet ODNR dam regulations. The public supported both alternatives #2 and #3 for their environmental benefits with some preference towards Alternate #2 for its lower cost and greater sensitivity to the historical context and more recent uses of the site. The alternatives were further refined and presented to the Recreation Commission on April 21, 2020 and the Open Space and Visual Environment Commission on May 5, 2020. Both commissions voted to recommend Alternative #2 to City Council. At its June 15, 2020 work session, City Council directed staff to pursue Alternate #2.

Public Works subsequently negotiated the scope of the Design Services contract with EDG, which includes the following tasks:

1. Project Management including preparing for and hosting design planning meetings for staff and the public.
2. Wetlands Delineation including US Army Corps & OEPA Coordination, if required.
3. Berm Structural and Sediment Assessments.
4. Construction Plans – 60% Completion.
5. Construction Plans – 90% Completion and a Natural Resources Management Plan.
6. Construction Plans – 100% Completion and Bidding.
7. Bidding Assistance and Construction Administration.

City Council authorized the design contract with EDG in the amount of \$101,200 by Ordinance 20-45, approved on November 2, 2020. Since that time, EDG has worked expeditiously to complete design to have this project ready to bid for this summer, 2021.

On January 13, 2021, we held our kick-off meeting (via Zoom) with EDG staff. This included review and discussion of the various design services components (as above), the project goals, development of a preliminary project schedule including public meetings, etc. We held a follow up meeting a month later on February 16th to review the 60% draft plan set. Although we had planned to present the 60% plans to the Open Space Commission on March 23rd for public comment, we determined to postpone this presentation pending further design work to strike the right balance between habitat preservation, accessibility, engineering and constructability.

Ryan Bentley, landscape architect and EDG's lead designer, presented the 60% plans to the community at the City Council work session on April 19th. Numerous comments were made about various aspects, especially in regard to pedestrian circulation, recreation/amenities and engineering specifics. Many persons relayed that the lawn area on the north side, between the existing reservoirs was unnecessary as a meeting space for people and less beneficial as habitat. A similarly robust public discussion took place the following week during the April 27th Open Space Commission meeting. Some OSVEC and Recreation Commission members in attendance expressed the desire to find a balance between a "traditional" park and a nature preserve. As I recall, OSVEC Chair Sylvan Long suggested enlarging the path intersection at the north central part of the site to create a small public gathering space.

Working with EDG, we incorporated the public feedback to further refine the 90% plan documents. At the June 7, 2021 City Council meeting, I made a short presentation on the feedback we had received and the changes that had been made between the 60% plans and the 90% plans. City Council expressed its appreciation for the public input phases, our responsiveness to that input

and concluded ‘let’s go to bid’. Following this meeting, I worked closely with EDG on finalizing the 100% drawings, the specifications and incorporating the City’s standard front end bidding documents into the bid book.

Since EDG’s construction cost estimate at \$519,535 was significantly higher than it was during the alternatives analysis phase, we determined to bid the project with (4) alternates to help reduce cost if necessary. Alternate #1 is the wetland observation deck on the west side of the wetland. Alternate #2 provides for two wetland shoreline access points. Alternate #3 provides for two shoreline access points to the reservoir. Alternate #4 includes additional tree removal and grading along the NE side of the reservoir, if required by ODNR. These alternatives are prioritized: #3, #2, #1, #4 and bidders were informed: “Alternates will be removed from consideration in reverse priority in order to meet the maximum project budget.”

Bids were advertised on July 10th. We held a pre-bid meeting for interested contractors on site on July 22nd, attended by all three bidders. Bids were opened on August 3rd. The bid tab is attached. The cumulative total by alternate for each bid is summarized below:

Bidder	Base	#3	Base + #3	#2	Base + #3+#2	#1	Base + #3 + #2 + #1	#4	Combined
Marks	\$570,101.92	\$10,035.00	\$580,136.92	\$8,946.00	\$589,082.92	\$15,600.00	\$604,682.92	\$2,424.75	\$607,107.67
BigTrees	\$491,820.00	\$12,780.00	\$504,600.00	\$13,155.00	\$517,755.00	\$9,675.00	\$527,430.00	\$8,455.00	\$535,885.00
BT less 2%	(\$9,836.40)		(\$10,092.00)		(\$10,355.10)		(\$10,548.60)		(\$10,717.70)
BigTrees(2)	\$481,983.60		\$494,508.00		\$507,399.90		\$516,881.40		\$525,167.30
M Haynes	\$474,091.25	\$17,705.00	\$491,796.25	\$16,845.00	\$508,641.25	\$58,450.00	\$567,091.25	\$5,595.00	\$572,686.25

The low bid for each scenario is highlighted in the table above. As you can see, Mark Haynes Construction is the low bidder for the Base Bid and for the Base Bid plus Alternate #3. When we consider more alternates, Big Trees becomes the low bidder. Big Trees is headquartered in Columbia Station so as a Lorain County Bidder they are eligible for the 2% local preference bid discount per Chapter 158 of the City’s codified ordinances. The local preference ordinance effectively makes Big Trees the low bidder by about \$1,350 when we consider the Base Bid plus Alternates #3 and #2. Big Trees remains the low bidder with the additional alternates, including the combined bid with all of them. Since the combined total is within about 3% of EDG’s estimate for the base bid and since public access features have been an important element in the development of the plans, Public Works recommends accepting Big Trees’ bid including all four alternates.

Fiscal Impact

At the time that the 2021 budget was prepared, our best estimate from the alternatives analysis phase, was that Alternate #2 would cost between \$300,000 and \$350,000. We budgeted the low end of that range and \$300,000 is included in this year’s Income Tax Capital Improvement Fund budget for this project. To make up the difference, there is approximately \$130,000 in the Income Tax line item for Street Improvements. This surplus is a result of competitive bids and good pricing for both the Washington/Monroe and Hawthorne/Colony paving projects. There is also currently \$222,803.48 available in the Income Tax line item for Building Improvements. These funds are allocated based on the insurance settlement for the fire at the Waterworks Building. To date, we’ve spent about \$20,000 on demolition and related expenses for the fire damaged portion of the building and demolition/clean-up in the front of the building. Continued

discussion on the best adaptive re-use of this historic structure is in order before we put the project out to bid again. In the interim the necessary additional funding is available in this line item. Funds from the Street Improvements and Building Improvements line items can be transferred administratively to the Parks Improvements line item to make up the difference.

Consultation

Since the City of Oberlin has not previously had a contract with Big Trees, we requested references. I talked with Don Romancak at Lorain County Stormwater District about their Willow Creek Restoration project in Eaton Township; with James Kilbane an engineer with the City of Strongsville about the Foltz Industrial Park Wetlands Mitigation Project and with Kim Hildreth at the City of Mansfield about the Reid Industrial Park Stream and Wetland Mitigation Project. Each of them was uniformly positive about their prior experience working with Big Trees. Staff at EDG also has firsthand experience with Big Trees from other clients' projects. EDG notes they did a good job with grading and that plantings came in really well. Everyone indicated that they would contract with Big Trees again if and when the opportunity arises.

Extensive public input throughout the alternatives analysis and design phases has been summarized in the Background/Discussion section above. I'd like to thank the Open Space and Recreation commissions as well as City Council for hosting these discussions and their input throughout the process.

I'd also like to thank staff in the Public Works Department. Water Division personnel have been very pro-active in managing the Reservoirs. Their research, historical knowledge and assistance has been invaluable. Former B&G Superintendent Jon Simms and his successor Jason Keltner have both provided important input into current and future maintenance operations. Engineering has fact-checked the process behind the scenes to help keep this project on track. Thanks to Sheri Runals for assisting in managing the bid process. Due to the high construction cost, Public Works staff including City Engineer Randall Roberts, Engineering Tech Jordan Irvin, Stormwater Coordinator Jennifer Reeves, B&G Superintendent Jason Keltner and I are going to tag team inspection during construction.

EEO compliance materials for all bidders has been reviewed and approved by Communications Manager Diane Ramos. Diane has also helped with publicity throughout project development.

Draft authorizing legislation has been sent to Law Director Jon Clark for review and approval.

Conclusion

To construct the selected Alternative #2, the Public Works Department recommends that City Council accept the bid of Big Trees, Inc. of Columbia Station, Ohio in the not-to-exceed amount of \$535,885.00. The Public Works Department further recommends that City Council accept the bid within the time limitations provided by law and approve the contract on an emergency basis. This will also allow the project to proceed expeditiously to meet the substantial completion deadline in December, 2021.

If there are any questions, please let me know.