



MEMO TO: Mayor Vandernail and the Board of Trustees
FROM: Ed Cannon, Town Manager
DATE: October 19, 2022
SUBJECT: Merrick & Company Town Engineer Contract Approval

MATTER BEFORE BOARD:

Approval of Master Agreement between Merrick & Company and the Town of Fraser (“Agreement”) to designate Merrick & Company as the Fraser Town Engineer and outline the scope of services to be provided.

ATTACHMENT:

Master Agreement for Professional Services Between Merrick & Company and the Town of Fraser.

BACKGROUND:

Merrick & Company (“Merrick”) has provided engineering support for the Town of Fraser for many years. Merrick is the engineer of record on numerous capital projects, including the Joint Wastewater Treatment Facility. Merrick also provides engineering review services to support private development. Merrick currently performs these duties under individual contracts for each project and/or scope of work.

The Agreement serves two purposes: First, it groups engineering duties under one agreement which eliminates the need for separate contracts for engineering services. Secondly, it designates Merrick as the Fraser “Town Engineer”.

The term Town Engineer is mentioned nine (9) times in the Fraser Municipal Code. A Town Engineer is a qualified professional engineer (PE), or engineering firm who has been designated by the Town to perform specific duties. The designation carries official authority to act on behalf of the Town. Some of the duties of the Town Engineer outlined in our code include:

- Approving engineered grading permits
- Approving construction plans and civil drawings
- Approving geological hazards and geotechnical reports
- Approving material composition for public infrastructure bedding/backfill and compaction

- Approving change orders and Requests for Information

Designating Merrick as the Town Engineer has several advantages listed below:

1. Allows the Town to have a Professional Engineer available backed by an engineering firm with depth of technical resources to assist the Town
2. Fulfills a role that the Town may not need on a full-time basis
3. Fulfills a role that the Town cannot provide on its own
4. The proposed master services agreement and task order system defines standards of care the Town may expect when Merrick provides assistance
5. For advice, recommendations, decisions that Merrick makes in the Town's interest, the agreement identifies limits to liability to protect the Town and Merrick.

BUDGET

Merrick currently performs tasks in two areas: Town projects, and development projects.

Town projects are divided into two areas: 1) capital projects, and 2) general engineering services. Capital projects operate under a specific scope of work. Examples include the Byers Ave Watermain Replacement, the RR and US40 sewer crossing, and pavement replacement. The work includes preparing engineering and civil drawings, bid documents, and construction oversight. General engineering support include surveys, traffic studies, rate studies, financial planning, easements, and administrative support, including preparing staff reports and presenting engineering reports to the Board of Trustees.

Development projects include civil and construction plan review, drainage, stormwater review, change order approval, FRIs (Requests for Information relating to field changes), and construction inspection. These costs are reimbursed by the developer under Fraser's Code and Subdivision Improvement Agreements.

The proposed Agreement will not change the costs we are currently paying to Merrick for Town projects, so the Agreement is budget neutral.

RECOMMENDATION:

Approve the Master Agreement between Merrick & Company and the Town of Fraser.