



**City of Rochester Hills  
AGENDA SUMMARY  
FINANCIAL ITEMS**

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**Legislative File No:** 2010-0420

**TO:** Mayor and City Council Members  
**FROM:** Paul M. Davis, P.E., Acting DPS Director  
**DATE:** October 18, 2010  
**SUBJECT:** Avon Creek Restoration Project & Grant Award  
City File No. E06-004

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**REQUEST:**

The City of Rochester Hills through the U. S. Fish and Wildlife Services has been awarded a grant for the Great Lakes Basin Fish Habitat Partnership for the Avon Creek water quality enhancements, pond restoration and creek restoration project, CIP SW-09. The Department of Public Service recommends accepting the construction contract for Phase I of the project and requests that City Council authorizes the award of contract to Inland Lakes Landscaping Corporation of Pontiac, Michigan for construction of the project in the amount of \$180,111.80.

In addition, The Department of Public Service also requests City Council authorization of a 10% contingency in the amount of \$18,011.18 to allow for quantity adjustments based on final measurements verified in the field.

**BACKGROUND:**

The Avon Creek water quality enhancements and pond restoration project was approved in the 2009 budget and carried over to the 2010 budget. For the last two years the City has vigorously sought grant funding that would increase the return on the City's investment. The hard work between the City and Michigan Department of Natural Resources and Environment (MDNRE) staff resulted in successfully securing \$135,000 in grant funding for improving the Avon Creek habitat and function.

The work included for the pond restoration and creek improvements was planned for two phases. The first phase proposed removing accumulated sediment from the pond, replacing the failing control structure and spillway, installing a water quality fore bay, rain gardens, "bio swale" in the roadside swale, restoring native grasses and plants, removing invasive woody vegetation and creating an emergent wetland. Phase II is for the Avon Creek and adjacent land restoration downstream of the pond. The work for phase II has only been conceptually identified at this point and will be specified in greater detail and bid out in the near future.

The grant funding agreement is conditioned on Rochester Hills committing to complete work included in Phase I. Thus, the Phase I work for the project is 100% City funded and Phase II, the restoration of Avon Creek downstream of the pond, will then be 100% grant funded up to \$135,000.00.

Inland Lakes Landscaping Corporation was the lowest of 4 bids received on September 21, 2010; their bid proposal totaled \$212,588.55. The Phase I amount currently budgeted by the City is \$160,000.

Explanation for the increase in cost: When \$160,000 was estimated for the 2009 construction budget, it did not include the replacement of the failing steel sheeting “seawall” and spillway. The final project design that was bid includes the replacement of the seawall with a ledge rock wall, geo-synthetic clay liner and pond liner. In addition to the seawall replacement the “riparian improvement cut” was added that included cutting and herbicide treatment of approximately two acres adjacent to the creek. The failed steel wall and concrete spillway is not only a risk to the pond and creek it is a safety risk concern. The steel has rusted and has exposed jagged holes and the spillway has broken up and is a hazard. The riparian improvement will cut the invasive woody vegetation and treat it with herbicide. Typically, invasive plant control requires multiple herbicide applications. Adding a herbicide application to Phase I will improve the success of the herbicide treatment planned for Phase II.

To reduce the cost of the project we have reduced the project by eliminating the swale restoration north of Rochester Hills Drive and reduce some of the plantings. Inland Lakes was called and has stated that reducing the project scope from the original bid amount is acceptable. After a subsequent review of the work, the City recommends that Phase I work be reduced to total \$ 198,122.98 based on bid unit prices.

**BUDGET:**

\$160,000 was approved in the 2010 1<sup>st</sup> quarter budget amendment in the Water Resources Fund. It is recommended that the budget for the project be increased by \$38,122.98 to \$ 198,122.98 for the addition of seawall and spillway replacement from the Water Resources Fund. If approved by council, a proposed fourth quarter budget amendment will be forthcoming.

<b>Fund Name</b>	<b>Department Account No</b>	<b>Account No. Description</b>	<b>Budget Amount</b>	<b>Cost</b>	<b>Remaining Budget</b>
Water Resources	244.974000	Land Improvement SW-09A	\$160,000.00	\$ 198,122.98	(\$38,122.98)

**RECOMMENDATION:**

The Department of Public Services recommends that City Council awards a contract to Inland Lakes Landscaping Corporation of Pontiac, Michigan for construction of the Avon Creek restoration project in the amount of \$180,111.80. In addition, The Department of Public Service also requests City Council authorize a 10% contingency in the amount of \$18,011.18 to allow for quantity adjustments based on final measurements verified in the field.

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Attachment: Grant National Fish & Wildlife Cooperative Agreement  
Bid Tabulations

**RESOLUTION**

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director	<i>Paul M. Davis</i>	10/13/10
Budget Content: Finance Director	<i>[Signature]</i>	10/13/10
Purchasing Process: Supervisor of Procurement	<i>Jean Fasier</i>	10-13-10
Mayor		
City Council Liaison		