

RESOLUTION 2016-020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN EXCEPTION TO THE USE OF A COMPETITIVE PROCESS FOR A
PROFESSIONAL SERVICE CONTRACT WITH ANDERSON CONSULTING ENGINEERS,
INC., FOR THE POUFRE RIVER DOWNTOWN PROJECT

WHEREAS, in 2013 and 2014 the City initiated, funded and approved a master plan for the Poudre River Downtown Project (the "Master Plan") which included a comprehensive planning process for the design, permitting and construction of the improvements to the Poudre River from Shields street to Mulberry (the "Project"); and

WHEREAS, in 2013 the City contracted with Anderson Consulting Engineering, Inc. ("Anderson") to be the lead consultant for the Project and Anderson has led a large interdisciplinary team responsible for preparation of preliminary design documents; and

WHEREAS, Anderson has a long history of working on the Poudre River, including being under contract with the City's Stormwater Utility providing it with engineering services since 2009; and

WHEREAS, the Master Plan identified the area between College Avenue and Burlington North Santa Fe Railroad as the initial priority for City investment; and

WHEREAS, this area is extremely complex with many more variables to address than other sites identified for improvement in the Master Plan; and

WHEREAS, Anderson Consulting Engineers' technical expertise in hydraulic modeling and knowledge of the Poudre River system is critical to the Project; and

WHEREAS, the hydraulics involved with reconnecting the Poudre River to its floodplain and the flooding at College Avenue and Vine drive are also complex issues; and

WHEREAS, given its extensive Poudre River experience as well as its role as the Project lead for the last several years, the Anderson design team has a deep familiarity with the complexities and challenges associated with this site which make Anderson uniquely suited to address the Project's core objectives; and

WHEREAS, those core objectives include flood mitigation, habitat conservation and restoration of the existing riparian ecosystems to promote river health and aquatic and riparian habitat for fish, wildlife, trees and plants and to achieve and maintain diverse sustainable habitat; and

WHEREAS, the objectives also include enhancing recreation amenities both in and along the Poudre River; and

WHEREAS, the financial impact of this contract to complete the design and associated hydraulic modeling, permitting and construction assistance will be approximately \$1.13 million dollars; and

WHEREAS, the proposed contract will have a two-year term and pricing based on the original contract terms; and

WHEREAS, funding for phase one of the Project will be provided in part as follows: \$4 million from Building on Basic 2.0; \$1 million from Natural Areas; \$1 million from Stormwater; and \$1.5 million from public and private fundraising for a total cost of \$7.5 million; and

WHEREAS, the funding for the Project has been appropriated and is authorized in the 2016 budget; and

WHEREAS, City Code Section 8-161(d)(1)(b) authorizes an exception to the City's competitive bidding process, although there is more than one responsible source, when the competitive process cannot reasonably be used, or if used, will result in a substantially higher cost to the City or will substantially impede the City's administrative functions or the delivery of services to the public; and

WHEREAS, as lead consultant on the Project, Anderson has the technical expertise to lead the Project and has developed collaborative partnerships with numerous stakeholders; and

WHEREAS, the team has been instrumental in preliminary designs of the Poudre River that incorporate fish passage structures and stormwater enhancements; and

WHEREAS, leveraging this extensive knowledge and experience is in the City's best interest and will save significant time and cost to the continuing budget; and

WHEREAS, establishing a new contract with another consulting firm at this stage of the Project would result in delays, substantially higher costs to the City and loss of coordination efforts with agencies conducted to date; and

WHEREAS, the City Purchasing Agent and other City staff recommend the adoption of this Resolution; and

WHEREAS, the City Code Section 8-161(d)(3) requires prior approval of this purchasing method by the City Council for all procurements which exceed Two Hundred Thousand Dollars (\$200,000.00).

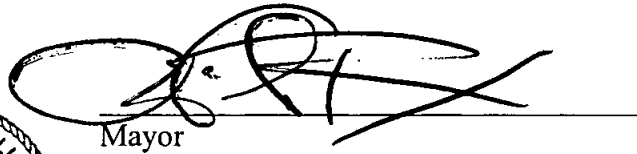
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

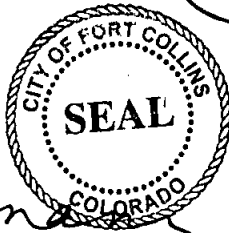
Section 2. That the Council approves, as an exception to the City's competitive bidding process, the purchase of services from Anderson for the Project and to do so as an exception to the City's competitive procurement requirements for the reasons set forth herein.

Section 3. That the Purchasing Agent may use this approval, as authorized in City Code Section 8-161(d)(4), as the basis for negotiating the additional purchase of services from Anderson for the Project for up to two additional one-year terms extending through December 2018.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of March, A.D. 2016.



Mayor



ATTEST:



City Clerk