



## Legislation Text

---

**File #:** 17-0267, **Version:** 1

---

**DATE:** March 30, 2017

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Paul Holzen, City Engineer/Director of Engineering  
Jonathan Marston, Assistant Director of Engineering

**SUBJECT:**

Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2015-0052) with Sullivan Engineering, Inc. for the Final Design of the East McEwen Drive Phase 4 Improvements Project for a Cost Increase Not-to-Exceed \$121,998.66 (3/30/2017 CIC 4-0)

**Purpose**

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Amendment No. 1 to the Professional Services Agreement (PSA) (COF Contract No. 2015-0052) with Sullivan Engineering, Inc. (SEI) for the Final Design of the East McEwen Drive Phase 4 Improvements project.

**Background**

On March 24, 2015, the BOMA approved a PSA (COF Contract No. 2015-0052) with SEI for the final design of the East McEwen Drive Phase 4 Improvements with a not-to-exceed contract ceiling of \$713,000.00. During the completion of the final design, two (2) significant changes, outside of the original contract scope, have occurred.

First, the original preliminary design and subsequent final designs showed a shared driveway for the properties located at 3631, 3651, 3709, 3713 and 3953 East McEwen Drive. This shared driveway was designed to have two (2) connections to East McEwen Drive. The property owners affected by this design were concerned about future traffic on this driveway, as it would appear to other drivers to be another street. After several meetings with the affected property owners, staff agreed to modify the design to include a cul-de-sac at the east end of the driveway. This change required both additional design work and geotechnical testing. Ultimately, this shared driveway will be located in public right-of-way and maintained by the City of Franklin.

The second change occurred at a set of private drives (e.g. 3594 & 3642 East McEwen Drive) directly across the street from the previously mentioned properties. Due to the Fall 2016 discussion with the BOMA about shared driveways and the eminent domain process along Lewisburg Pike, staff requested a design change to

the proposed access at 3594 and 3642 East McEwen Drive. Specifically, staff requested a short drive and cul-de-sac, located in public right-of-way, be utilized to provide access to these properties. This change also required additional design work and geotechnical testing.

In an effort to complete the final plans in a timely fashion, the designer, in good faith, has completed the requested changes prior to final approval by the BOMA.

**Financial Impact**

As these changes were not anticipated, the original budget does not include adequate funding. Engineering will continue to work closely with both Administration and Finance to determine the most appropriate and available source of funding for this increased cost. It is most likely that funding will be made available through the Capital Project Fund. In that case, the general ledger (GL) code to be utilized for project expenses will continue to be 310-89420-43100.

**Recommendation**

Staff recommends approval of Amendment No. 1 to the PSA (COF Contract No. 2015-0052) with SEI for a cost increase not-to-exceed \$121,998.66.