



## Legislation Text

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**File #: 88328, Version: 1**

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### **.Fiscal Note**

The proposed resolution authorizes the amendment of a non-competitive selection contract with Short Elliott Hendrickson, Inc. (SEH) for design services related to the reconstruction of Madison Water Utility's Unit Well 12 in an amount not to exceed \$400,000. Funding for the amendment and original Unit Well 12 costs is available in the Water Utility's 2025 Adopted Capital Budget (Munis #10452). The original service contract with SEH was below the competitive selection threshold. No additional appropriation is required.

### **.Title**

Authorizing the amendment of a non-competitive selection contract with Short Elliott Hendrickson, Inc. for design services related to the reconstruction of Madison Water Utility's Unit Well 12 (District 11)

### **.Body**

WHEREAS, Madison Water Utility's (MWU) Unit Well 12 (801 South Whitney Way) was established in 1958. It operates year-round and delivers water to Madison's Near West neighborhoods including University Hill Farms, Sunset Village, Midvale Heights, Westmorland, Crawford-Marlborough-Nakoma, Orchard Ridge, Summit Woods, Meadowood, Allied Dunn's Marsh, Arbor Hills and Leopold. In 2024, Unit Well 12 pumped 550 million gallons compared to its 5-year average of 559 million gallons annually. The site consists of a well pump house and a detached 150,000 gallon above-ground water reservoir, and

WHEREAS, in 2014, Short Elliott Hendrickson, Inc. (SEH) was selected through a competitive request for proposal process as the engineering consultant to work with MWU on the design of a concept that would allow Unit Well 12 to operate as a dual-pressure zone facility, and

WHEREAS, through 2018, SEH established plans and specifications for a Public Works project to be bid and constructed for Unit Well 12, however the project bidding process was ultimately delayed, and

WHEREAS, in 2024, to re-initiate and fund the Unit Well 12 project for 2026 construction, MWU filed its Intent to Apply (ITA) with the Wisconsin DNR for the 2026 fiscal year of Wisconsin's Safe Drinking Water Loan Program (SDWLP), and

WHEREAS, in 2025, MWU elected to move forward with the updated pump house design from the previous bidding process, as well as a new design for replacing the site's reservoir, and

WHEREAS, while awaiting the Wisconsin DNR's Project Priority List (PPL) for the 2026 SDWLP, MWU initiated a design contract with SEH so that the SDWLP application deadline of June 30th could remain on schedule regardless of the loan eligibility determination; given both the age of SEH's original scope of work contract for Unit Well 12 and the potential expanded design needs for the reservoir and SDWLP coordination, a new design contract was deemed appropriate in lieu of further amending the one that started back in 2014, and

WHEREAS, in mid-April, MWU received the PPL which indicated that the pump house portion of the Unit Well 12 project would be eligible, and the reservoir portion of the project was "undetermined", and

WHEREAS, with this information, MWU will still aim to apply for both elements of the project by June 30th, and coordinate with the DNR on further determining SDWLP eligibility of the reservoir reconstruction between now

and the fall of 2025, and

WHEREAS, to capture SEH's full remaining scope of design and construction bidding work through the end of 2025, MWU seeks to amend the 2025 contract that was initiated, which will make the value of the contract greater than \$75,000, and

WHEREAS, under MGO 4.26(4)(b), a service contract with a total price over the lifetime of the contract of \$75,000 or more that was not competitively selected must be approved by the Common Council and must meet one of the exceptions in MGO 4.26(4)(a); and

WHEREAS, SEH was originally selected competitively for this project, and continuing to utilize their services for this work remains in the best interest of MWU, and

WHEREAS, professional design continuity is economical to MWU on the basis of time and money, and

WHEREAS, the nature of this work is such that other design professional firms would not certify another's work in a situation like this, and instead would essentially be re-designing this Unit Well 12 design from scratch again, and

WHEREAS, the proposed contract amendment meets the exception in MGO 4.26(4)(a)7. for the use of a consultant who has provided services to the City on a continuing project and it would be economical for the City on the basis of time and money to retain the same consultant.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and City Clerk are authorized to execute a sole source service contract amendment with Short Elliott Hendrickson, Inc. for design services related to the reconstruction of Madison Water Utility's Unit Well 12, as outlined in the attached contract amendment draft and in a format approved by the City Attorney.

BE IT FURTHER RESOLVED, that future amendments that do not exceed Madison Water Utility's approved capital budget or the scope of the design and construction of the Unit Well 12 project as authorized by the Common Council may be executed by the Water Utility General Manager and City Finance Director and/or designee, and counter executed by Short Elliott Hendrickson Inc.