Council Committee of the Whole Agenda

November 10, 2020 - 6:00 p.m.

This meeting will be held remotely via WebEx. Public participation information is as follows:

Phone: 1-408-418-9388

Link:
https://cityofdoverde.webex.com/cityofdoverde/onstage/g.php?MTID=e11c531bb1f3282b0c794b4bd0166d564

Event number: 173 793 6814

Event password: DOVER (if needed)

If you are new to WebEx get the app now at https://www.webex.com/ to be ready when the meeting starts.

Public comments are welcomed on any item and will be permitted at appropriate time. When possible, please notify the City Clerk (736-7008 or email at cityclerk@dover.de.us) should you wish to be recognized.

Utility Committee

Adoption of the Agenda (Actionable and Informational Items)

Actionable Items

1. **Evaluation of Bids - SCADA (Supervisory Control and Data Acquisition) Equipment Technology Upgrade**
   (Staff recommendation: Award contract to Freemire & Associates, Inc. for the SCADA Equipment Technology Upgrade, ITB #21-0009WW, for the amount of $197,118)

2. **Evaluation of Proposals - College Road Pump Station Upgrade Engineering Design Support**
   (Staff recommendation: Award contract to Remington & Vernick Engineers for the College Road Pump Station Upgrade Engineering Design, RFP #21-0010WW, for the amount of $17,523)

3. **Water Treatment Plant Process Improvement Project – Construction Support Services Fees – Change Order**
   (Staff recommendation: City Council approval of the proposed amendment to the construction support services by Duffield Associates, in the amount of $39,000)

4. **Adjournment of the Utility Committee**

Parks, Recreation, and Community Enhancement Committee

Adoption of the Agenda (Actionable and Informational Items)

Informational Items

1. **Proposed Revision to the Reciprocal Borrowing Agreement**

2. **Adjournment of the Parks, Recreation, and Community Enhancement Committee**

Adjournment of Council Committee of the Whole meeting

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The agenda items as listed may not be considered in sequence. Pursuant to 29 Del.C. §1004(e)(2), this agenda is subject to change to include the addition or deletion of items, including executive sessions, which arise at the time of the meeting.

ACTION FORM

PROCEEDING: Council Committee of the Whole (Utility) **AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Water & Wastewater **DATE SUBMITTED**: 10/30/2020
PREPARED BY: Jason A. Lyon, P.E., Director of Water & Wastewater
SUBJECT: Evaluation of Bids – SCADA Equipment Technology Upgrade
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: City Manager
EXHIBITS: N/A
EXPENDITURE REQUIRED: $197,118 **BUDGET**: $308,000
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Water & Wastewater- Wastewater Management, CIP Project #WW2006, CIP Project Name: SCADA Equipment Technology Upgrade. Account No.: 403-41-69-99-000-54031.
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in one hundred and twenty (120) calendar days.
RECOMMENDED ACTION: Award contract to Freemire & Associates, Inc. for the SCADA Equipment Technology Upgrade, ITB #21-0009WW, for the amount of $197,118.

BACKGROUND AND ANALYSIS

This project involves the replacement of antiquated and / or obsolete remote terminal units (RTU's) at wastewater pump stations with new up to date supervisory control and data acquisition (SCADA) equipment. A new module will be installed at each station. This module will be utilized as the reporting equipment that will report real time data that depicts the status of alarms at the City's stations. The new module will utilize cellular service to transit all information through a web-based program, which will allow multiple City personnel to access the information remotely. This project will replace the remaining thirty five (35) pump stations that have not been upgraded with the new equipment as well as two (2) spare units.

The bid was advertised to the public as a Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under RFP #21-0009WW. Bids were opened on October 21, 2020. The City of Dover received one (1) bid.

CONTRACTOR	LOCATION	BASE COST	CONTINGENCY COST	TOTAL COST
FREEMIRE & ASSOCIATES, INC.	**CAMDEN, DE**	**$190,378**	**$6,740**	**$197,118**

City staff reviewed the submissions and found that the Freemire & Associates, Inc. bid met all requirements for the qualifications of the project and found that the cost for the bid is a fair market price. The staff recommends awarding the contract to Freemire & Associates, Inc. in the amount of $197,118 for the SCADA Equipment Technology Upgrade project.

ACTION FORM

PROCEEDING: Council Committee of the Whole (Utility) **AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Water & Wastewater **DATE SUBMITTED**: 10/30/2020
PREPARED BY: Jason A. Lyon, P.E., Director of Water & Wastewater
SUBJECT: Evaluation of Proposals – College Road Pump Station Upgrade Engineering Design Support
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: City Manager
EXHIBITS: Aerial Map
EXPENDITURE REQUIRED: $17,523 **BUDGET**: $75,000
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Water & Wastewater- Wastewater Management, CIP Project #WW2103, CIP Project Name: College Road Pump Station Replacement Account No.: 403-41-69-99-000-54031.
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in one hundred and twenty (120) calendar days.
RECOMMENDED ACTION: Award contract to Remington & Vernick Engineers for the College Road Pump Station Upgrade Engineering Design, RFP #21-0010WW, for the amount of $17,523.

BACKGROUND AND ANALYSIS

This capital investments project includes the design of a pump station upgrade project of the College Road Pump Station. This pump station was installed in 1987, in order to handle development in the area, as well as completely rehabilitate the wet well side of the pump station using a poly-triplex system liner. The station has exceeded its life expectancy of 20-25 years and is in need of a capacity upgrade to handle anticipated growth in the basin.

The pump station is currently located on the north side of College Road, just west of Delaware State University. This upgrade will improve the City's wastewater system by increasing the efficiency of the pump station.

The proposal was advertised to the public as a Request for Proposals in accordance with the City's purchasing policy by the City's Purchasing Agent under RFP #21-0010WW. Proposals were opened on October 15, 2020. The City of Dover received five (5) proposals. Each proposal was rated in six (6) categories and evaluated by two (2) staff members. The proposal evaluations are as follows:

CONTRACTOR	LOCATION	AVERAGE EVALUATED SCORE	TOTAL COST
REMINGTON & VERNICK ENG.	**NEWARK, DE**	**79.5**	**$17,523**
CENTURY ENGINEERING	DOVER, DE	68.5	$33,850
PENNONI ASSOCIATES	NEWARK, DE	66.0	$36,000
DUFFIELD ASSOCIATES	DOVER, DE	63.5	$61,595*
DAVIS, BOWEN & FRIEDEL	MILFORD, DE	57.5	$54,250

** - Duffield Associates claimed local vendor preference which provided a 3% reduction on their evaluation score.*

City staff reviewed the submissions and found that the Remington & Vernick Engineers proposal met all requirements for the qualifications of the project and received the highest average score from the evaluators. The staff recommends awarding the contract to Remington & Vernick Engineers in the amount of $17,523 for the College Road Pump Station Upgrade Engineering Design.

Exhibit "A"

College Road Pump Station



0 50 100 200 Feet

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Date Printed: October 28. 2020
File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_college_rd_pump_station
Department: Public Works GIS
City of Dover, Delaware

Legend

- PS — Pump Station
- Force Main
- Dover Parcels

ACTION FORM

PROCEEDING: Council Committee of the Whole (Utility) **AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Water & Wastewater **DATE SUBMITTED**: 10/30/2020
PREPARED BY: Jason A. Lyon, P.E., Director of Water & Wastewater
SUBJECT: Water Treatment Plant Process Improvement Project – Construction Support Services Fees – Change Order
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: City Manager
EXHIBITS: Water Treatment Plant Process Improvements Engineering Services Amendment No. 3
EXPENDITURE REQUIRED: $39,000 **AVAILABLE BUDGET**: $287,604.39
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Water & Wastewater- Water Management, CIP Project #WD1609, CIP Project Name: Water Treatment Plant Process Improvement Project Account No.: 401-40-76-99-000-54031.
TIME TABLE: Upon approval, construction support services is scheduled to be completed by the end of November, 2020.
RECOMMENDED ACTION: Staff recommends City Council approval of the proposed amendment to the construction support services by Duffield Associates, in the amount of $39,000.

BACKGROUND AND ANALYSIS

The construction support service is a portion of the overall project that has been approved by the City of Dover Council called the Water Treatment Process Improvement Project, this work was awarded to Duffield Associates. The construction phase of the project was awarded to Johnston Construction Company. Due to construction delays, the construction support services aspect of the project has been extended in order to maintain continuity and accurate reporting and construction management of this project. The following provides a timeline of amendments related to the construction support service:

Date	Description	Change Order Amount	Total Budget
8/17/18	Original Project Approval	n/a	$298,500.00
7/30/19	Amendment #1	$180,000.00	$478,500.00
4/6/20	Amendment #2	$139,200.00	$617,700.00
TBA	Amendment #3	$39,000.00	$656,700.00

The work required by Duffield Associates to perform the construction support service is directly related to the length of time that Johnston Construction Company is requiring to complete the project. It should be noted that the original contract length that was agreed upon by the City and Johnston Construction Company was 360 calendar days, as of October 30, 2020, the length of the project is 809 calendar days.

Staff recommends approving this amendment to continue the construction support services that are required for this complex project. The funds are available in the project budget and Duffield has had knowledge of this project from the initiation of the construction phase.

DUFFIELD ASSOCIATES
Soil, Water & the Environment

Duffield Associates, Inc.
144 South Governors Ave.
Dover, DE 19904
Phone: 302.239-6634
Fax: 302.239-8485
duffnet.com

September 25, 2020

Via Electronic Mail

Mr. Jason Lyon, P.E.
Director of Water & Wastewater
Department of Public Works
City of Dover
P.O. Box 475
Dover, DE 19903

RE: Project No. 11732.BA
Water Treatment Plant Process Improvements
Engineering Services Amendment No. 3

Dear Mr. Lyon:

The City of Dover (the City) signed an Agreement for Professional Services (Agreement) with Duffield Associates, Inc. (Duffield) dated August 17, 2018 for Construction Support Services at the City's Water Treatment Plant located at 802 Long Point Road, Dover, DE 19901 (RFP NO: 18-0018PW). The agreement's scope of work includes construction review and resident project representative services to be completed within a 395 day calendar period. Amendment No. 1 to the original agreement was signed on July 30, 2019 for our continued construction support services through the projected final completion date at that time, which was estimated to be March 20, 2020. Amendment No. 2 was signed on April 6, 2020 for continued construction support services through the projected final completion date at that time, which was August 1, 2020.

The project is substantially complete. However, the Contractor has work remaining before final completion including completing the control system field test, punchlist items, and the administrative requirements for project closeout, conditional acceptance, and final acceptance. The City has requested that Duffield provide an amendment no. 3 for engineering services based on an additional 6 week duration.

This engineering services amendment is for our continued construction support services as outlined in the original Agreement. Services provided by Duffield under this Amendment will be provided on a time and material basis.

A. SCHEDULE OF WORK

Duffield will provide construction support services through the project's projected final completion date.

B. FEES

Duffield will provide construction support services, in accordance with the schedule stated in this amendment, on a *"time and material"* basis in accordance with the attached Hourly Rate Schedule.

We have prepared a fee estimate of **$39,000.00,** which we believe is a reasonable expectation of the possible work effort required based on the project's progress to date and current projected final completion date. Duffield will not exceed this fee without prior authorization. This

estimate includes an assumed 240 hours of resident project representative services at a rate of $90 per hour plus additional on-site services of an instrumentation and controls engineer and Duffield's project manager as-needed to support the City during project close-out. Duffield will continue to invoice the City for our services against our *time and material* fee in accordance with our current agreement until such time as that fee is expended. We anticipate that our fee amount approved in Amendment No. 3 will be sufficient for our continued services through approximately October 31, 2020.

With approval of this amendment, a summary of fees for the project to date would be as follows:

AGREEMENT & AMENDMENT(S)	FEE TYPE	FEE AMOUNT
Original Agreement Fee	Lump Sum	$298,500.00
Total Fee Increase for Amendment No. 1	Time and Material	$180,000.00
Total Fee Increase for Amendment No. 2	Time and Material	$139,200.00
Total Fee Increase for Amendment No. 3	Time and Material	$ 39,000.00
Total Adjusted Fee to Date		**$656,700.00**

This agreement is solely between the City of Dover and Duffield Associates, Inc. and all invoices are payable by the City of Dover to Duffield Associates, Inc. and are due within 30 days of receipt.

If this proposal meets with your approval, please sign below and return a copy to our office. Should you have any questions concerning this proposal or require any further information, please contact us.

Very truly yours,

DUFFIELD ASSOCIATES, INC.

Steven H. Lewandowski, P.E.
Sr. Project Manager – Water & Wastewater

Scott Hoffman, P.E.
Division Director – Water Resources

SCH/SHL:acj
11732BA.0220-DoverWTPAmendmentNo2.PRO

Enclosures: Hourly Rate Schedule

ACCEPTED BY: _____
(Signature)

_____
(Please Print Name and Title)

FOR: City of Dover

DATE: _____

DUFFIELD ASSOCIATES, INC.

HOURLY RATE SCHEDULE

Effective July 1, 2019

Professional	**Hourly Rate**
Staff Scientist/Junior Engineer	$ 79.00 – $119.00
Project Scientist/Project Engineer	$122.00 – $143.00
Project Manager/Scientist/Engineer	$153.00 – $172.00
Senior Project Manager/Senior Scientist/Senior Engineer	$177.00 – $196.00
Senior Consultant/Principal	$203.00 – $220.00
Senior Principal	$235.00

Technical	
Technician	$ 49.00 – $ 91.00
Senior Technician	$ 91.00 – $119.00

Administration	
Administrative	$ 69.00
Administrative Manager	$114.00
Senior Administrative Manager	$145.00

Subject to increase on July 1, 2020. Please refer to the General Contract Conditions.

COMMITTEE INFORMATIONAL ITEM

PROCEEDING: Council Committee of the Whole-Parks, Recreation & Community Enhancement Committee

DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED** November 4, 2020

PREPARED BY: Matt Harline, Assistant City Manager

SUBJECT: Proposed Revision to the Reciprocal Borrowing Agreement

REFERENCE: N/A

RELATED PROJECT: N/A

REVIEWED BY:

EXHIBITS: A – Letter from Brian Sylvester

EXPENDITURE REQUIRED: $125,000

FUNDING SOURCE (Dept./Page in CIP & Budget): Kent County Residual Library Tax Allocation

BUDGETED IMPACT: Yes. If successful, the Dover Public Library could receive a larger portion of the Reciprocal Borrowing Fund.

BACKGROUND AND ANALYSIS

The Dover Public Library received $125,000 from Kent County from the residual amount of funds leftover in the Reciprocal Borrowing Fund (RBF) last January. This is the City's share of three years of accumulated funds. The vast majority of these funds are distributed annually based on the actual usage of city libraries by County residents in unincorporated parts of Kent County. These excess funds were divided equally between the four municipal libraries in Kent County and the County Library.

Former Dover Public Library Directors have sought to address this funding formula in a variety of ways. The formula does not distribute the funds in a manner that is directly proportional to population of total circulation. Several attempts have been made to change the distribution to follow more directly along those lines. Brian Sylvester had been noting the drop off in funding from the RBF and investigated. Since the funds are collected in property taxes and this portion is distributed based on library usage, the RBF has grown much more rapidly this year with all the libraries closed.

After discussing it with the other library directors in Kent County he developed a proposed strategy for making the formula based more on the actual library usage and sent the proposal in the form of a letter to those library directors which is attached as Exhibit A. The proposal would be sent to the Kent County Library Advisory Board and the recommendation would then be sent to the Kent County Levy Court who would have to make a legislative change to the current formula.

Exhibit A

DOVER PUBLIC LIBRARY

Proposed Revision to the Reciprocal Borrowing Agreement
10/13/2020
Brian Sylvester, Director
Dover Public Library

The Kent County Library tax is assessed on 3.30 cents per $100 of the net assessed value (net of exemptions) with the exception of the unincorporated areas located in the Milford School District, which are assessed 7.75 center per $100. In FY2020, the county estimates revenue from the Library Tax at $701,000.

Under the current system for reciprocal borrowing for Kent County, each library tracks all circulations which involve someone that does not reside in that library's city or town. This figure is then multiplied by $2.65. Kent County provides payments based on this total to each municipality three times a year for the periods of April to September, October to December, and January to March.

Due to the COVID-19 pandemic, libraries in Kent County have reduced hours of operation and suspended services, leading to a significant reduction in the reported circulation for each municipality. This will equate to a significant reduction in funding through the Reciprocal Borrowing agreement.

I suggest we consider a change to this calculation to prevent this happening in the future. Instead of linking a dollar value to physical circulation of items, I propose distributing the funds raised by the Library Tax based on a three-year average of the percentage of total qualifying circulations for the county that each community fills. These averages as of Oct. 2020 are:

Dover	Milford	Harrington	Smyrna
66.60%	10.76%	7.07%	15.57%

This figure is arrived at by taking the same number of reported circulation used for the current bargaining calculation from each library and adding them together to get a total. This figure is then divided into the reported total from each library to determine their percent of that total.

Analysis of these figures over time shows that they are relatively stable. A chart using the above formula and applying it to the quarterly circulation figures from Jan. 2017 to present is attached. This would provide consistency in funding for the member libraries, eliminate the county's need to track deficit/surplus in this account, and could be distributed in a single annual payment instead of quarterly.

A copy of this proposal is being made available to each of the four Kent County municipalities for review and comment.

Exhibit A

DOVER PUBLIC LIBRARY

Circulations #	Dover	Harrington	Milford	Smyrna	**Total**	Dover %	Harrington %	Milford %	Smyrna %
2020 JUL-SEP	3998	736	956	1497	7187	55.63%	10.24%	13.30%	20.83%
2020 APR-JUN	1360	146	145	222	1873	72.61%	7.79%	7.74%	11.85%
2020 JAN-MAR	17908	1715	3058	3983	26664	67.16%	6.43%	11.47%	14.94%
2019 OCT-DEC	21024	1887	4168	4416	31495	66.75%	5.99%	13.23%	14.02%
2019 JUL-SEP	25482	2165	4478	5228	37353	68.22%	5.80%	11.99%	14.00%
2019 APR-JUN	22534	2052	3711	4985	33282	67.71%	6.17%	11.15%	14.98%
2019 JAN-MAR	24721	2412	4087	4958	36178	68.33%	6.67%	11.30%	13.70%
2018 OCT-DEC	25202	2148	3730	5364	36444	69.15%	5.89%	10.23%	14.72%
2018 JUL-SEP	28198	2657	4765	7067	42687	66.06%	6.22%	11.16%	16.56%
2018 APR-JUN	25280	2866	3965	6771	38882	65.02%	7.37%	10.20%	17.41%
2018 JAN-MAR	25850	2560	4160	6226	38796	66.63%	6.60%	10.72%	16.05%
2017 OCT-DEC	25419	2616	3337	5797	37169	68.39%	7.04%	8.98%	15.60%
2017 JUL-SEP	26278	3373	4276	6739	40666	64.62%	8.29%	10.51%	16.57%
2017 APR-JUN	26200	3351	3641	6396	39588	66.18%	8.46%	9.20%	16.16%
2017 JAN-MAR	25827	2760	3952	6264	38803	66.56%	7.11%	10.18%	16.14%
					Average	**66.60%**	**7.07%**	**10.76%**	**15.57%**