

III.E.

MEMORANDUM



Date: September 29, 2011

To: Planning and Public Works Committee

From: Jeff Paskiewicz, Civil Engineer *JSP/BM*

Re: Professional Services Contract – Eagle Crest Subdivision Letter of Map Revision
2011-PW-11

As you are aware, Eagle Crest, L.L.C. defaulted on their obligation to provide the City with a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA) for the Eagle Crest Subdivision. In May of this year the City entered into a settlement and release agreement with Jefferson Bank and Trust Company, escrow holder for Eagle Crest, L.L.C., for the procurement of the required LOMR.

Under the settlement and release agreement, Jefferson Bank and Trust Company has deposited \$75,000.00 with the City. The City also has \$110,115.00 that is being held for Eagle Crest escrows, which results in the City currently having a total of \$185,115.00 available for contracting of survey, engineering, permitting and all work necessary to obtain the LOMR. Under the settlement and release agreement Jefferson Bank and Trust is also obligated to pay the City an additional amount, not to exceed \$75,000.00, for costs incurred above the \$185,115.00 should it be necessary. Accordingly, the total funds available to complete the LOMR are \$260,115.00.

In August of this year, we solicited six proposals for professional services from firms interested in performing the engineering design. Proposals were reviewed and evaluated based upon various factors, including, but not limited to, experience in similar projects, record of accomplishing work in required time frames, project personnel, references, and previous performance with the City of Chesterfield. Interviews were conducted with a short list of four firms and the selection was made.

Based on this evaluation, we recommend engaging the firm of Intuition and Logic for professional services related to the initial analysis for the acquisition of the Eagle Crest LOMR in an amount not to exceed \$27,000.00. Funding for this shall come from the escrow funds identified above.

Please be advised that this initial analysis by Intuition and Logic will determine what modifications, if any, will need to be made to the creek in order to obtain the LOMR. If the results of Intuition and Logic's analysis require creek modifications then an additional scope and fee schedule will need to be negotiated with Intuition and Logic. Creek modifications will also require the City to go through the formal bidding process to contract with a construction company that would physically construct the creek modifications.

If you have any questions, or need additional information, please let me know.

cc: Mike Geisel, Director of Planning, Public Works, and Parks
Brian McGownd, Public Works Director/ City Engineer
Susan Mueller, Principal Engineer