

**BOARD OF WATER COMMISSIONERS
RESOLUTION**

PRESENTED BY
COMMISSIONER _____

No. 22-896
DATE June 7, 2022

WHEREAS, at its January 12, 2021 meeting, the Board of Water Commissioners of the City of Saint Paul (“Board”) approved Resolution 21-68 which authorized and directed the proper officers of the Board to execute the Progressive Design-Build Agreement between the Board and CH2M Hill Engineers Inc (“CH2M Hill”) dated January 1, 2021 (“Original Agreement”); and

WHEREAS, at its January 11, 2022 meeting, the Board and CH2M Hill mutually agreed to Amendment No. 1 to the Original Agreement which amended certain terms and conditions and provided for a first early work package at a cost not to exceed \$22,239,688; and

WHEREAS, at its February 8, 2022 meeting, the Board and CH2M Hill mutually agreed to Amendment No. 2 to the Original Agreement which amended certain terms and conditions and provided for a second early work package at a cost not to exceed \$11,400,000; and

WHEREAS, at its March 8, 2022 meeting, the Board and CH2M Hill mutually agreed to Amendment No. 3 to the Original Agreement which amended certain terms and conditions and provided for a third early work package at a cost not to exceed \$21,084,570 and a Contract Price Change Order at a cost not to exceed \$669,875; and

WHEREAS, the Board and CH2M Hill desire to further amend certain terms and conditions of the Original Agreement, consolidate all three prior amendments, and add a fourth work package at a cost not to exceed \$170,165,742 into an Amended and Restated Progressive Design-Build Agreement to provide for construction of the new facilities and the related costs of construction at a total cost not to exceed \$239,226,302; and

WHEREAS, staff has drafted an Amended and Restated Progressive Design-Build Agreement to accomplish those objectives; now, therefore, be it

RESOLVED, that the Amended and Restated Progressive Design-Build Agreement between CH2M Hill Engineers, Inc. (a subsidiary of Jacobs Engineering Group Inc.) and the Board of Water Commissioners of the City of Saint Paul is hereby approved in substantially the form submitted and that the proper officers are hereby authorized and directed to execute said agreement on behalf of the Board, following approval by the assistant city attorney; and be it

FURTHER RESOLVED, that the Original Agreement dated January 1, 2021 is hereby rescinded and replaced in its entirety with this Amended and Restated Progressive Design-Build Agreement; and be it

FINALLY RESOLVED, that the Board hereby directs staff to issue a Notice to Proceed with the work upon signing of this Amended and Restated Progressive Design-Build Agreement.

Water Commissioners

Adopted by the Board of Water Commissioners

Yeas

Nays

June 7, 2022

In favor

Opposed

Secretary

ORIGINAL