

1 BILL NO. S-24-06-02

2 SPECIAL ORDINANCE NO. S-_____

3
4 AN ORDINANCE approving AMENDMENT NO. 1 TO
5 PROFESSIONAL SERVICES AGREEMENT FOR THE ON-
6 CALL SERVICES FOR STORM PLAN REVIEW AND
PERMITTING - (\$215,000.00) – between DLZ INDIANA,
LLC and the City of Fort Wayne, Indiana, by and through its
Board of Public Works.

7
8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
9 THE CITY OF FORT WAYNE, INDIANA:

10 SECTION 1. That the AMENDMENT NO. 1 TO PROFESSIONAL
11 SERVICES AGREEMENT FOR THE ON-CALL SERVICES FOR STORM PLAN REVIEW
12 AND PERMITTING between DLZ INDIANA, LLC and the City of Fort Wayne, Indiana, by
13 and through its Board of Public Works, is hereby ratified, and affirmed and approved in all
14 respects, respectfully for:

15 ON-CALL SERVICES FOR STORM PLAN REVIEW AND PERMITTING
16 INCLUDES TECHNICAL SERVICES AND REVIEW OF PLANS
17 SUBMITTED TO FORT WAYNE CITY UTILITIES FOR SITE PLAN
ROUTINGS AND SECONDARY DEVELOPMENT PLAN ROUTINGS
WITH REGARD TO STORMWATER MANAGEMENT FACILITIES;

18 involving a total amount not-to-exceed TWO HUNDRED FIFTEEN THOUSAND AND
19 00/100 DOLLARS - (\$215,000.00). A copy of said Contract is on file with the Office of the
20 City Clerk and made available for public inspection, according to law.

21 SECTION 2. That this Ordinance shall be in full force and effect from and
22 after its passage and any and all necessary approval by the Mayor.

23
24 _____
Council Member

25
26 APPROVED AS TO FORM AND LEGALITY

27
28 _____
Malak Heiny, City Attorney

**AMENDMENT NO.1 TO
PROFESSIONAL SERVICES AGREEMENT
DATED JULY 25, 2023 BETWEEN CITY OF FORT WAYNE BOARD OF STORMWATER MANAGEMENT (CITY)
AND DLZ INDIANA LLC (FIRM)**

ON-CALL SERVICES FOR STORM PLAN REVIEW AND PERMITTING ("PROJECT")

Except to the extent modified herein, all terms and conditions of the Professional Services Agreement shall continue in full force and effect.

PART I D. SCHEDULE

Add Article D, SCHEDULE. The agreement will expire on December 31, 2024. Notice to proceed is anticipated to be issued by August 2023.

1. FIRM shall complete review within the following time limits:

Site Plan Routing

- Stormwater, floodplain Two (2) working days
Note: email comments to be received
By CITY within two (2) working days
to be acceptable with the original
file to follow.

Secondary Development Plan

- Stormwater, floodplain Four (4) working days

SWPPP

- Review response time Four (4) working days

Meetings held at the request of CITY and site visits when requested by CITY shall be billed in addition to review time.

PART III COMPENSATION

Modify Article A, COMPENSATION, to increase the not-to-exceed amount by \$125,000.00, resulting in a new total amount not-to-exceed \$215,000.00.

Delete the following statement: This agreement shall be for services provided from July 18, 2023 – December 31, 2024.

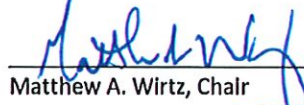
Delete Article C, SCHEDULE.

APPROVALS

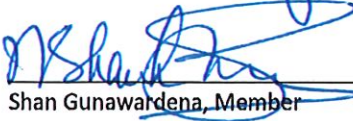
IN WITNESS WHEREOF, CITY and ENGINEER have executed this AMENDMENT.

APPROVED FOR CITY BOARD OF STORMWATER MANAGEMENT

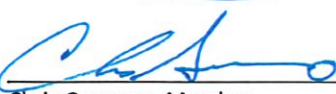
BY:


Matthew A. Wirtz, Chair

BY:


Shan Gunawardena, Member

BY:


Chris Guerrero, Member

ATTEST:


~~Michelle Fulk-Vondran, Clerk~~
Tania Schwartz, Acting Clerk

DATE:

5-14-2024

APPROVED FOR ENGINEER

BY:


Miguel A. Trevino, PE, Vice President

DATE:

May 8 2024

Interoffice Memo

Date: [May 20, 2024](#)
To: Common Council Members
From: [Anne Marie Smrchek, City Utilities Engineering](#)
RE: [On-Call Services for Storm Plan Review and Permitting](#)

Council District # [City Wide](#)

Engineer shall provide the City professional Engineering services in all phases of the Project to which the scope of services applies. These services will include serving as City's professional representative for the Project, providing professional Engineering consultation and advice, and other customary services incidental thereto. [On-Call Services for Storm Plan Review and Permitting includes technical services and review of plans submitted to Fort Wayne City Utilities for site plan routings and secondary development plan routings with regard to stormwater management facilities.](#)

Implications of not being approved: [DLZ currently provides technical assistance with stormwater reviews to help ensure timely turnaround times for development projects. Without this agreement, review times will slow.](#)

If Prior Approval is being Requested, Justify: [N/A](#)

Selection and Approval Process:

The consultant is currently under Contract with City Utilities through a Professional Services Agreement approved by the Board of Public Works on July 23, 2023, with a not-to-exceed fee of \$90,000. As a result of the unprecedented number of new developments being submitted for review and permitting, the original Contract is reaching its financial limit, therefore the Contract is being amended to increase the not-to-exceed amount to \$215,000 to enable the Consultant to continue providing the required services through the end of 2024. The Board of Public Works approved this amendment to the contract on May 14, 2024.

The cost of said project funded by Stormwater [Utility Revenue](#)

Council Introduction Date: [June 11, 2024](#)

CC: BOW
Matthew Wirtz
Jill Helfrich
Construction Manager
Chrono
File