



# Bid Waiver Form

Revised 01/2024

<b>Short Description of Goods/Services</b>	Construction/Grant Administration and Real Estate Services Walking Iron Trail	<b>Total Cost</b>	\$218,000		
<b>Vendor Name</b>	MSA Professional Services	<b>MUNIS #</b>	5481	<b>Req #</b>	
<b>Purchasing Officer</b>	Pete Patten	<b>Date</b>	9/24/2024		
<b>Department</b>	LWRD-Parks Division	<b>Email</b>	james@countyofdane.com		
<b>Name</b>	Chris James	<b>Phone</b>	608-235-2252		

**\*A VENDOR QUOTE MUST BE ATTACHED TO THE WAIVER FOR APPROVAL\***

**Provide a detailed description of the goods/services intended to be purchased:**

MSA Professional Services will provide real estate, construction and grant administration services for Phase 1 development of the Walking Iron Trail in Dane County that includes approximately 500' of 12' wide multi use trail and re-purposing of an existing railroad bridge (B428E) for recreation trail purposes.

Construction Administration services will include:

- Coordinate and attend preconstruction meeting.
- Coordinate and attend construction progress meetings.
- On site weekly construction observation visits for duration of the project.
- Provide monthly schedule updates.
- Coordinating Request for Information items between County and Contractor.
- Review Contractor as-built submittals.
- Coordinating proposed Change Orders between County and Contractor.
- Verify Contractor completion quantities and payment applications for County review/approval.
- Monitoring for compliance of all regulatory permits and providing required submittals.
- Coordinate final project walkthrough, prepare punchlist items and monitor for completion.
- Review Contractor final close out documentation and payment applications.

Grant Administration services will include:

- TAP grant administration in accordance with the requirements of the WisDOT Sponsors Guide.
- Wage monitoring in accordance with the requirements of the WisDOT Sponsors Guide.

Real Estate services will include:

- Review the title or ownership reports and updates to determine correct ownership information.
- Prepare the Acquisition Capability Statement for the County to submit to WisDOT.
- Coordinate and attend a right of way acquisition "kick-off" meeting, if required.
- Prepare and mail an introduction letter to each of the owners along with the Owner's Rights brochure.
- Determine offering price amount. All parcels are anticipated to be acquired through the nominal acquisition process and no appraisals are included in the base scope.
- Prepare the Nominal Payment Parcel Report (NPPR) for the project.
- Attend one meeting with County staff to review real estate transaction documents.
- Coordinate and complete negotiation that complies with all WisDOT real estate process requirements.

**\*Send to a Purchasing Officer Once Completed\***



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## Procurement Exception List

- Emergency Procurement
- Unique and specific technical qualifications are required
- A special adaptation for a special purpose is required
- A unique or opportune buying condition exists
- Only one vendor possesses the unique and singularly available ability to meet the Department's requirements

Provide a detailed explanation as to why the competitive bidding (RFB/RFP) process cannot be used. Also provide a detailed justification in relation to the Procurement Exception(s) chosen:

Dane County and Sauk County worked collaboratively for the past five years on planning and design of a proposed multi use Wisconsin River recreation bridge and approximate 3 mile rails to trails conversion project in Dane County known as the Walking Iron Trail.

Sauk County retained MSA Professional Services through a public procurement process in 2019 to complete survey, design, engineering and permits for the Wisconsin River recreation bridge and Walking Iron Trail. Dane County's share of costs performed by MSA was authorized through an Intergovernmental Agreement with Sauk County outlined under Contract #13704 and subsequent addenda.

Phase 1 construction of the project will be bid by Sauk County or the Village of Sauk City and includes the Wisconsin River recreation bridge, approximately 500' of multi use trail, and rehabilitation of Bridge B428E for the Walking Iron Trail in Dane County. Both the Wisconsin River recreation bridge and Bridge B428E have WisDOT Transportation Alternative Program (TAP) funds associated with them that require the projects be advertised and awarded by the end of November 2024. There will then be two construction contracts: 1. Between either the Village of Sauk City or Sauk County and the construction vendor for the Wisconsin River Recreation bridge and 2. Between Dane County and the construction vendor for the 500' of multi use trail, and rehabilitation of Bridge B428E. The two counties will continue to share all costs associated with the Wisconsin River Recreation bridge and Dane County will be solely responsible for the 500' of multi use trail and rehabilitation of Bridge B428E.

MSA Professional Services possesses unique technical qualifications based on the past five years of design and engineering work that has been completed to date that will allow them to begin providing the requested services within the required WisDOT time frame. As the project enters construction, continuity with vendor that has done all of the project work to date will be essential given the technical complexity of the project, the partners involved and grant requirements.

The requested services would be executed under a forthcoming Professional Service Agreement issued through Dane County Public Works.

## Bid Waiver Approval (For Purchasing Use Only)

Under \$44,000 (Controller)

\$44,000+ (Personnel & Finance Committee)

Date Approved:

**\*Send to a Purchasing Officer Once Completed\***



# MSA Memo

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**To:** Chris James – Dane County  
**From:** John M. Langhans, P.E.  
**Subject:** Additional Services for Dane County Segment of GSST/WI Trail  
**Date:** August 19, 2024

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As requested, the following will detail additional services that have been incurred or are anticipated to be needed as all parties proceed with the construction of the current project. The current project includes the Wisconsin River bridge and the addition of the rehab of bridge 428E as well as the connecting trail. Bridge 428E and the connecting trail were added to the project to create efficiencies of construction, maximize contractor mobilization, and potentially provide cost savings.

In order to respond to the Federal Redistribution opportunity, Dane County requested the assistance of MSA for real estate services. These services were provided.

Dane County has requested that MSA also provide scope/fee for Grant Admin/Wage Monitoring for the TAP funds associated with Bridge 428E and the connecting trail.

Dane County has requested that MSA also provide scope/fee for Construction Administration and Observation (RPR) services for the connecting trail and bridge 428E work.

The rehabilitation of Bridge 428E is complicated given the age of the structure and unknown condition of components that could not be inspected prior to bridge rehab/demo.

- This structure is unique as each span and respective supporting foundation is different with notable irregularities. Each foundation member requires a unique approach.
- Additionally, some concrete surface repair is detailed for the foundation structures.
- Bridge rehabilitation and concrete surface repair of a bridge of this age has inherent unknowns that may not surface until work has begun by the contractor.
- Retaining wall wings have supporting piles that will need attention during pile driving operations.
- A 4-month construction duration is assumed for this rehabilitation and wall construction.
- We anticipate numerous RFIs from the contractor and the need for field design modifications to be reviewed by the stamping engineer.
- Submittal review is included in these services.
- We anticipate/assume that full time observation will be needed during all active work on bridge 428E and the retaining wings. Weekly construction progress meeting are also likely necessary.
- Given the variability of construction needs based on contractor and unknowns, we would propose construction administration and observation service on a time and materials basis.

## MEMO

August 19, 2024

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### **Estimated Cost of Construction**

- Bridge 428E Rehab and Retaining Walls = \$2.62M
- Connecting Trail = \$200K
- **Total = \$2.82M**

### **Proposed MSA Fees**

- Dane County Real Estate Services (complete) = \$8,000 Lump Sum
- TAP Program Grant Admin. and Wage Monitoring in Accordance with Sponsor's Guide (pending) = \$15,000 Lump Sum
- Construction Admin. and Observation for B428E, Retaining Walls, and Connecting Trail (pending) = \$195,000 (time and materials)
  - \$195,000 equates to 6.9% of total construction costs.