

**Action Requested/Required:**

- ☒ Vote/Action Requested
☐ Discussion or Presentation Only
☐ Public Hearing
Report Date: _____
Hearing Date: _____
Voting Date: _____

Department: Community Development**Presenter(s) & Title:** Bethany Watson

City Engineer

Agenda Item Title:

Discussion and Possible Action on Amendment 5 of the Professional Engineering Services Agreement to H2O Innovation Operations & Maintenance, LLC.

Summary:

The proposal for Amendment 5 to the existing operations contract with The City of Canton includes the annual Consumer Price Index adjustment beginning October 1, 2024. This is based off a CPI increase of 2.9% for all goods and services from July 2023 to July 2024. This amendment is to add additional staffing to the Water Pollution Control Plant. Upon commissioning of Phase I of the current plant upgrades it was determined that additional staffing was needed now versus waiting till the plant upgrades were complete. This amendment also includes an additional Utility Locator. The current contract calls for (1) utility locator and H2O already employs two for this role.

Budget Implications:Budgeted? ☐ Yes ☐ No ☐ N/ATotal Cost of Project: \$ 2,662,853.00 Check if Estimated ☐Fund Source: General Fund ☐ Water & Sewer ☒ Sales Tax ☐ Other: _____**Staff Recommendations:**

Staff recommends approval of Amendment 5 of the Professional Engineering Services Agreement to H2O Innovation Operations & Maintenance, LLC.

Reviews:Has this been reviewed by Management and Legal Counsel, if required? ☒ Yes ☐ No**Attachments:**

Amendment 5 Proposal Letter
H2O Fifth Amendment to Professional Services Agreement
Letter dated June 7, 2024



Trusted Utility Partners

September 5, 2024

Bethany Watson, PE
City Engineer
110 Academy St
Canton, Ga 30114

Operations Contract Amendment 5- Canton, Ga Project

Dear Bethany,

On behalf of H2O Innovation, we kindly offer Amendment 5 to the existing operations contract with The City of Canton. Per our previous letter of the 7th of June 2024, Amendment 5 will add additional staff members to the Canton Wastewater Treatment Plant. This is to accommodate a larger, more dynamic facility. Recent discussions have changed these details to add this staff in one single amendment rather than staged over time.

Included in the options for our previous contract renewal is an additional utility locator. This is to help meet the growing demands for client owned utility locating in the ever-growing Canton community. We would like to move forward with establishing this option as part of Amendment 5. Our current contract calls for (1) utility locator and H2O already employ (2) locators for this role.

This proposal also includes the annual Consumer Price Index adjustment beginning October 1, 2024. This is based off a CPI increase of 2.9% for all goods and services from July 2023 to July 2024.

Current Base Annual Contract Price- \$2,265,746.00

Cost of Work:

2.9% CPI adjustment for FY2025- \$2,331,453

Additional WWTP Staff- \$252,000



Trusted Utility Partners

September 5, 2024

Additional Utility Locator - \$79,400

New Annual Billing Total \$2,662,853.00

New Monthly Statement \$221,904.00

If there are any questions or concerns regarding this letter or Amendment 5, please feel free to reach out to me. As always, thank you for trusting us with water & sewer operations in Canton.

Jordon Hall

Project Manager- H2O Innovation

CC:

Billy Peppers- City Manager- City of Canton

Greg Bishop- Managing Director- H2O Innovation

Derrel Wilson- Senior VP- H2O Innovation

Randy Ekerberg- Southeastern O&M Regional VP- H2O Innovation

**FIFTH AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT**

THIS FIFTH AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT is executed as the ____ day of _____, 20____, by and between the **City of Canton, Georgia**, hereinafter to as the Owner, and **H₂O Innovation Operations & Maintenance, LLC** (formally **Utility Partners, LLC**), a corporation licensed to do business in the State of Georgia hereinafter referred to as the **Contractor**.

WITNESSETH

WHEREAS, the City of Canton and the Contractor entered into an Agreement on October 1, 2022, and more particularly described on Exhibit B attached hereto and by this reference made a part hereof.

EXHIBIT B COMPENSATION

Cost of Work

Paragraph 1-1

DELETE “\$2,265,746.00” with **REPLACE** with “\$2,662,853.00”.

Note:

<i>CPI adjustment for FY2025 (2.9%)</i>	<i>\$2,331,453.00</i>
<i>Additional WWTP Staff</i>	<i>\$252,000.00</i>
<i>Additional Utility Locator</i>	<i>\$79,400.00</i>
<i>TOTAL:</i>	<i>\$2,662,853.00</i>

All other terms and conditions of the Agreement remain unchanged and in full effect.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK
SIGNATURES COMMENCE OF FOLLOWING PAGE**

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement under seal as of the day and year first above-written.

Owner:
City of Canton
Bill Grant
By (Typed Name)
Mayor
Title

Signature

[SEAL]

Attest:

Annie Fortner
City Clerk

Witness

Address for Giving Notice:
City of Canton
110 Academy Street
Canton, Georgia 30114

Approved as to form.

Robert M. Dyer
City of Canton
Attorney

Owner:
H2O Innovation O & M, LLC
Derrel T. Wilson, P.E
By (Typed Name)
Senior Vice-President
Title

Signature

[SEAL]

Attest:

By:
Title:

Witness

Address for Giving Notice:
H2O Innovations Operations & Maintenance
538 Cabiness Road
Forsyth, Georgia 31029

(Attach evidence of authority to sign and resolution or other documents authorizing execution of Agreement)



Amendment 5/ Details for Future Options

Mr. Peppers,

Per our discussion on Monday the 3rd of June, the city and H2O have reached the determination that the current staffing of the Canton Wastewater Treatment plant may be inadequate to accommodate the demand for the new facility. Previous discussions on this subject took place during design and early construction. At the time, the only decision that could be made was the need for a dedicated maintenance manager to be added to the facility staff. We are grateful that the city agreed to this proposal and an amendment was made.

Now that the facility is in “partial” operation we are now seeing the demands for additional certified operators so we can ensure the highest level of service possible. Reasons for this request include but are not limited to:

- Longer operating hours (12-15hrs) with staggered shifts
- Additional process testing
- More complex/robust process management
- Larger, more complex solids handling that may require extended operating time frames
- Higher demand for call outs and after hour repair with a more complex facility

This concludes a request for (1) Wastewater Operator 1 effective October 1, 2024, to begin the fiscal year for Canton. Following would be a request/ evaluation for (2) Wastewater Operator 2&3 positions effective upon closer completion of the new wastewater plant. Please see the table below outlining our current staff vs requested.

<i>Current Staff</i>	<i>Proposed</i>
Plant Manager- WW1	Plant Manager- WW1
Maintenance Manager	Maintenance Manager
WW Operator 1/2	WW Operator 1/2
WW Operator 3/ OIT	WW Operator 3/ OIT
WW Operator 3/ OIT	WW Operator 3/ OIT
	WW Operator 1 (OCT 24)
	WW Operator 2/3 (TBD)
	WW Operator 2/3 (TBD)



Amendment 5/ Details for
Future Options

These positions are priced as follows.

- WW Operator 1 \$94,000 Annual per operator
- WW Operator 2/3 \$79,000 Annual per operator

Thank you for your time and considerations on this matter. If you have any questions, please feel free to reach out at any time.

Sincerely,

Jordon Hall

H2O Innovation O&M