

RESOLUTION NO. R18-03

A RESOLUTION APPROVING AMENDMENT NO. 8 TO THE PREVIOUSLY ADOPTED TASK ORDER NO. 26, AUTHORIZING GREAT WEST ENGINEERING TO PROVIDE ADDITIONAL SERVICES RELATING TO THE NEW WATER TREATMENT PLANT INTAKE FOR THE CITY OF LAUREL.

WHEREAS, the City of Laurel previously executed an Agreement for Professional Services with Great West Engineering, Inc. on June 5, 2007, via Resolution No. R07-36, as amended on December 16, 2014 via Resolution No. R14-88; and

WHEREAS, the City of Laurel previously approved Task Order No. 26 via Resolution R12-35 that enabled Great West Engineering, Inc. to assist the City with a new intake at the City's Water Treatment Plant; and

WHEREAS, City Staff have learned that the Project will require additional services that were not included in the previously approved Task Order No. 26 and subsequent amendments; and

WHEREAS, the additional services to be provided by Great West Engineering are described in the attached Amendment No. 8 to Task Order No. 26, for an additional cost of \$54,200.00; and

WHEREAS, the total compensation for the project, with the additional services approved herein, is \$1,643,060.00 as more particularly described on the attached Amendment No. 8 to Task Order No. 26.

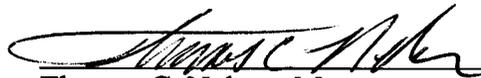
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Laurel, Montana, Amendment No. 8 to Task Order No. 26 is hereby approved and the Mayor is hereby authorized to execute the attached Amendment No. 8 to Task Order No. 26 dated January 17, 2018 on the City's behalf.

Introduced at a regular meeting of the City Council on February 6, 2018, by Council Member Wilke.

PASSED and APPROVED by the City Council of the City of Laurel this 6th day of February, 2018.

APPROVED by the Mayor this 6th day of February, 2018.

CITY OF LAUREL


Thomas C. Nelson, Mayor

ATTEST:


Bethany Keeler, Clerk-Treasurer

APPROVED AS TO FORM:


Sam Painter, Civil City Attorney

HELENA

PO Box 4817 ▪ 2501 Belt View Drive
Helena, MT 59604
406.449.8627 ▪ Fax 406.449.8631

www.greatwesteng.com



January 17, 2018

City of Laurel
P.O. Box 10
Laurel, MT 59011

**Re: Amendment No. 8 to Task Order No. 26
New Water Treatment Plant (WTP) Intake
Laurel Engineering Services On-Call
Great West Engineering, Inc. Project No. 2-07128**

Dear Mayor Nelson:

This letter constitutes *Amendment No. 8 to Task Order No. 26* to our *Agreement for Professional Services* dated June 5, 2007 for the above-referenced Project.

The goal of this project is to restore the City of Laurel's municipal raw water supply that was damaged during the flooding on the Yellowstone River in 2011. This amendment includes Additional Services to complete extra work required by the U.S. Army Corps of Engineers (USACE) under the authority of the Section 404 and Section 10 permits. Generally, this work includes performing an as-built topographic survey of wetland areas along the project corridor and at the location of the 1950's intake removal. The USACE requiring, as part of the permit closeout, a comparison of post-construction ground elevations to pre-construction ground elevations.

The USACE is also requiring that wetland mitigation effectiveness and compliance monitoring be completed for jurisdictional wetlands along the project corridor. Monitoring and reporting must continue until impacted wetlands are reestablished, which could be up to five (5) years. However, this amendment only includes monitoring and reporting through 2019. Great West's wetland ecologist conducted a wetland mitigation compliance review during and immediately after the construction completed in 2017. Mitigation compliance monitoring will be limited to vegetation monitoring and photo-monitoring in 2017 and 2018 to document recovery of wetland vegetation. Monitoring to document presence of wetland soils and hydrology will be completed in 2019 after wetland vegetation recovery has been documented at wetland impact areas. This contract will be modified to include additional years of monitoring if wetland recovery has not been achieved by 2019.

The USACE has indicated that these above work items must take place so they may certify that the City is in compliance with the Section 404 and Section 10 permits.

BILLINGS
6780 Trade Center Ave.
Billings, MT 59101
406.652.5000
Fax 406.248.1363

BOISE
3050 N. Lakeharbor Ln.
Suite 201
Boise, ID 83703
208.576.6646

MISSOULA
1124 N. Front Street
Missoula, MT 59802
406.459.0212



FEMA must document compliance with the USACE in order for the City to close out the Public Assistance (PA) Grant and receive full reimbursement of grant funds.

This amendment also includes Additional Services to assist the City closing out the FEMA Public Assistance (PA) grant.

Services provided by Great West Engineering outside of the scope of work, as described in the original Task Order and Amendments 1, 2, 3, 4, 5, 6, and 7 that are reflected in this amendment include:

- Services as outlined in Additional Services described in Paragraph A2.01 of *Exhibit "A"* of the *Agreement for Professional Services* as specifically described below:

Army Corps of Engineers Permit Compliance: As-built Topographic Surveying

To document that the ground surface was returned to its pre-construction contours, the USACE is requiring the City to perform as-built topographic surveys of the wetland areas. Robert Cole, Project Manager for the USACE, stated these requirements in his October 4, 2017 letter addressed to Ms. Jensen. They are also requiring an as-built survey in the area around the removed 1950s intake.

- Great West will conduct an as-built topographic survey of wetland areas along the project corridor, as shown in the Wetland Delineation Report, dated April 27, 2015, as well as the riverbed at the location of the 1950's intake removal. Survey data will be collected using a survey-grade GPS instrument. After collection, the data will be imported into AutoCAD and as-built surfaces created. Up to 15 sheets will be created to compare the pre-construction contours with post-construction contours. These as-built drawings, along with the project Record Drawings, will be submitted to the USACE.
- Great West's ecologist will evaluate the pre- and post-construction contours in wetland areas to document areas where wetland acreage may have increased over pre-construction conditions.
- Great West will prepare a letter to respond to the USACE's non-compliance letter, dated October 4, 2017. This letter will request to modify the Section 404/Section 10 permit for the project to reflect post-construction conditions.
- Great West will respond to up to one additional comment letter from the USACE. Any additional coordination with the USACE is outside of this scope.



- The compensation for these services in the Additional Services Phase: Army Corps of Engineers Permit Compliance: As-built Topographic Surveying included in this amendment is estimated to be \$18,700.

Army Corps of Engineers Permit Compliance: Wetland Monitoring

In addition to the as-built topographic surveying, the USACE is requiring that wetland monitoring take place until the wetlands are reestablished. The USACE issued the Section 404/Section 10 permit on the assertion that the wetland impacts along the pipeline corridor would be temporary. Monitoring is required to document the reestablishment of the wetlands and temporary nature of the wetland impacts from pipeline installation.

- Great West will conduct wetland mitigation effectiveness and compliance monitoring to document adherence to USACE performance standards as follows:
 - Vegetation will be inspected for appropriate wetland species and vigor/survival (Performance Standard 1 and 2);
 - After vegetation recovery has been documented in most wetland sites, soil pits will be placed in wetlands not obviously exhibiting full wetland recovery to document presence of hydric soils and wetland hydrology; results will be compared to pre-impact conditions, following standard USACE wetland delineation procedures (Performance Standard 1);
 - Visual inspection of the impact area will be conducted in each wetland to document wetland vegetation recovery, and estimated cover of noxious weeds (Performance Standard 4);
 - Percent cover of bare ground will be estimated visually to the nearest ten percent for the entire wetland area (Performance Standard 5).
 - Great West's wetland ecologist will conduct wetland monitoring and will submit a technical report with effectiveness monitoring results to the USACE district engineer annually to document wetland recovery.
- The compensation for these services in the Additional Services Phase: Army Corps of Engineers Permit Compliance: Wetland Monitoring included in this amendment is estimated to be \$26,300.



FEMA Grant Coordination

- Amendment No. 3 to Task Order No. 26 included Grant Coordination services extending through December 2016 (contract amount was \$20,000 for FEMA Grant Coordination in Amendment No. 3). This amendment is for grant coordination and closeout (i.e. drawdowns and conference calls) from January 2017 through project closeout (assumed May 2018). Great West will compile documents for the project record and assist the City in submitting the data to FEMA to close out the PA grant. The paperwork includes: construction contracts, permits, and invoices.

The compensation for these services in the Additional Services Phase: FEMA Grant Coordination included in the amendment is estimated to be \$9,200.

The total compensation for these services included in the amendment is estimated to be \$54,200. The total compensation for Services, as described in the original Task Order and Amendments 1, 2, 3, 4, 5, 6, and 7 has been revised and is estimated to be \$1,643,060 based on the following assumed distribution of compensation:

a. Study and Report Phase	\$ <u>190,000</u>
b. Preliminary Design Phase	\$ <u>174,000</u>
c. Final Design Phase	\$ <u>527,000</u>
d. Bidding Phase	\$ <u>23,000</u>
e. Construction Phase	\$ <u>471,700</u>
f. Post-Construction Phase	\$ <u>22,000</u>
g. Additional Tasks: Easement Acquisition	\$ <u>93,000</u>
h. Additional Tasks: FEMA Grant Coordination	\$ <u>29,200</u>
i. Additional Tasks: Wetland Delineation	\$ <u>37,200</u>
j. Additional Tasks: Water Rights Assistance	\$ <u>15,000</u>
k. Additional Tasks: Cultural Resources	\$ <u>3,460</u>
l. Additional Tasks: O&M Manual	\$ <u>12,500</u>
m. Additional Tasks: Army Corps of Engineers Permit Compliance: As-built Topographic Surveying	\$ <u>18,700</u>
n. Additional Tasks: Army Corps of Engineers Permit Compliance: Wetland Monitoring	\$ <u>26,300</u>

Engineer may alter the distribution of compensation between individual phases of the work noted herein to be consistent with services actually rendered, but shall not exceed



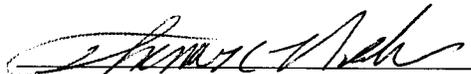
the total estimated compensation amount unless approved in writing by Owner. The total estimated compensation for Engineer's services included in the breakdown by phases incorporates all labor, overhead, profit, Reimbursable Expenses and Engineer's Consultant's charges.

Please have an authorized representative sign both originals of this letter and return one executed original to Great West Engineering at the following address:

Great West Engineering, Inc.
PO Box 4817
Helena, MT 59604

Acknowledgement. This *Amendment No. 8 to Task Order No. 26* is agreed to by the parties and is effective as of the date of this letter.

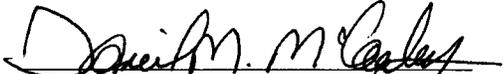
City of Laurel (Owner)

By: 

Title: Thomas C. Nelson, Mayor

Date: 2/6/2018

Great West Engineering (Engineer)

By: 

Title: Daniel M. McCauley, President

Date: JAN. 17, 2018

