

**BOARD OF COUNTY COMMISSIONERS
SARPY COUNTY, NEBRASKA**

RESOLUTION APPROVING TASK ORDER 2 WITH HDR ENGINEERING, INC.

WHEREAS, pursuant to Neb. Rev. Stat. §23-104(6) (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. §23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, the County of Sarpy desires to enter into a contract for services with HDR Engineering, Inc. as outlined in the Terms and Conditions as previously agreed, see Resolution 2013-303, and Task Order number 2 attached hereto as "Exhibit" A , for purposes of creek channel stabilization along Buffalo Road near 192nd Street; and,

WHEREAS, the County has taken temporary measures to stabilize the area and entering into the contract for services with HDR Engineering, Inc. for a permanent solution is in the best interests of the citizens of Sarpy County.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that this Board hereby approves Task Order Number 2 with HDR Engineering Inc. in conjunction with the previously approved Terms and Conditions per Resolution 2013-303.

BE IT FURTHER RESOLVED that the Chairman of this Board, together with the County Clerk, is hereby authorized to sign on behalf of this Board Task Order 2 agreement with HDR Engineering, Inc., a copy of which is attached, and any other related documents, the same being approved by the Board.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with the applicable law on the 14th day of January, 2014.

Attest

SEAL




Sarpy County Board Chairman

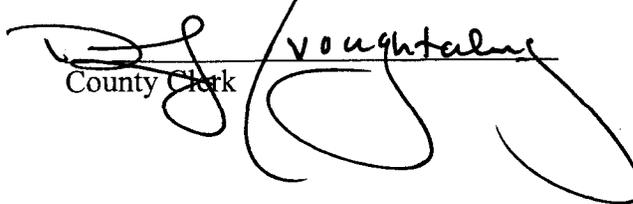

County Clerk

EXHIBIT A

TASK ORDER NUMBER 2

This Task Order pertains to an Agreement by and between Sarpy County, ("COUNTY"), and HDR Engineering Inc. ("HDR"), dated August 27, 2013, ("the Agreement"). HDR shall perform services on the project described below as provided herein and in the Agreement. This Task Work Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 2

PROJECT NAME: 192nd and Buffalo Road Channel Stabilization

PART 1.0 BACKGROUND

The COUNTY has experienced continued development of erosion and channel slope degradation for the unnamed tributary to Buffalo Creek along Buffalo Road from 192nd Street to a point approximately 1,500 feet east. The COUNTY has employed the use of temporary measures along this stream reach, but these temporary measures have not performed as intended. The COUNTY has requested HDR assist with a design of a permanent measure along the channel slopes to prevent the further movement and erosion of the channel slopes toward Buffalo Road.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER

Task 100 – Project Management and Coordination

Task 110 – Project Management

This task includes internal HDR project initiation activities, project management activities, and COUNTY coordination for this Task Order.

Task 120 – COUNTY Coordination/Meetings

HDR will conduct three meetings with the COUNTY. The first meeting will be to kick-off the project, discuss schedule and request information the COUNTY may have. The second meeting will be conducted to review the concepts developed for the channel stabilization permanent measures and HDR's recommendation. The third meeting will be to discuss comments from the 60% submittal.

Task 130 – Landowner Coordination Meeting

HDR will participate in one (1) landowner coordination meeting. This meeting will be utilized to obtain adjacent property owner input on the conceptual alternative designs, identified in Task 200. The meeting will be held at the Project Site.

Deliverables:

- Meeting minutes after each COUNTY meeting.
- Meeting minutes after landowner coordination meeting.

Key Understandings:

- Meetings with the COUNTY will be conducted at the COUNTY offices.
- Meetings are proposed to occur at kick-off, following submittal of the conceptual evaluation, and following submittal of the 60% design submittal.
- HDR will prepare the meeting agenda and minutes. Minutes will be typed up and sent to COUNTY designated staff for agreement.
- The COUNTY will determine the conceptual review meeting with HDR and comments generated from the landowner meeting.

Task 200 – Conceptual Evaluation

Task 210 – Data Collection

HDR will collect and review existing data as follows:

- Available tributary hydraulic information including approximate velocities, stream flows, water surface elevations, etc.
- Historic photos, aerial photography, and complaints for this stream reach
- As-built drawings for Buffalo Road, 192nd Street culvert, and area improvements
- Survey data of channel reach and control points utilized (to be performed by the COUNTY)
- Subsurface investigation boring logs, test results, and data report (to be performed by Thiele Geotech)

HDR will collect data in electronic format, where available.

Task 220 – Site Visit

HDR will conduct one (1) site visit to the channel tributary to confirm existing site conditions, existing channel and slope conditions, and site constraints. The site visit will include a maximum of three (3) personnel, including no more than the project engineer, geotechnical engineer, and water resources engineer. Site photographs will be taken to document conditions.

Task 230 – Data Analysis

HDR will analyze the data collected above to estimate the existing channel condition. The analysis will include an existing condition stability evaluation to re-stabilize both channel slopes that will include a scour assessment to estimate potential scour along channel reach. The analysis will include the identification of the proposed condition. The proposed condition will be evaluated to re-stabilize the approximate 1,500-foot section of the channel paralleling Buffalo road. Hydraulic modeling, beyond what will be required for the scour assessment, is not proposed as part of this task.

Task 240 – Technical Memorandum

HDR will document the analysis conducted as part of Task 210 in a technical memorandum. The memorandum will present the data collected, the analysis conducted, and the resulting proposed condition. The proposed condition will be presented with a conceptual based cost opinion of probable construction cost.

Deliverables:

- Technical Memorandum.

Key Understandings:

- Hydraulic modeling, beyond what is required for the scour assessment, is not proposed as part of this task. Scour will be estimated using a basic HEC-RAS model or a similar program. If hydrologic and hydraulic modeling is desired or required, that can be accomplished as Additional Services.
- Thiele Geotech, as a subconsultant to HDR, will provide subsurface investigation, laboratory testing, and data report generation for this project.
- The COUNTY will provide topographic survey data. If additional survey is required following initial evaluation, HDR will identify additional information needed and provide to the COUNTY.
- It is assumed that landowners will allow access to HDR, the COUNTY, and HDR's geotechnical subconsultant for completion of this work. The COUNTY will contact the property owners regarding access.

Task 300 – Design

Task 310 – 60% Design

HDR will prepare 60% design drawings in AutoCad, latest version, in 11x17 format. A preliminary list of sheets may include:

- Cover Sheet

- General Notes Sheet
- Plan Sheet (1 sheet)
- Geological Profile (1 sheet)
- Typical Section/Details (2 max)
- SWPPP Sheet and Miscellaneous Details (2 sheets)

A draft version of the specifications will be submitted with the design drawings. A preliminary opinion of probable construction cost (OPCC) will be submitted.

Task 320 – 100% Design

HDR will prepare 100% design drawings in AutoCad, latest version. A final version of the technical specifications will be submitted. An updated OPCC will be submitted. A pre-final submittal will be provided to the COUNTY addressing comments received from the 60% submittal and providing additional design detail. A final submittal will be provided to the COUNTY addressing comments from the pre-final submittal.

Deliverables:

- 60% Design Documents (drawings, technical specifications, preliminary OPCC).
- Pre-Final Design Document Submittal (drawings, technical specifications, OPCC).
- Final Design Document Submittal (drawings, technical specifications, OPCC).

Key Understandings:

- It is anticipated that temporary construction easements will be required as part of the construction and staging of this Project. It is assumed that the COUNTY will coordinate temporary construction easement acquisition with input on construction limits from HDR. If additional support is required, this can be included as Additional Services.
- Work is not proposed to occur within the channel centerline or bottom, but will rather be limited to the channel slopes. It is anticipated that channel slopes will be armored starting at the toe of slope.
- Traffic accommodations will be reviewed for the 65% and final phases of the project. The traffic control plan will be developed to show the necessary traffic control elements, including temporary signs and channelization devices. It is assumed that Buffalo Road will remain open to traffic during all construction phases and will not be closed. A separate detour route is not anticipated and as such, detour route signing is not included as part of this scope.
- Deliverables will be electronic. No hard copies will be printed.

Task 400 – Permitting

Task 410 – USACE Section 404 Permitting

HDR will collect the following data in support of the 404 Permitting:

- Archaeological and historic/architectural information coordinated through the Nebraska State Historical Society
- Threatened or endangered species information coordinated through the U.S. Fish and Wildlife Service and the Nebraska Game and Parks Commission
- National Wetland Inventory (NWI) wetland mapping
- National Hydrography Dataset (NHD) stream and water body mapping

Within the project area, determine and specify the type, size, location, and limits of wetlands and stream channel in accordance with applicable USACE guidance documents (Wetland Delineation Manual and Midwest Regional Supplement). Following completion of necessary fieldwork, HDR will prepare a Wetland Delineation Report that includes appropriate information, data forms, and mapping.

Coordinate with the USACE Nebraska Regulatory Office to schedule a pre-application meeting to occur at the USACE Office at Wehrspann. Prepare appropriate materials for the meeting and staff the meeting with two HDR professionals and applicable COUNTY staff that will explain the project and associated Section 404 permitting strategies. Following the meeting, document meeting discussion and outcomes via meeting notes distributed to all meeting attendees.

Prepare and submit a Pre-Construction Notification (PCN) to USACE, in accordance with CWA Section 404 Nationwide Permit No. 33 and Nationwide Permit General Condition No. 31. The PCN is intended to facilitate USACE project authorization under Nationwide Permit No. 33: Temporary Construction Access and Dewatering.

Deliverables:

- USACE Pre-application Meeting Notes
- Pre-Construction Notification

Key Understandings:

- It is anticipated that the project would be designed to avoid permanent fill activities, other than riprap armoring, below the ordinary high water mark of the stream and within adjacent wetlands. It is also anticipated that channelization (channel straightening/shortening) would be avoided and CWA Section 404 authorization is required for temporary impacts only. If permanent fill activities or channelization are required, more intensive permitting effort may be required and can be conducted as Additional Services.

- It is anticipated that temporary impacts will be restored to pre-construction conditions and that this effort will be detailed in a Restoration Plan, within the PCN. Should the resulting CWA Section 404 permit authorization require post-construction monitoring of the restored locations, this effort is not included in this proposal, but can be provided as Additional Services.
- Beyond the above stated Restoration Plan, compensatory wetland/stream mitigation is not anticipated to be required and an associated Compensatory Mitigation Plan is not included in this Scope of Services.
- The PCN will include information on cultural resources and species of special concern obtained from publicly accessible (internet) resources. The PCN will not include the results of project-specific coordination with resource agencies or project-specific resource or habitat surveys.
- It is anticipated that completion of the Nebraska Stream Condition Assessment Procedure (NeSCAP) is not required for CWA Section 404 project authorization.
- It is anticipated that: 1) the project would be designed in accordance with all CWA Section 401 Water Quality Certification conditions, as defined by the Nebraska Department of Environmental Quality (NDEQ), 2) that the PCN is sufficient to facilitate Section 401 approval, and 3) a separate submittal to NDEQ is not required.
- A permit-associated Public Notice is not anticipated; therefore, this proposal includes no effort to respond to public comments resulting from such notice.
- A permit-associated Alternatives Analysis is not anticipated; therefore, this Scope of Services includes no effort to prepare an Alternatives Analysis in association with CWA Section 404(b)(1).
- It is assumed that the total area disturbed by grading is less than one acre, and will therefore not require an NPDES permit for stormwater associated with construction activities.
- The project area is currently not located within a regulatory floodplain.

Task 500 – Bidding

Task 510 – Bid Document Modification

HDR will assist the COUNTY with responding to potential bidder questions and will respond to those questions pertaining to technical interpretations of the design. HDR will issue an addendum for inquiries that require a modification of the bidding documents.

Task 520 – Pre-Bid Meeting

HDR will attend one pre-bid meeting/site visit. HDR will prepare the agenda and meeting minutes for the meeting.

Task 530 – Bid Opening

HDR will attend the bid opening. HDR will assist the COUNTY in verifying inclusion of appropriate bid forms. HDR will evaluate bidders following the bid opening and prepare a letter of recommendation of award.

Deliverables:

- Electronic Copy of Addendum(a) to be distributed to the COUNTY
- Pre-bid agenda and minutes
- Letter of contract award recommendation

Key Understandings:

- The COUNTY will distribute all bidding documents and addendum documents to potential bidders.
- The COUNTY will be the point of contact for questions from potential bidders and will coordinate with HDR.
- The COUNTY is responsible for advertisement of the project and payment of all fees.

PART 3.0 OWNER'S RESPONSIBILITIES

COUNTY will be responsible for the following as identified in the above SCOPE OF SERVICES:

- Each coordination meeting will occur at the COUNTY offices.
- Files and information requested of the COUNTY required to complete the SCOPE OF SERVICES will be provided. Information will be provided in electronic format, where possible.
- Costs for travel, printing, mailing, etc. will be reimbursed by the COUNTY.
- The COUNTY will provide written or scanned comments on the technical memorandum and 60% design submittal.

PART 4.0 PERIODS OF SERVICE

Work will not proceed on a task without authorization. The estimated schedule for this phase of the project is indicated in the below-specified schedule.

Notice to Proceed

Conceptual Technical Memorandum Submittal: 60 calendar days from NTP

Receipt of COUNTY Comments/Review Meeting: 7 calendar days from date of draft submittal to COUNTY

60% Design Document Submittal: 45 calendar days from TM Review Meeting

Receipt of County Comments/Review Meeting: 14 calendar days from date of 60%
 Submittal
 100% Design Document Submittal: 30 calendar days from date of 60%
 Submittal Review Meeting

PART 5.0 PAYMENTS TO ENGINEER

Compensation for ENGINEER'S services under this Task Order shall be on the basis of Direct Labor Costs times a factor of 3.15 for the services of Engineer's personnel engaged on the Project, plus Reimbursable Expenses and Engineer's technology charges. If the scope changes the fees, the NTE amount may be increased by supplemental agreement. No payment above the not to exceed limit shall be made without prior approval of an amendment, supported by proper justification, by the OWNER.

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, subconsultants, subcontractors, computer usage, telephone, telex, shipping and express delivery, and other incurred expense. A technology fee of \$3.70 will be charged for each hour of labor billed. ENGINEER will add ten percent (10%) to invoices received by ENGINEER from subconsultants and subcontractors to cover supervision, administrative, and insurance expenses.

ENGINEER anticipates completing this Task Order for an estimated fee of \$73,859 (Seventy Three Thousand Eight Hundred Fifty Nine Dollars and No Cents), including labor and expenses.

This Task Order Amendment is executed this 14th day of January, 2014 ~~November, 2013.~~

Sarpy County, Nebraska
 "COUNTY"

HDR Engineering, Inc.
 "HDR"

BY: *Jim Thompson*
 NAME: Jim Thompson
 TITLE: Chairman
 ADDRESS: 1210 Golden Gate Dr.
Papillion, NE #1750
68046

BY: *Matthew B. Tondl*
 NAME: Matthew B. Tondl, PE
 TITLE: Senior Vice President
 ADDRESS: 8404 Indian Hills Drive
Omaha, NE 68114

Approved as to form:

J. Rein
 County Attorney