

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

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN WORK AUTHORIZATION #1 AND #2 TO
CONSULTING SERVICES AGREEMENT WITH ALFRED BENESCH & COMPANY FOR ON-CALL
ENVIRONMENTAL SERVICES**

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 and Alfred Benesch & Company have previously executed an On-Call Services Agreement via Resolution 2013-12, said service for providing on-call environmental consulting services to Sarpy County, and,

WHEREAS, the County and Alfred Benesch & Company wish to enter Work Authorization #1 and #2 in which outlines modifications and/or additional duties for the On-Call services.

NOW THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that pursuant to the statutory authority set forth above, the Work Authorization #1 and #2 with Alfred Benesch & Company for On-Call Environmental services for Sarpy County, Nebraska, a copy of which is attached hereto, is hereby approved.

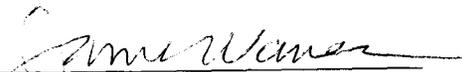
BE IT FURTHER RESOLVED that the Chair and the Clerk are hereby authorized to execute said agreement on behalf of Sarpy County, Nebraska and any other related documents, the same being approved by the Board.

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 26th day of March, 2013.

Attest

SEAL




Sarpy County Board Chairman


County Clerk



EXHIBIT A

WORK AUTHORIZATION NO. 1

PROJECT NO. 00120189 DATE February 4, 2013
 PROJECT NAME 225th St. Harrison to Centennial
 CLIENT Sarpy County Public Works
 CLIENT PM Patrick Dowse CONSULTANT PM Andy Miller
 PHONE NO. 402-537-6917 PHONE NO. 402-333-5792

SCOPE OF SERVICES

This WORK AUTHORIZATION Number One, with the AGREEMENT dated January 8, 2013, between Sarpy County, NE, herein called CLIENT and Alfred Benesch & Company herein called CONSULTANT, constitutes the express authority given CONSULTANT by CLIENT to do work as follows (or as shown in Attachment A):

The following are attached to and hereby made a part of this WORK AUTHORIZATION:

- Attachment A: Scope of Services and Fee Estimate
- Attachment B: Schedule of Unit Billing Rates
- _____
- _____

FEE ESTIMATE

CONSULTANT will perform the Scope of Services described above or in Attachment A, and invoice monthly as noted below in accordance with the selected payment method:

- CLIENT will pay a Fee based on a **Time and Materials** not to exceed \$____ and invoice using Attachment B: Schedule of Unit Billing Rates.
- CLIENT will pay a **Lump Sum** Fee of \$12,600 and invoice using a percentage completed basis.
- CLIENT will pay by another method as described: _____

CLIENT

ALFRED BENESCH & COMPANY

BY: *James W. ...*
 AUTHORIZED REPRESENTATIVE

BY: *Andy Miller*
 AUTHORIZED REPRESENTATIVE

DATE: March 26, 2013

DATE: 3/4, 2013

TITLE: Chairman

TITLE: SRVP - Omaha Div Mgr

BENESCH OFFICE: _____

ADDRESS: _____

PLEASE SIGN AND RETURN ONE COPY TO ALFRED BENESCH & COMPANY (ADDRESS ABOVE).

ATTACHMENT A

SCOPE OF SERVICE

Task 1 -Preliminary Data Gathering

Publicly available information will be collected for the natural resources assessment. The effort will include a Waters of the United States (WUS) determination investigation, a threatened and endangered species (T&E) evaluation, a vegetation inventory and a cultural and historic resources assessment.

Information collected will include National Wetland Inventory (NWI) data, Natural Resources Conservation Service (NRCS) soil information, USGS topographic information, recent aerial imagery, T&E range maps, and nearby cultural and historic resources. Once this information is collected a project base map will be prepared utilizing GIS.

Deliverable – Project Base Map

Task 2 – Waters of the U.S. Investigation

Benesch will perform the determination in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 and the 2010 Midwest Regional Supplement to the Corps of Engineers Wetland Delineation Manual. This methodology requires desktop analysis of existing data sources such as: USGS Topographical Maps, NRCS Soil Survey Maps, National Wetlands Inventory Maps and aerial photography. Benesch will conduct the desktop analysis utilizing GIS software.

Proceeding desktop review of existing information Benesch will conduct an on-site field investigation. The field investigation will determine if wetlands areas in question have all three jurisdictional wetland parameters: hydrophytic vegetation, hydric soils, and wetland hydrology, and if waterways in question have an Ordinary High Water Mark (OHWM). Drainage patterns and connections to other waterways will also be documented. Benesch will delineate the WUS boundary according to the above referenced COE delineation manual and COE guidance on waterway boundaries. Benesch will survey wetland sample points, photo stations and the WUS boundary with a Trimble® Geo-XT sub-meter accuracy hand-held GPS unit or equivalent device if waterways have an Ordinary High Water Mark.

Findings will be documented in a WUS Delineation Report that will include the following:

- Methods of investigation
- Documentation of wetlands on COE Data Forms and waterways on a stream data form
- Digital photographs of investigation area and all delineated WUS, including wetlands
- WUS delineation map on currently available aerial photography that shows data points, photo points, and WUS boundary.
- Brief discussion of each wetland or waterway, including jurisdictional status.

Deliverable –Waters of the U.S. Delineation Report

Task 3 - Section 404 Nationwide Permit Application

Benesch with assistance from Sarpy County will determine the amount and types of permanent and temporary impact associated with the project and then prepare a Section 404 Permit application in order to receive a Nationwide Permit. The permit application effort will include a pre-application meeting with the Corps of Engineers, research and collection of information necessary to complete application, calculation of impacts to WUS, and meetings with Sarpy County staff to discuss design plans and project impacts. All of this information will be organized in a Section 404 permit application package that includes a cover letter describing the project, a 404 permit application (ENG Form 4345), a Waters of the U.S. impact map, a wetland delineation report, and design plans. Task 3 does not include information necessary for an Individual Section 404 Permit or a mitigation plan if wetland mitigation is required.

Deliverable – Section 404 Nationwide Permit Package

Task 4 - Threatened and Endangered Species Preliminary Evaluation

Publicly available information from state and federal lists of threatened and endangered species and preferred habitat in the county will be assessed. Available information about known locations of species habitat and species occurrences will also be assessed. These assessments will be supplemented by a walking survey of the project area to document overall site landscape, physical characteristics and site vegetation communities.

Findings of the data assessment and the walking survey will be documented in a brief technical memorandum (T.M.). The T.M. will document the potential for any federal or state listed threatened or endangered species to inhabit the project area based on the presence of suitable habitat. This information will be submitted to the U.S. Fish and Wildlife Service (USFWS) and Nebraska Game and Parks Commission (NGPC) for concurrence, if necessary. Also, if necessary, a coordination teleconference meeting will be held with the USFWS/NGPC to discuss findings.

If the project is located within the range of T&E species and suitable habitat exists an additional survey will be required by the USFWS and/or NGPC to determine if species are present. Since the range and potential habitats are unknown at this point this proposal does not include any additional survey that may be requested by the USFWS/NGPC. Nor does it include a formal Biological Assessment. If it is determined at a later date that either of these services is required, a proposal will be provided for Sarpy County's consideration.

Deliverable – Threatened and Endangered Species Preliminary Evaluation

Task 5- Preliminary Cultural and Historic Investigation

A preliminary cultural and historic resources investigation includes a review of state and federal listed cultural and historic sites, such as, landmarks, homesteads, highways, etc. and assessment of the site location and physical description as it related to cultural and historic resources. A summary of these findings will be presented in a T.M.

Although not anticipated for this project, the Corps of Engineers could require a full Phase I Archeological investigation on undisturbed property within or outside the property. This investigation typically requires review by a registered archeologist of background information relevant to the site, such as, geology, stratigraphy, native vegetation and animals, human occupation, and other information that may be necessary to characterize the Site. In addition, a field investigation typically will be conducted consisting of a walking survey and soil borings to determine soil information. If necessary, an additional fee would be submitted to Client for this service.

Deliverable – Cultural and Historic Resources Preliminary Evaluation

Task 6 - Floodplain Development Permit

Benesch will obtain a floodplain development permit from Sarpy County Planning and Zoning Department. Services do not include hydraulic modeling of floodplain cross section if required.

Deliverable – Floodplain Permit

EXCLUSIONS

Non-traditional delineation techniques employed to determine the WUS boundary, such as, mechanized soil borings or other specialized techniques, additional regulatory agency meetings (Corps of Engineers and/or other regulatory agencies); either on-site or off-site, involving Benesch at the request of the agency and/or client, is considered beyond the scope of this proposal. Preparation of an Individual Section 404 permit, a wetland/stream functional assessment, or compensatory mitigation plan would also be considered beyond the scope of this proposal. Benesch can prepare a proposal for these additional services upon request. Additional services will be conducted on a time and materials basis as needed.

ATTACHMENT A

SCOPE OF SERVICE

Task 1 -Preliminary Data Gathering

Publicly available information will be collected for the natural resources assessment. The effort will include a Waters of the United States (WUS) determination investigation, a threatened and endangered species (T&E) evaluation, a vegetation inventory and a cultural and historic resources assessment.

Information collected will include National Wetland Inventory (NWI) data, Natural Resources Conservation Service (NRCS) soil information, USGS topographic information, recent aerial imagery, T&E range maps, and nearby cultural and historic resources. Once this information is collected a project base map will be prepared utilizing GIS.

Deliverable – Project Base Map

Fee - \$500

Task 2 – Waters of the U.S. Investigation

Benesch will perform the determination in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 and the 2010 Midwest Regional Supplement to the Corps of Engineers Wetland Delineation Manual. This methodology requires desktop analysis of existing data sources such as: USGS Topographical Maps, NRCS Soil Survey Maps, National Wetlands Inventory Maps and aerial photography. Benesch will conduct the desktop analysis utilizing GIS software.

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Findings will be documented in a WUS Delineation Report that will include the following:

- Methods of investigation
- Documentation of wetlands on COE Data Forms and waterways on a stream data form
- Digital photographs of investigation area and all delineated WUS, including wetlands
- WUS delineation map on currently available aerial photography that shows data points, photo points, and WUS boundary.
- Brief discussion of each wetland or waterway, including jurisdictional status.

Deliverable –Waters of the U.S. Delineation Report

Fee - \$3,500

Task 3 - Section 404 Nationwide Permit Application

Benesch with assistance from Sarpy County will determine the amount and types of permanent and temporary impact associated with the project and then prepare a Section 404 Permit application in order to receive a Nationwide Permit. The permit application effort will include a pre-application meeting with the Corps of Engineers, research and collection of information necessary to complete application, calculation of impacts to WUS, and meetings with Sarpy County staff to discuss design plans and project impacts. All of this information will be organized in a Section 404 permit application package that includes a cover letter describing the project, a 404 permit application (ENG Form 4345), a Waters of the U.S. impact map, a wetland delineation report, and design plans. Task 3 does not include information necessary for an Individual Section 404 Permit or a mitigation plan if wetland mitigation is required.

Deliverable – Section 404 Nationwide Permit Package

Fee - \$3,500

Task 4 - Threatened and Endangered Species Preliminary Evaluation

Publically available information from state and federal lists of threatened and endangered species and preferred habitat in the county will be assessed. Available information about known locations of species habitat and species occurrences will also assessed. These assessments will be supplemented by a walking survey of the project area to document overall site landscape, physical characteristics and site vegetation communities.

Findings of the data assessment and the walking survey will be documented in a brief technical memorandum (T.M.). The T.M. will document the potential for any federal or state listed threatened or endangered species to inhabit the project area based on the presence of suitable habitat. This information will be submitted to the U.S. Fish and Wildlife Service (USFWS) and Nebraska Game and Parks Commission (NGPC) for concurrence, if necessary. Also, if necessary, a coordination teleconference meeting will be held with the USFWS/NGPC to discuss findings.

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Deliverable – Threatened and Endangered Species Preliminary Evaluation

Fee - \$1,200

Task 5- Preliminary Cultural and Historic Investigation

A preliminary cultural and historic resources investigation includes a review of state and federal listed cultural and historic sites, such as, landmarks, homesteads, highways, etc. and assessment of the site location and physical description as it related to cultural and historic resources. A summary of these findings will be presented in a T.M.

Although not anticipated for this project, the Corps of Engineers could require a full Phase I Archeological investigation on undisturbed property within or outside the property. This investigation typically requires review by a registered archeologist of background information relevant to the site, such as, geology, stratigraphy, native vegetation and animals, human occupation, and other information that may be necessary to characterize the Site. In addition, a field investigation typically will be conducted consisting of a walking survey and soil borings to determine soil information. If necessary, an additional fee would be submitted to Client for this service.

Deliverable – Cultural and Historic Resources Preliminary Evaluation

Fee - \$700

Task 6 - Floodplain Development Permit

Benesch will obtain a floodplain development permit from Sarpy County Planning and Zoning Department. Services do not include hydraulic modeling of floodplain cross section if required.

Deliverable – Floodplain Permit

Fee - \$3,200

EXCLUSIONS

Non-traditional delineation techniques employed to determine the WUS boundary, such as, mechanized soil borings or other specialized techniques, additional regulatory agency meetings (Corps of Engineers and/or other regulatory agencies); either on-site or off-site, involving Benesch at the request of the agency and/or client, is considered beyond the scope of this proposal. Preparation of an Individual Section 404 permit, a wetland/stream functional assessment, or compensatory mitigation plan would also be considered beyond the scope of this proposal. Benesch can prepare a proposal for these additional services upon request. Additional services will be conducted on a time and materials basis as needed.

Fee - \$1,200

Task 5- Preliminary Cultural and Historic Investigation

A preliminary cultural and historic resources investigation includes a review of state and federal listed cultural and historic sites, such as, landmarks, homesteads, highways, etc. and assessment of the site location and physical description as it related to cultural and historic resources. A summary of these findings will be presented in a T.M.

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Deliverable – Cultural and Historic Resources Preliminary Evaluation
Fee - \$700

Task 6 - Floodplain Development Permit

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Deliverable – Floodplain Permit
Fee - \$3,200

EXCLUSIONS

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EXHIBIT A

WORK AUTHORIZATION NO. 2

PROJECT NO. 00120190 DATE February 4, 2013
 PROJECT NAME Bridge # 46 75th & Hidden Valley
 CLIENT Sarpy County Public Works
 CLIENT PM Patrick Dowse CONSULTANT PM Andy Miller
 PHONE NO. 402-537-6917 PHONE NO. 402-333-5792

SCOPE OF SERVICES

This WORK AUTHORIZATION Number Two, with the AGREEMENT dated January 8, 2013, between Sarpy County, NE, herein called CLIENT and Alfred Benesch & Company herein called CONSULTANT, constitutes the express authority given CONSULTANT by CLIENT to do work as follows (or as shown in Attachment A):

The following are attached to and hereby made a part of this WORK AUTHORIZATION:

- Attachment A: Scope of Services and Fee Estimate
- Attachment B: Schedule of Unit Billing Rates
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FEE ESTIMATE

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- CLIENT will pay by another method as described: _____

CLIENT

ALFRED BENESCH & COMPANY

BY: [Signature]
AUTHORIZED REPRESENTATIVE

BY: [Signature]
AUTHORIZED REPRESENTATIVE

DATE: 3/26, 2013

DATE: 2/4, 2013

TITLE: Chairman

TITLE: SrVP - Omaha Div Mgr

BENESCH OFFICE: _____

ADDRESS: _____

PLEASE SIGN AND RETURN ONE COPY TO ALFRED BENESCH & COMPANY (ADDRESS ABOVE).

ATTACHMENT A

SCOPE OF SERVICE

Task 1 -Preliminary Data Gathering

Publically available information will be collected for the natural resources assessment. The effort will include a Waters of the United States (WUS) determination investigation, a threatened and endangered species (T&E) evaluation, a vegetation inventory and a cultural and historic resources assessment.

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Deliverable – Project Base Map

Task 2 – Waters of the U.S. Investigation

Benesch will perform the determination in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1 and the 2010 Midwest Regional Supplement to the Corps of Engineers Wetland Delineation Manual. This methodology requires desktop analysis of existing data sources such as: USGS Topographical Maps, NRCS Soil Survey Maps, National Wetlands Inventory Maps and aerial photography. Benesch will conduct the desktop analysis utilizing GIS software.

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Deliverable –Waters of the U.S. Delineation Report

Task 3 - Section 404 Nationwide Permit Application

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Deliverable – Section 404 Nationwide Permit Package

Task 4 - Threatened and Endangered Species Preliminary Evaluation

Publicly available information from state and federal lists of threatened and endangered species and preferred habitat in the county will be assessed. Available information about known locations of species habitat and species occurrences will also be assessed. These assessments will be supplemented by a walking survey of the project area to document overall site landscape, physical characteristics and site vegetation communities.

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Deliverable – Threatened and Endangered Species Preliminary Evaluation

Task 5- Preliminary Cultural and Historic Investigation

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Deliverable – Cultural and Historic Resources Preliminary Evaluation

Task 6 - Floodplain Development Permit

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Deliverable – Floodplain Permit

EXCLUSIONS

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ATTACHMENT A

SCOPE OF SERVICE

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Deliverable – Project Base Map

Fee - \$500

Task 2 – Waters of the U.S. Investigation

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- Brief discussion of each wetland or waterway, including jurisdictional status.

Deliverable – Waters of the U.S. Delineation Report

Fee - \$3,500

Task 3 - Section 404 Nationwide Permit Application

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Deliverable – Section 404 Nationwide Permit Package

Fee - \$3,500

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Deliverable – Threatened and Endangered Species Preliminary Evaluation