



DATA SHEET
Agenda Item No. 10.

Meeting Date: March 1, 2018

Agenda Item:

Consider approval of Task Order No. 4 under the existing third-party contract with Michael Baker Jr., Inc. and the U.S. Army Corps of Engineers (USACE) for supplemental funding in preparation of a Draft Environmental Impact Statement (related to 404 permit) for Lake Ralph Hall.

Placement:	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Individual Consideration	<input type="checkbox"/> Executive Session
Vote:	<input type="checkbox"/> Non-Weighted	<input checked="" type="checkbox"/> Weighted Capital	
Recommending Department: Engineering & Administration			

Background:

On October 2, 2014 the District approved Task Order No. 3 with the third-party contractor Michael Baker Jr., Inc. (Baker) for continued preparation of a Draft Environmental Impact Statement (DEIS) related to the USACE Section 404 permit for the proposed Lake Ralph Hall project. According to the rules of USACE, the applicant (UTRWD) must pay the costs related to the contractor, but the firm (Baker) works under direction of the USACE. Significant work has been completed and it is anticipated that the DEIS will be submitted to the state and federal agencies for their review and comment in late March 2018.

Task Order No. 4 with Baker is to perform the following tasks:

- Review and evaluate the state and federal agencies' comments on the DEIS
- Coordination, as necessary, with the commenting agencies and USACE
- Prepare responses to the state and federal agencies' comments
- Revise the DEIS and submit to USACE for release to the Public for comment

Financial:

Funding for the Lake Ralph Hall project is provided in the Regional Treated Water System FY 2018 Capital Budget.

Recommendation:

Staff recommends approval of Task Order No. 4 with Michael Baker Jr., Inc.

Enclosures:

Proposed Task Order No. 4 with Michael Baker Jr., Inc.

Submitted By: Larry N. Patterson
Larry N. Patterson, Deputy Executive Director

Date: February 23, 2018

Task Order No. 4
Scope of Services and Compensation

This Task Order is part of the AGREEMENT between **Michael Baker Jr., Inc.** (the "CONTRACTOR"), and Upper Trinity Regional Water District (the "OWNER"), for a PROJECT generally described as:

Lake Ralph Hall, Third Party Environmental Impact Statement Development, (Draft Environmental Impact Statement Preparation)

Article I
Scope of Services

I. Basic Services

Task 1: Review and Evaluate Agency Comments on Administrative Draft Environmental Impact Statement (EIS)

Task 1 consists of the Contractor's review and evaluation of comments received from the Owner, U.S Army Corps of Engineers, and state and federal agencies from their review of the Administrative Draft EIS. The Contractor will provide responses to comments and coordinate those responses with the U.S. Army Corps of Engineer's subject matter expert/Project Manager to define what, if any additional work will be required to address those comments, revise the Draft EIS and release the Draft EIS for public review. Responses and revisions resulting from substantive comments received from the review of the Administrative Draft EIS that require additional research, analysis, coordination, or otherwise substantive work/changes to the Draft EIS are not included in this Task Order. The Contractor will prepare a Scope of Services for this additional work (Task Order No. 5), if required, under this Task Order No. 4.

Task 2: Agency Coordination

Task 2 consists of coordination with commenting agencies, including the Owner and U.S. Army Corps of Engineers to discuss specific comments and requests and the Contractor's proposed approach for addressing the comments to the satisfaction of the U.S. Army Corps of Engineers.

II. Additional Services

Provide Additional Services which may include meetings and coordination, collection of new data, completion of technical analyses and any associated technical memorandums and/or reports beyond those identified in Tasks 1 and 2 above.

Compensation for Additional Services, which may be required by the owner, shall be based on the actual labor hours and expenses incurred in performing the work in accordance with Exhibit A. Contractor will submit a scope and estimated cost for such services. A budget allowance of \$ 20,000 has been made for this item and will not be exceeded without prior written authorization from the owner. No work will be undertaken on this item without specific written authorization from the owner.

**Article II
Compensation**

Contractor will be compensated based on the actual labor hours and expenses incurred in performing the work in accordance with Exhibit A. Partial payments for services outlined in this Task Order shall be made monthly based on billings submitted by the Contractor. In no event shall the Contractor's total fee exceed \$ 135,000.

The budget for the tasks listed in this Scope of Services is listed below. Contractor's compensation for a particular task item may be less than or more than the budget amount, provided the sum of the Contractor's compensation for all task items does not exceed the maximum fee stated above.

Basic Services	\$115,000
Additional Services	<u>\$ 20,000</u>
Total	<u>\$135,000</u>

**Article III
Authorization**

This Task Order No. 4 will become part of the referenced AGREEMENT when executed by both parties.

IN WITNESS WHEREOF, the parties execute below:

For the OWNER, Upper Trinity Regional Water District, dated this ____ day of March, 2018.

By: _____

Name

Title

For the CONTRACTOR, Michael Baker Jr., Inc., dated this ____ day of March, 2018.

By: _____

Name

Title

Exhibit A

**Michael Baker Jr., Inc.
Lake Ralph Hall Third Party EIS
Task Order No. 4
(Hourly Fee Schedule)**

<u>Category</u>	<u>Billing Rate/Hour</u>
Principal	\$ 271.00
Technical Advisor	\$ 223.00
Project Manager	\$ 207.00
HH Engineer	\$ 159.00
Senior Environmental Specialist	\$ 159.00
Geologist I Geomorphologist	\$ 127.00
Environmental Specialist	\$ 111.00
Senior GIS Analyst	\$ 111.00
GIS Analyst	\$ 80.00
Technical Editor I Document Manager	\$ 95.00

In no event shall the Contractor's total fee exceed **\$135,000** (Basic Services \$ 115,000; Additional Services \$ 20,000).

Labor costs for individual staff assigned to the project shall be based on "Raw Salary" times a multiplier of 3.0. All direct non-labor expenses, including computers, communications, mileage, travel and lodging expenses, but excluding subcontract expenses, shall be paid to invoice or internal office cost. Subcontract expenses shall be paid at direct cost plus a ten percent (10%) service charge.