

TASK ORDER 1-19 SWR AMENDMENT 1

PERMITTING FOR THE TRENCHLESS INSTALLATION OF UTILITY PIPELINES ACROSS FLEMING CHANNEL

This TASK ORDER 1-19 SWR AMENDMENT 1 is issued under the terms and conditions of the MASTER AGREEMENT TO FURNISH GENERAL ENGINEERING SERVICES TO THE CITY OF KEY WEST ("AGREEMENT") between the City of Key West ("CITY") and CH2M Engineers, Inc. ("CONSULTANT") executed on November 03, 2017, which is incorporated herein by this reference.

A. SCOPE OF SERVICES

Specific services which the CONSULTANT agrees to furnish are summarized on the attached statement entitled TASK ORDER 1-19 SWR AMENDMENT 1, "SCOPE OF SERVICES." The "Scope of Services" defines the work effort anticipated for the Task order.

This Task Order, when executed, shall be incorporated in and shall become an integral part of the November 03, 2017, Master Agreement.

B. TIME OF COMPLETION

Work under this Task order will begin immediately following acceptance and completed expeditiously subject to coordination with the City of Key West staff.

C. COMPENSATION

Compensation for the labor portions of TASK ORDER 1-19 SWR AMENDMENT 1, Task B will be on a lump sum fee basis as stipulated in Article 5, Paragraph 5.1.1 of the AGREEMENT. Compensation for all expenses will be on a Cost Reimbursable-Per Diem basis as stipulated in Article 5, Paragraph 5.1.2 of the AGREEMENT. The estimated compensation is shown on the attached statement entitled TASK ORDER 1-19 SWR AMENDMENT 1 COMPENSATION.

D. ACCEPTANCE

By signature, the parties each accept the provisions of this TASK ORDER 1-19 SWR AMENDMENT 1, and authorize the CONSULTANT to proceed at the direction of the CITY's representative in accordance with the "SCOPE OF SERVICES." Start date for this project will be no later than ten (10) days after execution of this authorization.

For CH2M HILL Engineers, Inc.

For CITY OF KEY WEST

By:  6/8/20

By: _____

Sirpa H. Hall
Sr. Business Vice President

Greg Veliz
City Manager


Sean McCoy, P.E.
Key West Project Manager

Dated the _____ day of _____, 20__

ATTEST: _____

**TASK ORDER 1-19 SWR AMENDMENT 1
PERMITTING FOR THE TRENCHLESS INSTALLATION OF UTILITY PIPELINES
ACROSS FLEMING CHANNEL**

SCOPE OF SERVICES

Project Description

The City of Key West owns and operates the Richard A. Heyman Environmental Protection Facility (WWTP). Currently, utility lines supplying the WWTP are installed on a utility bridge spanning approximately 460 feet, across the channel from Trumbo Point to Fleming Key. These welded steel pipelines with traditional flange and bolt connections were originally completed in May 1996, and now, approaching 22 years in service, require significant rehabilitation and/or replacement to address corrosion issues.

As Irma has recently reminded us, it's not if, but rather when, we are going to be impacted by a major hurricane. A bridge failure with these utilities attached would halt the City's ability to treat wastewater and would severely impact any corresponding recovery efforts. Rehabilitating the existing pipelines in their current location, while addressing corrosion issues, would not deal with the possibility of a bridge failure. Therefore, in an effort to "Storm Harden" City Infrastructure, and to ensure to the best of our ability, the continued service of critical city utilities, the CITY proposes to retain the CONSULTANT to provide design and permitting for the Trenchless Installation of City Utilities beneath Fleming Channel.

Purpose

The CITY has requested that the CONSULTANT provide Permitting services for the Trenchless Installation of City Utilities across Fleming Channel. Specifically:

- CONSULTANT will provide permitting support in obtaining the necessary permits. CONSULTANT will meet with permitting agencies to discuss permitting requirements. The expected list of agencies includes Florida Department of Environmental Protection (FDEP), US Army Corp of Engineers (USACOE), State submerged lands (SSL), US Coast Guard (USCG), US Navy (USN), and US Fish and Wildlife (FWC).

Scope of Services

Task B – Permitting

Under this task, the CONSULTANT will identify permitting agencies, and requirements necessary to complete design and construction of the project as described above. CONSULTANT will prepare and submit Permit Applications and respond to one Request for Additional Information (RAI), as required. CONSULTANT's effort for this task is further detailed as follows:

Subtask B.1 - Cultural Resources Review

Consultant will perform cultural resources literature review to determine if previously identified historic properties have been recorded near the project area (for example a shipwreck or canoe). CONSULTANT will prepare a cultural resource technical memorandum (TM) for

submittal with the USACOE application. The TM will include literature review findings, historical context, and determinations for any built-environment resources in the area of potential effects.

Assumptions:

- Cultural resources review will be limited to an online review and no field work will be conducted.
- No cultural survey or field work is included in this scope.
- No archaeological or historic resources will be affected by the project.

Deliverables

- Cultural Resources TM will be included as part of the draft and final application packages listed under subtask B.4.

Subtask B.2 - Permit Coordination Meetings

CONSULTANT will meet with agency staff (FDEP and USACOE) once to present and discuss the project and draft permit application. This task includes one ½-day meeting with agency to discuss the permit application (pre-application).

CONSULTANT will meet with Navy and Coast Guard staff once to present and discuss the project. ½ day meeting is assumed, and will have representatives from each branch present

- Assume a permit is not required.

Deliverables

- Copy of meeting attendees and meeting minutes (submitted digitally)

Subtask B.3 - Preparation and Submission of Request for State & Federal Permits

The CONSULTANT will gather from agency the necessary permit application form(s). CONSULTANT will prepare and complete the required permit applications, as required by the agency. The application package will include the items listed below.

1. USACE (Assume Nation Wide Permit (NWP) coverage)

**if Standard Permit, General Permit, or LOP required, then additional scope and Level of Effort (LOE)*

**Regional General Permit SAJ-14 Subaqueous Utility not applicable in Monroe County*

- NWP 12 Utility Line Activity

Pre-Construction Notification (PCN) required for Keys per Regional Conditions using ENG Form 4345. Assume location is not a federal channel, so NWP is applicable. Programmatic Biological Opinion on 10 Categories of Minor In-Water Activities Occurring in Florida and the U.S. Caribbean (JAXBO) Activity 8 Transmission/Utility Lines equates to NWP 12. Determined Not Likely to Adversely Affect (NLAA) or No Effect (NE) depending upon species. May require coordination with NOAA's National Marine Fisheries Service (NMFS) (potential for long lead item).

- NWP 6 Survey Activities

PCN required for Keys per Regional Conditions using ENG Form 4345. It is anticipated for the JAXBO Activity 5: Scientific Devices to cover the vibracore devices and activity which equates to NWP 6. Determined NLAA or NE depending upon species. May require coordination with NOAA's NMFS (potential for long lead item).

2. NMFS (Coordinate during USACOE NWP 6 and NWP 12 Permitting)

- If the project utilizes horizontal directional drilling, it is assumed a Frac-Out Plan (JAXBO contains an example Plan) is required per JAXBO Activity 9 Project Design Criteria (PDC) A8.3.
- NMFS JAXBO November 2017 determined effects on species from 10 activities. It is assumed the current proposed boring and pipeline activities will be authorized under the JaxBO consultation for activity #5 Scientific devices and #8 Transmission/Utility lines which determined either NLAA or NE. NMFS may determine the activities are similar to the covered activities and the Superseding Application will be submitted to the agency. However, if the agency determines the proposed activities require Informal or Formal Consultation (out of scope work), Jacobs will discuss the path forward with the client as additional scope and fee.

3. DEP

- Assume 62-330.051 Exemption (11) Sampling and Testing (d) Geotechnical investigations, including soil test borings, standard penetration tests, and other work involving boring, auguring, or drilling. Limitations: max 1 foot in diameter; work limited to less than 0.5 acre on surface waters including all excavations and clearing for temporary access corridors, no drilling fluid left above grade, bore holes that penetrated confining layer shall be grouted from bottom up, activities will not violate state water quality standards. Consultant will submit FDEP Form 62-330.050(1) Request for Verification of Exemption.
- Assume 62-330.051 (14) (b) Exemption in accordance with 403.813 1(m) Installation of subaqueous transmission and distribution lines embedded in bottoms of waters in the state except in Class I and Class II waters and aquatic preserves. Fleming Key and Key West is an Outstanding Florida Water (OFW), assume location is not FDEP Class I, Class II, or aquatic preserve. Consultant will submit Form 62-330.050(1) Request for Verification of an Exemption.
- Exemption Verification Application submissions will include necessary associated attachments including aerial, project location map, project narrative, and plan drawings. Activity may require consultation with FWC during permit process.
- Assume City has Sovereign Submerged Lands Easement

Requests for Additional Information CONSULTANT will prepare a response to one request for additional information (RAI) for DEP and USACE, of up to 8 total hours each agency assumed. A response to agency will be provided within timeframes outlined within the RAI.

Deliverables

- Copies of Draft and Final Permit Application packages. Copy of response to RAI's (if needed).

Subtask B.3.1 - FL Keys National Marine Sanctuary Authorization and General Permit

- Authorization is required to perform the in-water geotechnical boring sample. Consultant will submit the USACE application, project drawings, and Best Management Practices including avoidance measure for the Sanctuary to authorization the USACE NWP.
- General Permit is required to perform a biological assessment (benthic resources permit and survey to be performed by others), for trenchless installation (micro-tunneling or HDD) because altering seafloor of sanctuary. Consultant will submit the USACE or DEP application, project drawings, and benthic survey report (by others) for Sanctuary permitting purposes. Typically, permits are issued within 2 to 3 months, once application is deemed complete.
- Due to the chance of frac-out, Sanctuary would require a baseline biological assessment (habitat types, species along corridor, and density to be performed by others) of corridor and immediately surrounding site. ()
- Additional expenses in the amount of \$6,000 have been included under this task to cover geotechnical subconsultant costs in excess of the original \$50,000 budget.

Permitting Related Items Specifically Excluded from This Proposal:

- City of Key West - Building Permit (will be obtained by the Contractor)
- Survey of uplands
- Circulation/flushing surveys or assessments
- Water or sediment quality testing
- Benthic infauna testing
- Mitigation planning and design
- Bathymetric Survey of the channel bottom along the proposed project alignment

Assumptions

The following assumptions were used in the development of this Task order

- Work under this Task Order will be completed in calendar year 2020.
- The design will be based on the federal, state, and local codes and standards in effect at the start of the project. Any changes in these codes may necessitate a change in scope.
- Submittals listed above shall be in an approved digital format unless specifically shown as otherwise.

- Legal, easement, or plat surveys are not included in the scope of work. If additional property is required it shall be the responsibility of the City to obtain.
- Existing system Record Drawings will be used when available. CONSULTANT will reasonably rely upon the accuracy and completeness of the information/data provided by the City or other third parties.
- Progress meetings will be attended in person by the Project Manager. All other CONSULTANT team members will participate by phone unless availability allows for an in-person meeting.
- City will obtain directly, the bathymetric survey required for obtaining geotechnical boring permits, as well as future construction permits.
- This Task Order does not include any Building Department permit applications.
- Bathymetric Survey of channel bottom along proposed project alignment, if required for permitting this project, shall be obtained by the CITY
- Benthic Survey of project area, if required for permitting this project, shall be obtained by the CITY
- Fleming Bridge is owned by the USN, and an FDOT Utility Permit will not be required.
- Permission from the US Navy and US Coast Guard will be granted without any additional requirements other than the PDR.

Obligations of the CITY

To assist meeting schedule and budget estimates contained in this proposal, the CITY will provide the following:

- Prompt review and comment on all deliverables (within 10 working days of receipt).
- Facilitate access to any required facilities
- Attendance of key personnel at meeting as requested
- Existing environmental data from the project area
- Obtain Bathymetric and Benthic Survey of Fleming Channel project area if required for permitting construction
- Permit application fees

Additional Services

The CONSULTANT will, as directed, provide additional services that are related to the project but not included within this Scope of Services. These and other services can be provided, if desired by the CITY, as an amendment to the Task Order. Work will begin for the Additional Services after receipt of a written notice to proceed from the CITY. Additional services may include, but are not limited to, the following:

- Bid Phase Services
- Services During Construction
- Re-bidding any, or all, portions of this project.
- Review of Contractor pay applications.
- Application for a Building Permit (if necessary).

Completion Dates

The below schedule is an estimate of Consultants time to reach each milestone.

Design

- Preliminary Design Report: 12 Weeks assuming timely mobilization by Geo-technical Engineer
- 60% Design Submittal: 12 Weeks
- 90% Design Submittal: 9 Weeks

Permitting

- FKNMS Permit: 4 ½ - 6 ½ months
 - Cultural Resources Review, Benthic Resources Survey: 2 ½ - 3 ½ months
 - Required as part of FKNMS application. FKNMS review time typically 2 - 3 months
- DEP General Permit: 2 - 3 months
- USACE NWP: 6 - 9 months

Compensation

The estimated compensation for TASK ORDER 1-19 SWR AMENDMENT 1, is shown as Attachment A, entitled TASK ORDER 1-19 SWR AMENDMENT 1, COMPENSATION.

Attachment A COMPENSATION

TO 1-19 SWR Amendment 1 COMPENSATION

Title	Engineer 5	Engineer 4	Engineer 3	Technician 2	Clerical / Office	Subtask Labor Total	Expenses	Travel	Task/Line Item Subtotal
Rate	\$192.96	\$166.76	\$142.92	\$77.43	\$76.23				
TASK B - Permitting									
B.1 - Cultural Resources Review									
Investigate and Prepare CRR TM	2	3	32	3	2	\$5,844.39			\$5,844.39
B.2 - Permit Coordination									
DEP & USACE Meetings (Quantity 2)	12		18		4	\$5,193.00	\$250	\$1,650	\$7,093.00
Navy and U.S. Coast Guard Meeting	4		4			\$1,343.52			\$1,343.52
B.3 - Preparation and Submission of Request for State & Federal & General Permit									
USACE NWP 6 Application	4		24	5	4	\$4,893.99			\$4,893.99
NMFS Application & Coordination	4		16	5		\$3,445.71			\$3,445.71
DEP Exemption Verification Request	2		8	2		\$1,684.14			\$1,684.14
Request for Additional Information	3		4	2		\$1,305.42			\$1,305.42
Florida Keys National Marine Sanctuary Coordination	2		4			\$957.60			\$957.60
USACE NWP 12 Application (add Frac Out Plan)	2		54	5	4	\$8,795.67	\$6,000.00		\$14,795.67
NMFS Application & Coordination	4		20	5		\$4,017.39			\$4,017.39
DEP Exemption Verification Request	2		24	2		\$3,970.86			\$3,970.86
Request for Additional Information	3		16	2		\$3,020.46			\$3,020.46
Florida Keys National Marine Sanctuary General Permit	2		24			\$3,816.00	\$500	\$3,300	\$7,616.00
Hours Subtotal	46	3	248	31	14	342	\$6,750	\$4,950	--
Cost Subtotal	\$ 8,876	\$ 500	\$ 35,444	\$ 2,400	\$ 1,067	\$48,288	Subtotal Labor Task B	Subtotal Task B	\$59,988.15
							Subtotal Labor Task B		\$48,288
							Subtotal Expenses Task B		\$11,700.00
							TO 5-18 Total		\$59,988.15