

MEMORANDUM

TO: Programs, Projects, and Operations Subcommittee
FROM: Eric Williams, Natural Resources Planner
DATE: August 1, 2019
SUBJECT: Platte River Bridge Trail Project
NEPA Professional Services Agreement

The District is acting as the lead agency according to an Interlocal Agreement with Bellevue, Plattsmouth, Lower Platte South NRD, Sarpy County, Cass County, and working in collaboration with the Nebraska Department of Transportation (NDOT), and the Metropolitan Area Planning Agency (MAPA) to design and construct this project. The trail and bridge will run parallel to US Highway 34/75 over the Platte River, see the attached map.

In January, the District entered into a Program Agreement with NDOT for this project, and in March notification was sent to NDOT to begin negotiations with HDR for Environmental Services. NDOT has now provided the Professional Services Agreement including the scope, schedule, and fee for this work related to the project. Sections of the agreement are attached to highlight the details on those aspects of the agreement.

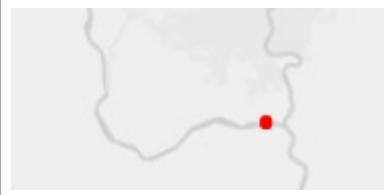
HDR's will work with the design consultant, NDOT, and the NRD to ensure environmental commitments are met. Tasks will include but are not limited to reviewing the NEPA Documents for any comments during the design, and re-evaluating the project after the approval of the Right of Way design. Work is expected to begin in September 2019, and continue through the end of 2022. Total project environmental design costs for this agreement will be \$71,786.38.

- **Management recommends that the Subcommittee recommend to the Board of Directors that the General Manager be authorized to execute the proposed Professional Services Agreement for Environmental Services with HDR Engineering, Inc. for the Platte River Bridge Trail project, with cost not to exceed \$71,786.38, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

Attachment 1, US Highway 34 Bike and Walking Trail



Location



Sarpy County GIS



1210 Golden Gate Dr.
Suite 1130
Papillion, NE 68046
maps.sarpy.com

Legend

Project location
shown in green

1: 4,800



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EXHIBIT "A"

Scope of Services

Project Name. Platte River Bridge Trail

Project No. MAPA-77(62)

CN: 22770

Environmental Services

PROJECT DESCRIPTION:

This scope provides for environmental services related to compliance with the Environmental National Policy Act (NEPA) for the Project named above. NEPA Consultant shall serve as the agent for the Papio-Missouri River Natural Resources District hereafter referred to as the Local Public Agency (LPA), representing them in all matters related to environmental services for this Project.

The proposed project is the construction of a trail along U.S. Highway 75/34 (US-75/34) from Allied Road south to Beach Road.

GENERAL ENVIRONMENTAL SERVICES AND COORDINATION:

Environmental coordination requires the Design Consultant (Schemmer) to work with the NEPA Consultant (HDR) to ensure environmental commitments are met. The NDOT shall serve as the Responsible Charge (RC) for this project and is responsible for coordinating these efforts.

- a. **Review of NEPA documents and commitments.** The Design Consultant shall review the NEPA Documents for any commitments made that must be addressed during the design. The LPA or NEPA Consultant, on the LPA's behalf, will perform a re-evaluation of the proposed design:

After the review and approval of the Right of Way design by NDOT's ROW Division and prior to the initial request for obligation of Right of Way funds (based on the ROW Cost Estimate). The NEPA Consultant is to re-evaluate the project to determine whether the scope of the project and environmental documentation remain valid under current policies and regulations. The NEPA Consultant is to submit a "Re-evaluation Approval Request" for approval by the NDOT, LPA Environmental Coordinator.

Review of NEPA documents and commitments after ROW Acquisition. Modifications to the final design may have been made during the acquisition of the right of way needed to construct this project. The NEPA Consultant is to re-evaluate the project to determine whether the scope of the project and environmental documentation remain valid under current policies and regulations. The NEPA Consultant is to submit a "Re-evaluation Approval Request" for approval by the NDOT, LPA Environmental Coordinator.

- b. **NEPA exhibits.** The Design Consultant will provide the LPA/NDOT with exhibits as needed for the development of Public Involvement.
- c. **Preliminary Waterway Permit Data Sheet.** The Design Consultant will complete form DR-290 for the project.
- d. **Wetlands Impacts.** The Design Consultant will calculate impacts to wetland areas delineated by the NEPA Consultant. This information shall be provided in the final plans on the 2-W Sheet.

- e. **Permits.** The Consultants shall prepare and submit on behalf of the LPA the following permits, certifications, and forms. The Consultants shall copy the RC (NDOT) on all applications submitted.
- i. Floodplain Permit (Design Consultant) Army Corps of Engineers 404 permit (NEPA Consultant)
 - ii. National Pollution Discharge Elimination System, Storm-water Pollution Prevention Plan & Notice of Intent (NPDES, SWPPP & NOI) (Design Consultant)
 - iii. Activity Checklists (Design Consultant)
 - iv. NEPA Coordination (Green Sheets) (Design Consultant).
 - v. Wetland Impact calculations form DR290 Waterway Permit Data Sheet (To be calculated by Design Consultant)
 - vi. Nebraska Department of Environmental Quality (NDEQ), (NEPA Consultant)
 - vii. City/County Health Department Permits (Design Consultant)
 - viii. The need or potential need for a FAA Form 7460-1 should be noted in the plan-in-hand report and added as a special provision in the PS&E package by the design consultant. (Design Consultant)

SCOPE ITEMS PERTAINING THE PROJECT (checked boxes indicate the sections of this scope that apply to the project):

Scope Items	Tasks
General Environmental Services and Coordination	<input checked="" type="checkbox"/>
Categorical Exclusion (CE)	<input checked="" type="checkbox"/>
Farmland	<input type="checkbox"/>
Section 106 request letter	<input checked="" type="checkbox"/>
Section 4(f)	<input checked="" type="checkbox"/>
Section 6(f)	<input checked="" type="checkbox"/>
Floodplain Review	<input checked="" type="checkbox"/>
Water Quality Review	<input checked="" type="checkbox"/>
Threatened & Endangered Species Review	<input checked="" type="checkbox"/>
Hazardous Materials Review (HMR)	<input checked="" type="checkbox"/>
Noise Analysis and Report	<input type="checkbox"/>
Wetland & Stream Delineation	<input checked="" type="checkbox"/>
Delineation Project Size	<input checked="" type="checkbox"/> Small <input type="checkbox"/> Med <input type="checkbox"/> Large
404 Nationwide Permit Application	<input checked="" type="checkbox"/>
404 Individual Permit Application	<input type="checkbox"/>
Mitigation Plan	<input type="checkbox"/>

Public Involvement Materials	<input checked="" type="checkbox"/>
Environmental Re-evaluation, after ROW Design	<input checked="" type="checkbox"/>
Green Sheet	<input checked="" type="checkbox"/>
Project Management	<input checked="" type="checkbox"/>
Travel Time	<input checked="" type="checkbox"/>

A. LPA OR STATE, ON LPA'S BEHALF, TO PROVIDE (to the extent that the items listed are available or needed for the scope checklist above):

1. Project description, location information, Program documents (DR-73, DR-53), purpose and need statement (if applicable – Level 3 Categorical Exclusion (CE)), Threatened and Endangered species (T&E) Activity Checklist, general project location map, Professionally Qualified Staff (PQS) Memos (Wetlands, HMR, EJ/LEP, T&E Species, Section 106). When appropriate, detour route information will be provided (including a list of property owners along the project and detour route).
2. If available, electronic files of current aerial photographs with Project alignment and preliminary design, existing and new rights-of-way (ROW) and easements, topographic survey, utilities data, and Limits of Construction (LOC), if available.
3. Roadway Feature File, Alignment File, Feature Codes and SMD (Simple Method Description) file (downloadable from State's website).
4. County-wide plat (ownership) or TAM (occupancy) maps for NEPA Consultant's use if landowner notification is needed. A notification letter, on LPA's letterhead for the Design Consultant's use in landowner contacts and site access will also be provided.
5. Waterway Permit Data Sheet and 2W plan Sheets from Design Consultant, if permitting services are required.
6. Wetland Delineation Data Sheets and Photographs (if already available and not part of this scope of work).
7. Environmental Justice/Limited English Proficiency Memo (provided by State if available).
8. Section 106 documentation and PQS Memo (provided by State if available).
9. HMR PQS Memo (provided by the State if available).
10. Threatened and Endangered Species PQS Memo (provided by State if available).
11. Wetlands PQS Memo.
12. Green Sheet, the Design Consultant will provide the Green Sheet for the Project, detailing all applicable environmental project commitments and conditions.

B. APPLICABLE PUBLICATIONS:

Work shall be done in accordance with the most current version of NDOT's Environmental Policies and Procedures, which are located at the following website:

<https://dot.nebraska.gov/projects/environment/pubs/docs/>

C. CONSULTANT SHALL PROVIDE TO LPA OR STATE, ON LPA'S BEHALF:

1. **CE DOCUMENT AND RESOURCE REVIEWS.**
 - a. Project Description and Purpose & Need (when applicable). NEPA Consultant will determine if the provided project description meets the NDOT guidance for

F. **SCHEDULE:**

The NEPA Consultant shall provide a schedule of activities and deliverables upon award:

- 1. Notice to Proceed: August 30, 2019
- 2. Complete wetland delineation fieldwork: October 25, 2019
- 3. Section 106 Request Letter to NDOT: November 15, 2019
- 4. 30% Plans Turn-in: November 29, 2019
- 5. HMR due to NDOT: December 20, 2019
- 6. Wetland Delineation Report due to NDOT: December 31, 2019
- 7. T&E Species Biological Request Letter to NDOT: December 31, 2019
- 8. Receive Section 106 PQS Memo: January 17, 2020
- 9. Submit Section 4(f) Initial Assessment Form: February 3, 2020
- 10. Draft NEPA Document to NDOT: June 30, 2020
- 11. 90% Plans Turn-in: July 31, 2020
- 12. NEPA Document Approval: September 11, 2020
- 13. Section 404 PCN to NDOT: September 25, 2020
- 14. ROW Cost Estimate Complete: October 9, 2020
- 15. Re-evaluation #1: October 30, 2020
- 16. ROW Acquisition Complete: February 5, 2021
- 17. Re-evaluation #2: February 26, 2021
- 18. PS&E Turn-in: April 9, 2021
- 19. Project Letting: September 29, 2022
- 20. Contract End Date: December 31, 2022

SHPO Review Request Letter and Section 4(f) Initial Assessment Form Submittal Due Date Goal	HMR Report Submittal Due Date Goal	BE Request Letter & Wetland Delineation Report Due Date Goal	NEPA Draft Document and 404 Permit Application Due Date Goal to NDOT
Section 106 request letter – 11/15/19 Section 4(f) Initial Assessment – 2/3/2020	12/20/2019	12/31/2019	Draft NEPA Document: 6/30/2020 404 PCN: 9/25/2020

Project Cost Breakdown		Environmental Services	
Project Name: <u>Platte River Bridge Trail</u>		Project Number: <u>MAPA-77(62)</u>	
Consultant: <u>HDR, Inc.</u>		Control Number: <u>22770</u>	
Consultant PM: <u>Lisa Richardson, 402-926-7026, lisa.richardson@hdrinc.com</u>			
NDOR PC/RC: <u>Kyle Liebig, 402-479-4890, kyle.liebig@nebraska.gov</u>			
Date: <u>July 15, 2019</u>			
		CONSULTANT	

DIRECT LABOR COSTS			
Classification	Hours	Rate	Amount
Principal	32	\$75.48	\$2,415.36
Project Manager	128	\$36.85	\$4,698.38
Sr. Environmental Scientist	104	\$67.73	\$7,010.06
Environmental Scientist	214	\$31.71	\$6,785.94
Senior Engineer	16	\$88.28	\$1,412.48
GIS Technician	49	\$39.40	\$1,930.60
Accountant	8	\$46.02	\$368.16
Public Involvement Specialist			
User Defined 3			
User Defined 4			
	550	Subtotal	\$24,620.97

DIRECT EXPENSES		Amount
Subconsultants:		
Printing And Reproduction:		\$125.00
Mileage/Travel:		\$341.04
Lodging/Meals:		
Other Miscellaneous Costs:		\$85.00
Subtotal		\$551.04

TOTAL PROJECT COSTS		Amount
Direct Labor Costs		\$24,620.97
Overhead @ 155.44%		\$38,270.84
Total Labor Costs		\$62,891.81
Fee for Profit Rate @ 13.05%		\$8,207.38
Facility Capital Cost of Money (FCCM) @ 0.553% (direct labor cost x FCCM%)		\$136.15
Direct Expenses		\$551.04
TOTAL COST		\$71,786.38