

Memorandum

To: Programs, Projects and Operations Subcommittee
Re: Amendment to Papillion Creek Watershed Partnership's Stage IV study with HDR
Date: October 1, 2008
From: Amanda Grint, Water Resources Engineer

Since 2007, HDR Engineering (along with Conservation Design Forum in Chicago) has provided professional engineering services for the Stage IV study of the Papillion Creek Watershed as authorized by the Partnership. The Stage IV services include a technical report that covered details of peak flow reduction modeling with various combination scenarios with regional reservoirs and low impact development strategies as well as associated water quality impacts. In February 2008, the NRD sponsored a watershed-wide public officials meeting to review and discuss the preliminary results of the Partnership Stage IV studies. HDR took input from that meeting and subsequent partnership direction to further refine a Watershed Management Plan for storm water quality and quantity. As it became obvious that such plan would involve implementing water quality low impact development techniques in new and significant redevelopment projects, the City of Omaha Public Works Department pursued a water quality ordinance requiring the control of the first half inch of storm water runoff. That ordinance passed in September 2008 and all communities and counties in the partnership plan to follow with adaption of regulations by the end of 2008.

An amendment to the Stage IV contract is proposed to complete the technical analysis for preparing and implementing a Papillion Creek Watershed Plan as well as performing additional tasks to prepare the Partnership to move forward in to the next year. Major milestones to be completed by the Partnership by July 2009, are as follows:

- Complete Stage IV studies and adoption of a Watershed Management Plan, including an implementation and financing strategy
- Renew the 5-year NPDES Phase II Stormwater permits issued by NDEQ, including updating the Stormwater Management Plan
- Adopt revised Stormwater Management Policies previously approved by most communities and counties in the Partnership
- Adopt new Interlocal Agreement for continuation of the Partnership

The Stage IV contract amendment proposes to provide the necessary services to help achieve the items noted above for a fee not to exceed \$116,500.00. The contract and scope of services has been presented to and reviewed by the Partnership members. The District will pay the contract amount and be reimbursed by the Partnership Fund for the full amount.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the Stage IV contract amendment with HDR Engineering, Inc. on behalf of the Papillion Creek Watershed Partnership, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

October 2, 2008

John Winkler
General Manager
Papio-Missouri River Natural Resources District
8901 S. 154th Street
Omaha, NE 68138-3621

RE: Stage IV Services – Development of Papillion Creek Watershed Plan
Agreement for Professional Services
Amendment No. 1

Dear John:

Enclosed is Amendment No. 1 that outlines modified professional services to be performed in connection with the development of the Papillion Creek Watershed Plan. The amended agreement adds \$116,500 to Stage IV to cover previous out-of-scope work and the addition of new services and project time through July 31, 2009. Therefore, the amended agreement is not to exceed the original Agreement (dated June 6, 2007) in the amount of \$349,900 + Amendment No. 1 at \$116,500 = \$466,400. The purpose of Amendment No. 1 is to modify the scope of work to accommodate the recent desires of the P-MRNRD and the rest of the Partnership to the extent possible.

Please sign both copies of the Agreement and retain one copy for your records and return the other signed copy for our files.

If you have any questions, please contact me at 399-1329 at your convenience.

Very truly yours,

HDR ENGINEERING, INC.



Lyle Christensen, P.E.
Senior Project Manager

Enclosure

**AMENDMENT NO. 1 TO AGREEMENT
FOR
ENGINEERING SERVICES**

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on June 6, 2007 to perform engineering services in connection with development of a Papillion Creek Watershed Plan (Stage IV Services) ("Project");

Papio-Missouri River Natural Resources District (OWNER) desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;

HDR is willing to amend the agreement and perform the additional engineering services.

NOW, THEREFORE, HDR and OWNER do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below:

Exhibit SR-A, "Further Description of Services, Responsibilities, Time, and Related Matters," shall be amended to include Exhibit SR-A1.

Exhibit SR-C, "Reimbursable Expenses Schedule," shall be amended to include Exhibit SR-C1.

Attachment A, "Fee Estimate, Stage IV Services," shall be amended to include Attachment A-1. The additional fee shall not exceed \$116,500 without further authorization.

Attachment B, "Schedule, Stage IV Services," shall be amended to include Attachment B-1.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

HDR ENGINEERING, INC. ("HDR")

PAPIO-MISSOURI RIVER NATURAL
RESOURCES DISTRICT ("OWNER")

By: 

By: _____

By: Matthew B. Tondl, P.E.

By: John Winkler

Title: Senior Vice President

Title: General Manager

Date: 10-1-08

Date: _____

EXHIBIT SR-A1 – AMENDMENT NO. 1 SCOPE OF WORK

For Development of a Watershed Plan For Papillion Creek Watershed within Douglas and Sarpy Counties, NE

AMENDMENT NO. 1

BACKGROUND AND BASIS OF PROPOSAL

The purpose of Amendment No. 1 is to modify the existing Agreement in order to: 1) Provide for continuation of the Project to July 31, 2009 with accompanying project management, meetings, and supporting technical assistance, 2) develop a funding framework and cash-flow analysis for the Watershed Drainage Plan, and 3) develop a basic outline of the administrative actions that will be necessary to implement the Watershed Management Plan for the Papillion Creek Watershed Partnership (PCWP). After the Mid-Stage public meetings were held, alternative work has been identified by the PCWP.

SCOPE OF SERVICES

The basic objectives of this Project are:

- Provide continued participation in PCWP meetings
- Facilitate and present at a public official meeting
- Develop funding framework to finance Watershed drainage projects.
- Develop an implementation plan

Stage IV was originally segmented into the following task series:

- Task Series 100 Project Management
- Task Series 200 Public Involvement Assistance
- Task Series 300 Hydrologic/Hydraulic Modeling and Water Quality
Evaluation
- Task Series 400 Technical Materials and Watershed Plan Report

Amendment No. 1 addresses the modified services necessary to prepare the Watershed Management Plan and guidance for future direction. The tasks described below are modified to their respective task series.

TASK SERIES 100 – PROJECT MANAGEMENT

With the project time extension to July 31, 2009, additional project management activities including general administration and meetings will be conducted.

Add: **Task 120 PCWP Meetings.** A total of 12 PWCP or subcommittee meetings were assumed in the original scoping. As of September 30, 2008, a total of 25 meetings have been conducted. The tally for meetings is as follows:

- + 13 gain of past PCWP regular and sub-committee meetings.

- - 4 meetings (credit) transferred from Task 220 below.
- + 1 meeting gain transferred from Task 230.2 below.
- - 6 meetings (credit) transferred from Task 230.3 below.
- + 12 new PCWP regular and sub-committee meetings in combination are anticipated following authorization of this Amendment through the project ending date of July 31, 2009.

Therefore, the net number of additional PCWP regular and sub-committee meetings to be covered under this Task 120 = 16 meetings. That is, there were a net of 4 out-of-scope meetings already expended + 12 new meetings planned.

TASK SERIES 200 – PUBLIC INVOLVEMENT ASSISTANCE

Delete: **Task 220 Advisory Group Meetings.** TASK DELETED. The original effort in the form of four (4) meetings for this task will be transferred to (credited against) Task 120 PCWP Meetings.

Modify: **Subtask 230.2 Mid-Stage Public Forums.** The original effort called for 6 meetings; whereas 7 meetings were actually held. The effort for the extra meeting will be transferred to Task 120 PCWP Meetings.

Delete: **Subtask 230.3 Final Summary Public Forums.** TASK DELETED. The original effort in the form of 6 meetings for this task will be transferred to Task 120 PCWP Meetings.

Modify: **Task 240 Interlocal, Intergovernmental PCWP Planning Sessions.** The original effort in the form of 3 meetings for this task was replaced with a like number of PCWP “Communications” meetings whereby public information and outreach details were discussed in lieu of discussions on technical findings. That is, there was no net change in scoped effort, just a change in the purpose of the meetings.

TASK SERIES 300 – HYDROLOGIC/HYDRAULIC MODELING AND WATER QUALITY EVALUATION

Modify: **Task 360 Refine Watershed Plan.**

Subtask 360.1 Refine Hydrologic Evaluation. Delete the following text:

~~Stage storage curves will be developed for both the preferred regional detention basins and accompanying water quality basins using the most recent (2004/2005) topographic data available. One tentative structural alignment will be defined for each site. Size principal and auxiliary spillways and evaluate reservoir operations for one (1) normal operating pool elevation at a selected alignment according to TR-60 criteria. The preliminary design intent for this effort will be to maximize~~

~~the flood storage capacity while minimizing impacts to property and infrastructure.~~

This effort for this task will be transferred to Task 510 Funding Framework.

Modify: **Subtask 360.4 Update Costs.** Cost will be updated based on cost indices and not refined any further.

TASK SERIES 400 – TECHNICAL MATERIALS AND WATERSHED PLAN REPORT

Task 410 Prepare Technical Information Packages. In preparation for PCWP meetings, additional effort was made to create PowerPoint presentations and handout materials that offset the graphical materials described below.

Delete: Delete the following text:

~~For the final technical findings public forums only, and if applicable as a result of the public outreach process, additionally include a maximum of two (2) 3-D isometric view “still shot” graphical renderings of representative regional detention structures and their estimated pool areas overlain on aerial mapping backgrounds.~~

Modify: **Task 420 Prepare Watershed Plan Report.** Modify the originally scoped work for this Task 420 by inclusion of appropriate new materials from the new Task Series 500 and Task Series 600 activities described below. That is, the report will include all original Stage IV Task 420 report elements, plus project funding frames work discussion; the results of cash-flow analyses for regional detention and water quality basin projects; input from additional stakeholder input; implementation recommendations for an initial Watershed Management Plan for the PCWP; etc.

Overall, the completed Task 420 services will include:

- Peak flow reduction performance results from detailed hydrologic and hydraulic (H&H) computer modeling for current and future conditions.
- Present water quality impact results from applying Low Impact Development concepts. A simplified EPA method spreadsheet analysis will be used that utilizes unit loadings per acre by weighted average land uses for various water quality parameters: Total Suspended Solids (including stream bank erosion), Total Phosphorus, Total Nitrogen, and E. Coli bacteria. The unit loadings will be based on past USGS and City of Omaha sampling in the Watershed, prior consultant studies, other literature, and best professional judgment.
- Summarize planning level project cost impacts in current and future dollars for implementation of the screened alternatives.
- Provide a recommended funding framework public/private cost sharing for candidate Watershed Management Plan projects.

- Provide the supporting cash-flow analysis for such candidate Watershed Management Plan projects.
- Provide basic recommendations for implementation of the Plan.

Key Understandings:

The report deliverables are to be furnished in electronic format only to the P-MRNRD for printing, binding, and distribution. The report is not intended to include other technical deliverables that may be otherwise furnished for various meetings and public forums, including display boards and hard copy hand-outs under Task Series 100 and 300. It shall also be understood that the Watershed Plan Report will still be based on the modeling scenarios already developed and analyzed under Stage IV work. Implementation recommendations under this Task Series are not intended to include specific work, such as the drafting of model ordinances and resolutions or drafting new design standards for additions to the Omaha Regional Stormwater Design Manual. This type of specific work, if desired, is intended to be covered under Task Series 600, commensurate with remaining overall budget for amended Stage IV services.

Add new Task Series 500:

TASK SERIES 500 – FINANCIAL ANALYSIS AND IMPLEMENTATION

Add: **Task 510 Funding Framework.** Develop the framework for funding the Watershed Drainage Plan. A portion of the cost for this task will be offset from transferred efforts from Subtask 360.1 Refine Hydrologic Evaluation and Subtask 360.4 Update Costs.

Add: **Task 520 Cash-Flow Analysis.** From PCWP and stakeholder feedback and projected development patterns, list the candidate regional detention and water quality projects in sequential order of estimated implementation time frame according to performance ranking and estimated areas of pending development for funding the Watershed Drainage Plan. A portion of the cost for this task will be offset from transferred efforts from Subtask 360.1 Refine Hydrologic Evaluation and Subtask 360.4 Update Costs.

Add: **Task 530 Implementation Plan.** Identify key components of an implementation plan. The plan will provide guidance for the next steps to implement the Watershed Drainage Plan. A portion of the cost for this task will be offset from transferred efforts from Subtask 360.1 Refine Hydrologic Evaluation and Subtask 360.4 Update Costs.

Add new Task Series 600:

TASK SERIES 600 – ON-CALL SERVICES

Task Objective: This Task Series 600 is intended to provide as-needed, on-call assistance within the confines of the Amendment No. 1 Stage IV budget remaining beyond that may be incurred for Task Series 100 through 500 above. That is, it is recognized that the PCWP may require an indefinite amount of HDR Project Team assistance for such things as stakeholder meetings, including professional facilitation and additional technical assistance to support anticipated on-going technical and policy refinement discussions necessary for continued Watershed Management Plan development and adoption that will be beyond the scoping for regular Partnership and sub-committee meetings. Other as-needed assistance may include additional meetings, input for ordinance and resolution development, BMP selection for Phase II stormwater permit renewals, PCWP resources and cost sharing analysis, additional project cost and cash-flow estimates, additional report content, etc. beyond that assumed in other task series above. The following task descriptions are offered for the purpose of potential areas of on-call services assistance only; the PCWP through the P-MRNRD may reallocate any and all remaining budget at the time of a request as it sees fit, provided that adequate budget remains to fulfill other previously assigned work elements.

HDR Activities: **Task 610 Stakeholder Meeting Assistance.** HDR's Project Team, including Conservation Design Forum, will provide as-needed, on-call technical advisory and/or meeting facilitation services for various stakeholder or other public meetings that may be scheduled by the PCWP in addition to the regular PCWP and sub-committee meetings under Task 120 above. In that regard, HDR is prepared to provide PowerPoint slides, hardcopy hand-outs, and graphical display boards. For budget planning purposes, assume assistance in preparing for and attending a maximum of three (3) additional meetings in combination with a maximum of two (2) HDR engineering professional staff and one (1) Conservation Design Forum representative for any given Task 610 meeting.

Task 620 Other Technical Assistance. This Task is intended to include any other as-needed, on-call technical assistance deemed necessary by the PCWP that is not otherwise included with preparation for and participation in Task 610 meetings or to supplement any of the Task 100 through Task 500 work elements. As stated above, such assistance may include input for ordinance and resolution development, BMP selection for Phase II stormwater permit renewals, PCWP resources and cost sharing, up-dated project cost and cash-flow estimates, LID design standards development

assistance, etc. commensurate with budget allocations for the purposes intended.

Task Deliverables:

- Technical information package materials to support Task 610 meetings, if applicable.
- Other technical materials for other Task 620 technical assistance.
- Appropriate materials will be included in modified Task 420 reporting activities as directed by the PCWP.

Key Understandings:

- A nominal budget allowance has been provided in the Fee Estimate as a part of Attachment "A-1" to cover as-needed, on-call work under this Task Series. The PCWP may re-allocate both work activities and budget within this Task Series to meet the particular needs desired, provided that sufficient remaining Stage IV budget exists beyond that required to sustain previously assigned Task Series 100 through 500 work. Budget reallocations may also extend to HDR's subconsultant with similar considerations.
- HDR will prepare a series of cursory cost estimates for providing Task Series 600 on-call work in advance of the desired work for review and authorization by the P-MRNRD, representing the desires of the PCWP. That is, HDR's Project Team will maintain on-going cost tracking of all work efforts and will outline the estimated level of services that can be provided within the remaining budget under this Task Series and for the Stage IV Project as a whole.
- It is assumed that on-going authorizations can be in the form of written email, letters, and/or meeting minutes, prior to services rendered rather than requiring prior separate P-MRNRD Board action.
- It is to be understood that the HDR Project Team will not be expected to incur labor and expenses beyond the remaining budget for this Task Series without an additional amendment to the Agreement for Stage IV services. To this end, the P-MRNRD and PCWP in general shall make every effort to minimize budget over-runs through the careful consideration of services actually requested; utilize electronic format materials from HDR's Project Team to the extent possible; assist in printing and other reproduction as may be necessary; and help to minimize other expenses that could otherwise be borne by the PCWP.

ATTACHMENT "A-1"
Papio-Missouri River Natural Resources District
Papillon Creek Watershed, Stage IV Amendment No. 1
FEE ESTIMATE

TASKS	Project Manager	Sr. Engr./ Technical	Mid-Level Engr./Tech	Tech Support	Clerical	Total Hours	Total Labor Cost	Tech. Fee	Printing	Travel	Misc.	CDF Subconsult	Total Expenses [1]	Est. Total Cost
TASK 100 - PROJECT MANAGEMENT														
Task 110 Internal Project Management	30	16	24	24	20	90	\$12,810	\$393	\$50				\$388	\$13,198
Task 120 PCWP Meetings	64	40	28	24	156	\$23,908	\$577	\$234	\$720				\$1,627	\$25,613
Estimated Task Hours Subtotal	94	56	52	24	246			\$970	\$50	\$234	\$720		\$2,075	\$38,810
Estimated Task Cost Subtotal							\$36,796							
NO COST INCREASES FOR TASK SERIES 200, TASK SERIES 300, AND TASK 410														
TASK 400 - TECHNICAL MATERIALS AND WATERSHED PLAN REPORT														
Task 420 Complete Watershed Plan Report	36	40	80	24	32	212	\$27,732	\$784	\$200			\$5,000	\$6,604	\$34,236
Estimated Task Hours Subtotal	36	40	80	24	32	212		\$784	\$200	\$0	\$0	\$5,000	\$6,604	\$34,236
Estimated Task Cost Subtotal							\$27,732	\$784	\$200	\$0	\$0	\$5,000	\$6,604	\$34,236
TASK 500 - FINANCIAL ANALYSIS AND IMPLEMENTATION														
Task 510 Funding Framework	8	2	16			26	\$3,765	\$96	\$50				\$151	\$3,936
Task 520 Cash-Flow Analysis	16	2	16			34	\$5,249	\$128	\$50				\$181	\$5,430
Task 530 Implementation Plan	8	2	8	8	26	\$3,393	\$96	\$50					\$151	\$3,544
Estimated Task Hours Subtotal	32	6	40	8	86			\$318	\$150	\$0	\$0		\$483	\$12,909
Estimated Task Cost Subtotal							\$12,426	\$318	\$150	\$0	\$0		\$483	\$12,909
TASK 600 - ON-CALL SERVICES														
Task 610 Stakeholder Meeting Assistance	24	12	24	24		84	\$11,236	\$311	\$300	\$44	\$135	\$5,000	\$6,338	\$17,574
Task 620 Other Technical Assistance	8	24	8	8	48	\$7,272	\$178					\$5,000	\$5,678	\$12,950
Estimated Task Hours Subtotal	32	36	32	32	132			\$488	\$300	\$44	\$135	\$10,000	\$12,015	\$30,524
Estimated Task Cost Subtotal							\$18,509	\$488	\$300	\$44	\$135	\$10,000	\$12,015	\$30,524
STAGE V TOTAL HOURS	194	138	204	88	52	676	\$95,462	\$2,501	\$700	\$278	\$855	\$15,000	\$21,077	\$116,479
STAGE V TOTAL COST (ROUNDED)														\$116,500

[1] Assume administrative fees for reimbursable expenses and subconsultant = 10%

ATTACHMENT "B-1"												
Papio-Missouri River Natural Resources District												
Papillion Creek Watershed, Stage IV Amendment No. 1												
ESTIMATED SCHEDULE												
TASKS	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Jul-09	Aug-09	Sep-09
TASK 100 - PROJECT MANAGEMENT												
Task 110 Internal Project Management												
Task 120 PCWP Meetings												
TASK 400 - TECHNICAL MATERIALS AND WATERSHED PLAN REPORT												
Task 420 Complete Watershed Plan Report												
TASK 500 - FINANCIAL ANALYSIS AND IMPLEMENTATION												
Task 510 Funding Framework												
Task 520 Cash-Flow Analysis												
Task 530 Implementation Plan												
TASK 600 - ON-CALL SERVICES												
Task 610 Stakeholder Meeting Assistance												
Task 620 Other Technical Assistance												

Legend
 Estimated time required for task.
 Denotes a Partnership meeting attended by HDR Project Team.
 Denotes stakeholder meeting



EXHIBIT SR-C1
Papio-Missouri River Natural Resources District
Papillion Creek Watershed, Stage IV Amendment No. 1
Reimbursable Expenses Schedule

Description	Est. Cost	Unit
Technology Fee	\$ 3.70	Direct Labor Hr
Lodging per person	\$95	per day
Meals (lunch) per coordination meeting	\$45	per meeting
Rental Car per person	\$110	per trip
Ground Travel	\$0.585	per mile
Report Binders and Shipping	\$5	per copy
Printing (HDR Laser B/W, Letter Size)	\$0.10	per sheet
Printing (HDR Laser B/W, 11 x 17 Size)	\$0.20	per sheet
Printing - Print Shop (Color Laser Jet, Letter Size)	\$0.75	per sheet
Printing - Print Shop (Color, 11" x 17" Size)	\$1.50	per sheet
Printing - Print Shop Report Tab Indexes	\$0.65	each
Printing - Print Shop Report 3-Hole Drilling	\$0.01	per sheet
CD-ROM Production + Label and Case	\$25.00	per disc
Presentation Boards (plot and mount)	\$150.00	each
Color Plotting for Maps (E-Size Coated Paper)	\$50	per sheet
Computer time for Engineering work	\$10	per hour
Computer time for CADD/GIS work	\$15	per hour
Film and Photo Processing	\$12	per roll

Marlin

Thank you for a copy of the power point presentation on the Stage IV Preliminary Results Watershed Drainage Plan Update dated the February 2, 2008.

It did not however answer the questions I have about the HDR contract.

Lyle Christensen's October 2, 2008 letter says "The amended agreement adds \$116,500 to Stage IV to cover previous out-of-scope work".

RESPONSE: The sentence you note above, in its entirety, reads: "The amended agreement adds \$116,500 to Stage IV to cover previous out-of-scope work and the addition of new services and project time through July 31, 2009." This sentence could probably been worded a bit differently, because after visiting further with HDR it is my understanding that the out-of-scope work was a "No Cost Add" to the original contract and is only being added here to accurately reflect the work that was done. The entire \$116,500 is for new services to be performed.

1. What specific tasks were done in the "previous out-of-scope work"?

RESPONSE: The primary "out-of-scope work done was to add a new Task Series 500-Financial Analysis and Implementation. This involved developing a Funding Framework, Cash-Flow Analysis and Implementation Plan in preparation for the NRD hosted Public Officials Meeting in February, 2008. NRD management and partnership members saw the need for this type of information to be presented at the Public Officials meeting. Funds for this added Task Series 500 work was at no added cost to the contract because it was diverted from funds remaining in Task Series 300-Hydrologic/Hydraulic Modeling and Water Quality Evaluation. Some of those fund overages in Task Series 300 were due to scope reductions on items (Subtasks 360.1 and 360.4) that were ultimately determined not necessary or insignificant to the level of detail commensurate with the rest of the study.

The other "out-of-scope work" involved added Partnership meetings under Task Series 100-Project Management. Again, these were of no added cost, as meetings not needed under Task Series 200-Public Involvement Assistance substituted for those.

2. When and from whom was approval given for HDR to conduct "out-of-scope work"?

RESPONSE: NRD Management gave approval for HDR to conduct this "out-of-scope work". Since the "out-of-scope work" was a "No Cost Add" and of a minor nature, management felt it had the discretion and authority to affect such changes as it has on other such contracts in the past.

How many of the **Tasks and Subtasks** under Task Series 300 (Hydrologic/Hydraulic Modeling and Water Quality Evaluation) in the Stage IV contract have been completed (See Stage IV contract, dated June 6, 2007, pp. 5 through 9 of 10)?

RESPONSE: To my knowledge all Tasks and Subtasks under Task Series 300 in the Stage IV Contract with HDR have been completed as called for, except for those noted in the proposed amendment No. 1 (Subtasks 360.1-Refine Hydrologic Evaluation and 360.4 Update Costs).

Please provide the memos or reports that document the results of each of these Tasks and Subtasks.

RESPONSE: The contract only calls for one final report of the entire study. It does not call for memos or reports that document the results of each of these Tasks and Subtasks. This requested information is not available.

I request this information before the subcommittee meetings tonight.

Dorothy Lanphier