



Airport

DATE: May 17, 2019

FROM: Greg Haug, Airport Director

ITEM: Consider Amendment #1 to the February 12, 2019 Agreement with Kadrmas, Lee & Jackson (KLJ) for Design of Wetland Mitigation Phase 5.

REQUEST

Please place this item on the 5/28/2019 City Commission meeting agenda.

BACKGROUND INFORMATION

On February 12, 2019 the Board approved an agreement with KLJ for Design of Wetland Mitigation Phase 5. Design is ongoing. The original agreement did not anticipate performing any construction south of Lincoln Road. As part of the proposed solution, work will have to be completed south of Lincoln Road. After coordinating with the Federal Aviation Administration (FAA) additional work will be necessary. This amendment adds 8 tasks required to meet environmental, permit and design requirements related to construction south of Lincoln Road. This change order does not change original completion dates. Staff believes the costs are reasonable. FAA has determined costs are eligible under Airport Improvement Program (AIP) or Passenger Facility Charge (PFC) programs and has concurred with Amendment #1. The KLJ Amendment #1 increases the total contract cost by \$32,396.77 to a new total of \$843,170.01. The agreement costs will be part of the FAA grant application airport staff will submit on or around August 2019.

RECOMMENDED CITY COMMISSION ACTION

Approve Amendment #1 to the February 12, 2019 Agreement with KLJ for Design of Wetland Mitigation Phase 5.

STAFF CONTACT INFORMATION

Greg Haug, Airport Director, 355-1808 or ghaug@bismarcknd.gov

Enclosure:

1. Amendment #1 to the February 12, 2019 Agreement with KLJ for Design of Wetland Mitigation Phase 5.

PROFESSIONAL SERVICES CONTRACT CHANGE FORM

DEPARTMENT

Contract between the City of Bismarck and KLJ

Purpose of Contract AMENDMENT 1 TO FEBRUARY 12, 2019 AGREEMENT FOR REMOVAL OF WETLANDS TO REDUCE WILDLIFE ATTRACTANTS (PHASE 5)

Contract Number: 2019-08 Project/Subproject Number: APG.AIP61.WETLANDS

Original Contract Amount: \$813,955.72

Contract Change Amount: \$32,396.77 NEW TOTAL: \$843,170.01

Funding Source of Change Amount (if applicable) _____

Change in Contract Timeline: NA

Change in Scope of Contract: ADDS 8 TASKS REQUIRED TO MEET ENVIRONMENTAL PERMIT AND DESIGN REQUIREMENTS RELATED TO CONSTRUCTION SOUTH OF LINCOLN ROAD,

Department Head Signature: _____ Date: _____

COMMISSION APPROVAL

Change in contract amount less than 10% of the original contract amount or not greater than \$15,000 placed on the City Commission consent agenda

Change in contract amount that exceeds 10% of the original contract amount or \$15,000 or greater, placed on City Commission regular agenda

Change to original scope of contract and/or contract period placed on City Commission consent agenda

City Commission Meeting Date: _____

TO ALL DEPARTMENTS: Please attach verification of Commission approval and send to Fiscal Services.

GRANTS COORDINATOR: _____

CITY ATTORNEY: _____



4585 Coleman Street
 Bismarck, ND 58503-0431
 701 355 8400
 KLJENG.COM

Letter of Transmittal

Date:	May 10, 2019
To:	Mr. Tim Thorsen, Assistant Airport Director Bismarck Airport PO Box 991 2301 University Drive – Building 17 Bismarck, ND 58502
Copy To:	File
From:	Tom Neigum, PE
Re:	Bismarck Airport – Wetland Removal (Phase 5)
Project #:	KLJ 1805-02200

We Are Sending You:

<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Under Separate Cover	<input type="checkbox"/> As Requested
<input type="checkbox"/> Prints/Plans	<input type="checkbox"/> For Your Information	<input checked="" type="checkbox"/> For Your Review
<input type="checkbox"/> Specifications	<input checked="" type="checkbox"/> For Your Signature	<input type="checkbox"/> Samples
<input type="checkbox"/> Other		

Shipped via: Hand Delivered

Copies (#)	Description
3	Amendment #1 to Agreement for Professional Services

Remarks

As requested, attached are three (3) originals of the Amendment #1 to Agreement for Professional Services for the Wetland Removal (Phase 5) Preliminary and Design Services and FAA Project Closeout Report.

Please have Mayor Bakken sign and date all three (3) originals where shown and have Keith J. Hunke attest the Mayor’s signature where shown. Keep two (2) originals for your records and return one (1) to our office.

Please contact me at 701-355-8415 or tom.neigum@kljeng.com if you have any questions.

Thanks!

Timothy Thorsen

From: Mark.Holzer@faa.gov
Sent: Wednesday, May 08, 2019 11:31 AM
To: tom.neigum@kljeng.com
Cc: David.P.Anderson@faa.gov; Timothy Thorsen; charlie.baker@kljeng.com; Curt.Cady@kljeng.com; Matthew RemyNSE; sheri.lares@faa.gov; Andy.Peek@faa.gov
Subject: BIS Wetland Removal Phase 5 (KLJ 1805-02200) - Amendment 1 to the Agreement for Professional Services

Tom

The FAA concurs that this amendment 1 to your existing Design contract for Rwy 31 – Phase 5 area wetland removal to reduce wildlife attractants for coordinating the environmental actions for this alternative as follows:

- o Perform wetland delineation south of Lincoln Road (need to wait for growing season or mid-May 2019 per FAA requirements)
- o Coordinate with USACE on permitting requirements
- o Re-evaluate the existing EA to include these impacts
- o Submission of No Rise Certification (Floodway impacts) to the State Engineer
- o Drainage Permit updates for expanded work area
- o Updates to Floodplain Development Permit for expanded work area
- o Design an Outlet Control Structure into Apple Creek
- o Perform soil borings in the additional areas required and shown on the attached exhibit

As the sponsor prepares a grant application, this cost task would be eligible and justified for AIP funding consideration.

Mark J. Holzer

Program Manager

Federal Aviation Administration
Dakota Minnesota Airports District Office
2301 University Drive, Bldg 23B
Bismarck, ND 58504
701.323.7393

From: Tom Neigum <tom.neigum@kljeng.com>
Sent: Friday, May 3, 2019 10:46 AM
To: Holzer, Mark (FAA) <Mark.Holzer@faa.gov>
Cc: Anderson, David P (FAA) <David.P.Anderson@faa.gov>; Tim Thorsen - Bismarck Airport (tthorsen@bismarcknd.gov) <tthorsen@bismarcknd.gov>; Charlie Baker <charlie.baker@kljeng.com>; Curt Cady <Curt.Cady@kljeng.com>; mremynse@bismarcknd.gov
Subject: Fwd: BIS Wetland Removal Phase 5 (KLJ 1805-02200) - Amendment 1 to the Agreement for Professional Services

Mark,

See below / attached information. We would like to move this forward to the May 14, 2019 City commission meeting. Can you review and comment on on Monday morning? This is time sensitive.

Let me know.

Thank you.

Tom Neigum
KLJ

From: Timothy Thorsen <tthorsen@bismarcknd.gov>

Sent: Friday, May 3, 2019 10:32:20 AM

To: Tom Neigum

Cc: Matthew Remyense

Subject: FW: BIS Wetland Removal Phase 5 (KLJ 1805-02200) - Amendment 1 to the Agreement for Professional Services

Tom:

You can proceed with this. Do you sent this to Mark or do I?

TN

Timothy J. Thorsen
Assistant Airport Director
Bismarck Airport
PO Box 991
Bismarck, ND 58502
Phone: (701) 355-1808
Fax: (701) 221-6886
E-mail: tthorsen@bismarcknd.gov
www.bismarckairport.com



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From: Tom Neigum [<mailto:tom.neigum@kljeng.com>]

Sent: Friday, May 03, 2019 10:08 AM

To: Timothy Thorsen <tthorsen@bismarcknd.gov>

Cc: Charlie Baker <charlie.baker@kljeng.com>; Curt Cady <Curt.Cady@kljeng.com>

Subject: BIS Wetland Removal Phase 5 (KLJ 1805-02200) - Amendment 1 to the Agreement for Professional Services

Good morning Tim,

Ughhh...I'm still not back up to speed and am under the weather. Time for better meds. I was hoping to call first but my energy is low. I can visit about this this morning or Monday, whatever works for you.

Attached is draft Amendment 1 to the Agreement for Professional Services for the above project. The work effort is to:

- Perform wetland delineation south of Lincoln Road (need to wait for growing season or mid-May 2019 per FAA requirements)
- Coordinate with USACE on permitting requirements
- Re-evaluate the existing EA to include these impacts
- Submission of No Rise Certification (Floodway impacts) to the State Engineer

- Drainage Permit updates for expanded work area
- Updates to Floodplain Development Permit for expanded work area
- Design an Outlet Control Structure into Apple Creek
- Perform soil borings in the additional areas required and shown on the attached exhibit

Please review and let me know your thoughts.

Thank you.

Tom

Tom Neigum, PE (ND, SD, MN, MT, WY)



701-355-8415 Direct
701-226-7301 Cell
4585 Coleman Street
Bismarck, ND 58503-0431



Amendment to Agreement for Professional Services

Project # 1805-00200

Amendment # 1

Background Data

a. Effective Date of Agreement for Professional Services	<u>February 12, 2019</u>
b. Engineer	<u>Kadmas, Lee & Jackson, Inc.</u>
c. Owner	<u>City of Bismarck</u>
d. Project	<u>Removal of Wetlands to Reduce Wildlife Attractants (Phase 5)</u>
e. This Part of the Project	<u>Task 2 - Preliminary & Design Services</u>

Nature of Amendment (check all that apply)

- Additional services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications to payment to Engineer
- Modifications to time(s) for rendering Services

Description of Modifications

The Detailed Scope of Services in the Agreement did not include any environmental documentation as the FAA issued an environmental determination on the original Environmental Assessment (EA) on February 12, 2012. As part of the design on this project, additional work will be required to provide a solution. As part of the original Agreement, the Engineer didn't anticipate performing any construction south of Lincoln Road. As part of the proposed solution, work will have to be performed south of Lincoln Road. In visiting with the FAA, the additional work required includes providing the following efforts:

- o Perform wetland delineation south of Lincoln Road (need to wait for growing season or mid-May 2019 per FAA requirements)
- o Coordinate with USACE on permitting requirements
- o Re-evaluate the existing EA to include these impacts
- o Submission of No Rise Certification (Floodway impacts) to the State Engineer
- o Drainage Permit updates for expanded work area
- o Updates to Floodplain Development Permit for expanded work area
- o Design an Outlet Control Structure into Apple Creek
- o Perform soil borings in the additional areas required and shown on the attached exhibit

Agreement Summary (Task 2 - Preliminary & Design Services)

a. Original Agreement amount	<u>\$810,773.24</u>
b. Net change for prior Amendments	<u>\$0.00</u>
c. This Amendment amount	<u>\$32,396.77</u>
d. Adjusted Agreement amount	<u>\$843,170.01</u>

Agreement Summary (Task 14 - FAA Project Closeout Report)

a. Original Agreement amount	\$3,182.48
b. Net change for prior Amendments	\$0.00
c. This Amendment amount	\$0.00
d. Adjusted Agreement amount	\$3,182.48

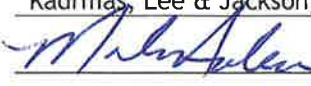
Agreement Summary (entire Agreement)


a. Original Agreement amount	\$813,955.72
b. Net change for prior Amendments	\$0.00
c. This Amendment amount	\$32,396.77
d. Adjusted Agreement amount	\$846,352.49

Engineer and Owner hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is May 14, 2019.

Owner City of Bismarck
 Signed _____
 Name Steve Bakken
 Title President, Board of City Commissioners
 Date _____

Attest _____
 Name _____
 Title _____

Engineer Kadrmass, Lee & Jackson, Inc.
 Signed 
 Name Mark Anderson, PE
 Title VP, Environment & Public Works
 Date 5/19/19

Attest 
 Name Tom Neigum, PE
 Title Project Manager



Attachment B - Amendment #1

Bismarck Airport

Bismarck, North Dakota

KLJ #1805-02200, AIP #3-38-0003-07?-20??

Hourly Rate and Cost Breakdown

PHASE: Amendment 1

Wetland Delineation, Agency Coordination, EA Re-evaluation, and Additional Engineering

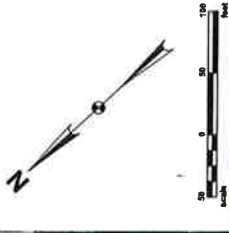
KLJ Title	Engineer V	Engineer III	Environmental Planner III	Environmental Planner II	GIS Analyst II	GIS Analyst II	Structural Engineer IV	Structural Engineer II	CADD Technician III	Task Direct Labor Cost
Environmental Services (Task #.1)										
Wetland Delineation				8						\$
Wetland Delineation Field Survey				6	10					240.00
Wetland Delineation Exhibits				30						460.00
Wetland Delineation Report Compilation		6								1,110.00
Environmental Assessment Re-evaluation Coordination	1		26							975.00
Coordination with USACE and FAA				12						425.00
Meeting Preparation	1			2						125.00
Conduct Meeting (including travel time)	1			1						30.00
Prepare Minutes / File Meeting Records					4					897.00
Submission of a No Rise Certification to the State Engineer	1	16								236.00
Drainage Permit (Expanded work area)		4			2					30.00
Floodplain Development Permit	1	8			2					897.00
Develop Outfall Control Structure into Apple Creek - 30% Design						10	24			481.00
Develop Outfall Control Structure into Apple Creek - Final Design						8	16	12		1,628.00
Subtotal										1,152.00
Total Hours	5	28	32	59	10	8	18	40	20	0
Hourly Rate	\$65.00	\$45.00	\$35.00	\$30.00	\$28.00	\$28.00	\$50.00	\$32.00	\$30.00	\$0.00
Subtotal										\$ 7,759.00

Direct Labor Total	\$ 7,759.00
Indirect Labor Total (1.8155 Overhead Rate)	\$ 14,086.46
Direct and Indirect Labor Total	\$ 21,845.46
Fixed Fee (15%)	\$ 3,276.82
Cost of Facilities (0.96%)	\$ 74.49
Subtotal	\$ 25,196.77

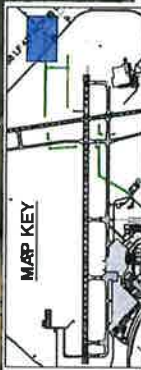
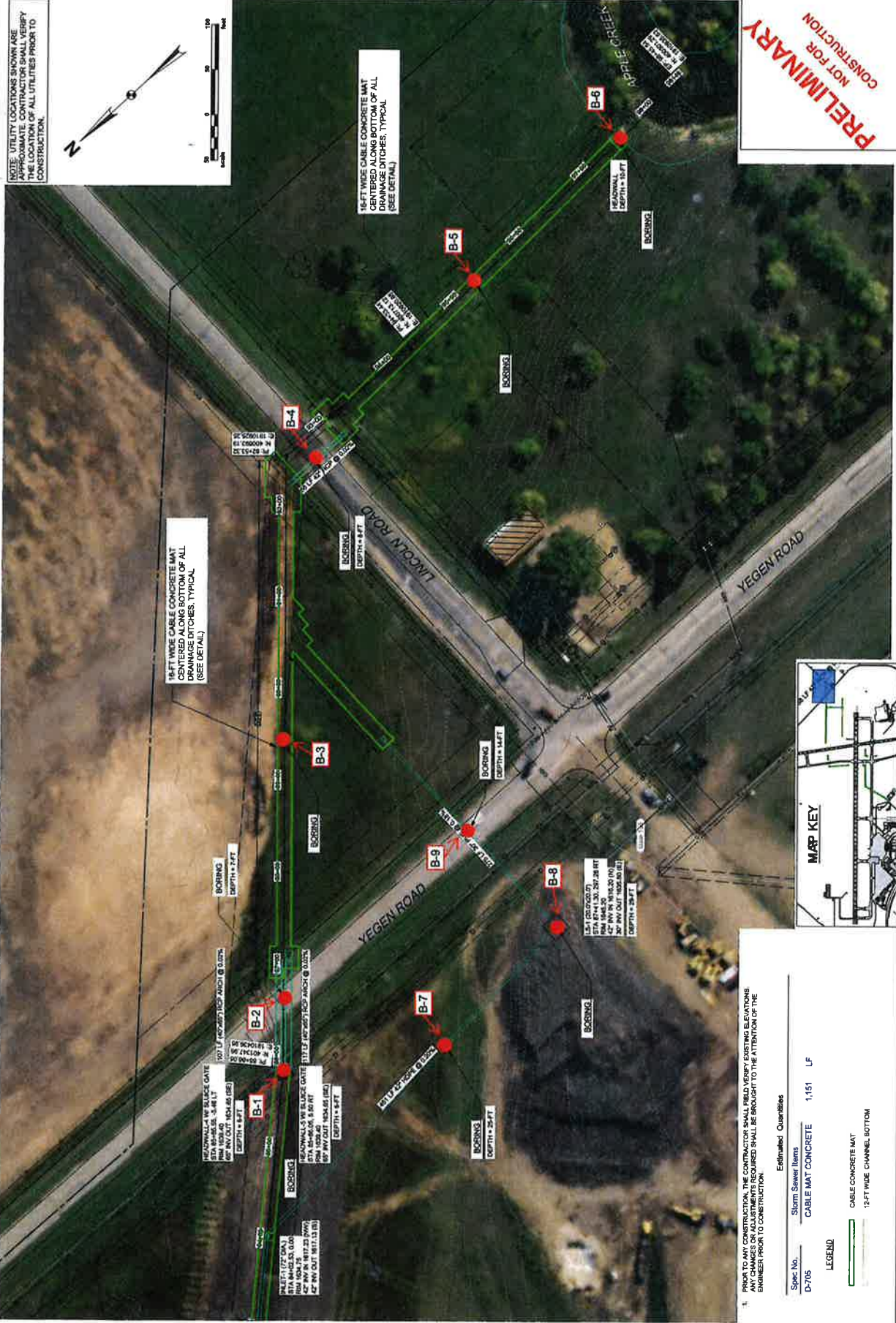
Expenses	
Air Charter	per trip @ trips
Per Diem	per day @ days
Materials and Supplies	
Other Expenses	
Certified Soil Scientist	\$ 1,000.00
Terracon - Additional Soil Borings	\$ 6,200.00

Expenses Total	\$ 7,200.00
Amendment 1 Total Cost	\$ 32,396.77

NOTE: UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.



PRELIMINARY
NOT FOR CONSTRUCTION



1. PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY EXISTING ELEVATIONS AND UTILITIES. ANY DISCREPANCIES SHOULD BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO CONSTRUCTION.

Estimated Quantities	
Spec. No.	Storm Sewer Items
D-705	CABLE MAT CONCRETE 1,151 LF

LEGEND

- CABLE CONCRETE MAT
- 12-FT WIDE CHANNEL BOTTOM