

TASK AGREEMENT NO. 13
THE CITY OF FOLEY, ALABAMA
SOUTHEAST QUADRANT TRANSPORTATION IMPROVEMENTS –
ATRIP

This Task is to be performed in accordance with the provisions of the agreement between The City of Foley, Alabama (OWNER) and Volkert, Inc. (ENGINEER) dated September 9, 2011.

SCOPE OF WORK

Generally the scope of services includes engineering, survey, and environmental documentation and permitting for the proposed southeast quadrant transportation improvements funded through ATRIP. The transportation improvements include the extension of Pride Drive from State Highway 59 to County Road 20, the widening, resurfacing, and drainage improvements of Juniper Street from the Azalea Avenue to County Road 20, and intersection improvements to Pride Drive at State Highway 59, Juniper Street at Pride Drive Extension, Juniper Street at County Road 20, County Road 20 at Foley Beach Express, Blue Collar Country access to County Road 20, and the northern and southern Blue Collar Country access to Foley Beach Express in Foley, Alabama (see attached map). More specifically the work includes:

FIELD SURVEYS

Utilize existing surveys completed for the City of Foley along Juniper Street and surveys completed for CDM Smith along the proposed Pride Drive Extension along with the additional field surveys listed below to develop a composite ROW and Topographic Survey Map that is required for the design of the Southeast Quadrant Transportation Improvements ATRIP project. Additional survey information required is as follows:

- Cross Sections, Topographic, and As-Built survey from right-of-way to right-of-way along the proposed Pride Drive extension from State Highway 59 east to County Road 20.
- Perform an as-built topographic survey of the Pride Drive at State Highway 59 and the Riviera Boulevard at State Highway 59 intersections locating power poles, all utilities, drainage, curbs and pavement edges, and elevations including 1,000 feet north and south of the intersections along State Highway 59.
- Cross Section, Topographic, and As-Built survey from right-of-way to right-of-way along Juniper Street from Riviera Boulevard north to Azalea Ave.

Field Surveys Lump Sum Fee: \$78,204.00

RIGHT-OF-WAY MAP, TRACT SKETCHES, AND DEEDS

- Perform property ties thru the proposed Pride Drive Extension corridor east of Juniper Street to County Road 20
- Stake acquired right of way
- Prepare tract sketches, ROW deeds, and legal descriptions

Right-of-Way Map, Tract Sketches, and Deeds Lump Sum Fee: \$16,525.00

ENGINEERING – ROADWAY PLANS

ROADWAY AND ROADWAY DRAINAGE DESIGN

The engineer hereby agrees to provide professional engineering design services for the project as follows:

- Perform a site visit with the survey noting restrictions, site distance, and general characteristics of the site
- Develop preliminary set of construction plans with preliminary cost estimates of the roadway improvements
- Coordinate with the City, Utility Providers, and ALDOT to review the preliminary design plans
- Develop intersection signal design and turn lane modifications for the following intersections:
 - State Road 59 & Pride Drive
 - County Road 20 & Juniper Street
 - County Road 20 & Foley Beach Express
 - Juniper Street & Pride Drive
 - County Road 20 & Pride Drive Extension (Beck/James Road)
 - County Road 20 & Proposed Blue Collar Access
 - Foley Beach Express & Proposed Blue Collar South Access
 - Foley Beach Express & Proposed Blue Collar North Access
- Meet with City and ALDOT to review the preliminary set of construction plans
- Identify any issues needed to address for final design and coordination
- Further develop preliminary plans into final construction plans including Title Sheet, quantity sheet, typical section, general notes, intersection details at 1"=20', entrance drive plan and profile, pavement marking plan, cross sections, signalization plans (by others), traffic control details, and any other as needed.
- Meet with the City and ALDOT for review
- Develop quantities and cost estimates
- Submit plans to City and ALDOT for review and letting by ALDOT
- Develop contract documents and specifications as required by ALDOT
- Attend all pre-bid and pre-construction conferences

Engineering – Roadway Plans Lump Sum Fee: \$373,738.00

ROADWAY DESIGN INPUT AND COORDINATION by CDM SMITH

CDM Smith will provide design input and coordination with the proposed site development for the extension of Pride Drive from Juniper Street east to County Road 20 as a sub-consultant to Volkert. For detailed information regarding the scope of work and fee proposal, please see the proposal submitted by CDM Smith. Generally the work includes the following:

- Provide a functional roadway plans for the approximately 1.2 mile extension of Pride Drive from Juniper Street to County Road 20. These plans will have a horizontal alignment and functional layout of the roadway and two intersections with the other proposed site development roads. Typical cross sections and slope limits will be provided to include in the roadway design.

- CDM Smith will participate in the project coordination between the private developer, City of Foley, and Volkert, Inc. to ensure that the design processes of the proposed development and the proposed Pride Drive Extension are coordinated throughout the design and construction of this project.

Engineering – Roadway Design Input and Coordination Lump: \$35,000.00

Engineering – Roadway Design Total Lump Sum Fee: \$408,738.00

ENVIRONMENTAL (CORRIDOR STUDY)

NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION – CATEGORICAL EXCLUSION

The scope of work described below is based on the requirements set forth in “ALDOT’s County Transportation Bureau 2012 Procedural Guidelines for Federal-Aid Projects other than Bridge Replacement or 3R.” According to this documentation, “Any Federal Aid county project, other than bridge replacement or 3R, shall be processed in accordance with the following guidelines. The County Engineer shall prepare the necessary documents and submit them to the Bureau of County Transportation, through the appropriate Division.” The following scope of work will be used to conduct the environmental process to produce an environmental document that will comply with the National Environmental Policy Act and applicable supporting regulations and Executive Orders necessary to obtain approval from the Federal Highway Administration based on the above-referenced guidelines provided by ALDOT’s Bureau of County Transportation. It should be noted that the resulting environmental documentation will be valid for three (3) years from the date of the project’s resolution. If the project has not been authorized within three (3) years of the date of the resolution, the data must be resubmitted.

Volkert will perform or assist in the development of the following items:

Project Location Maps

A Project Location Map (legible at letter size) prepared using a 1:120,000-scale official Alabama Department of Transportation County Road Map will be prepared. In addition, two 7.5 minute USGS topographic maps (letter size) showing the project location will be prepared.

Coordination with the County Engineer, ALDOT, and FHWA to Identify Appropriate Level of Environmental Documentation

Coordination with the County Engineer, ALDOT (Bureau of County Transportation, Division, and Environmental Technical Section), and the Federal Highway Administration will be required to identify the appropriate level of environmental documentation for the proposed project.

Project Review Consultation Form

The Project Review Consultation Form for use in coordination with the Alabama Historical Commission will be completed and transmitted to the Bureau of County Transportation and the Division in which the proposed project is located.

Letter of Involvement

A Letter of Involvement will be prepared stating whether the proposed project would have any involvement with lands from a public park, recreation area, wildlife refuge, historic site, navigable waterway, airport, or railroad.

If the proposed project is located within two (2) miles of an airport, coordination with the Bureau of County Transportation and the local ALDOT Division; will be required to determine the appropriate procedures for addressing potential impacts on airport property. If the proposed project significantly increases the elevation of the roadway in relation to the airport, special procedures, as dictated by the Bureau of County Transportation, may be required.

If the proposed project involves a railroad grade crossing and work is to be performed within the railroad right-of-way, a Railroad Agreement or Memorandum of Understanding (MOU) will be required. If no work is to be conducted within the railroad right-of-way, the Letter of Involvement will clearly state this fact.

One (1) copy of the Letter of Involvement will be provided to both the Bureau of County Transportation and the Division in which the proposed project is located.

Advertisement for the County's Intent to Apply for Federal-Aid Funding

An advertisement will be placed in a local newspaper stating that the County intends to apply for Federal-Aid funds to construct the project. This advertisement should be published on all Federal-Aid projects, whether additional ROW is required or not. A publisher's affidavit is not required. After publication, a copy of the advertisement, as it appears in the newspaper, will be furnished to the Bureau of County Transportation and the local ALDOT Division.

Environmental Document

The environmental document will be prepared in accordance with the most current available example furnished by the Bureau of County Transportation at the time the environmental document is initiated.

Four (4) original signed copies will be submitted to the Bureau of County Transportation, through the local ALDOT Division. The County Engineer must sign the environmental document.

Once received by the Bureau of County Transportation, the environmental document will be reviewed and forwarded to ALDOT's Environmental Technical Section for their review and

approval. After approval by the Environmental Technical Section, the letter will be forwarded to the Office Engineer for further review and submission to the Federal Highway Administration for approval. FHWA-approved copies of this document will be distributed to the County Engineer, Division Engineer, Environmental Technical Section, and Bureau of County Transportation for permanent filing.

Additional Services

Should additional services and/or studies not specifically described above be required to satisfy the Federal Highway Administration's requirements, additional services will be performed based on the attached fee schedule.

DEPARTMENT OF THE ARMY (DOA), U.S. ARMY CORPS OF ENGINEERS (COE) SECTION 404 PERMIT APPLICATION

This permit is required for wetland fill. The COE will be the lead federal agency.

- Prepare and submit the Section 404 permit application and develop the necessary attachments for the proposed project.
- Conduct and attend two on-site reviews with the regulatory agencies.
- Perform a Wetland Determination of the project limits.

Response to comments received after the Public Notice will be performed under a separate scope of work on an hourly basis, since we cannot predict the number or extent of responses at this time. Wetland mitigation costs are not included in our fees, i.e. purchase of credits from a wetland mitigation bank.

Note: There is no guarantee assumed or implied that the regulatory agencies involved will approve the requested fill.

Environmental Lump Sum Fee: \$248,728.00

Geotechnical Services by GET Geotechnical Testing:

The geotechnical services for design phase and testing will be provided by GET Geotechnical Testing as a sub-consultant to Volkert. Generally the work includes design phase services that may include coring the roadway and non-roadway areas to determine asphalt thickness and base conditions and will be used to develop pavement and base design for the project. Services to be billed in accordance with the unit rates provided in Attachment "A".

Geotechnical Estimated Hourly Budget: \$149,563.00

Summary of Fees

Please see attached man power and fee proposal for a detailed breakdown of the proposed man days and fee rates. Below is a summary of the fees for the scope of work defined above.

Lump Sum

Field Surveys	\$78,204.00	Lump Sum
Right-of-Way Map, Tract Sketches, and Deeds	\$16,525.00	Lump Sum
Engineering Roadway & Roadway Drainage Design	\$408,738.00	Lump Sum
Environmental (Corridor Study)	\$248,728.00	Lump Sum
Total Lump Sum Fees	<u>\$752,195.00</u>	

Hourly and Rate fees

Design Phase Geotechnical	\$149,563.00	Unit Rate
Total hourly and rate fees	<u>\$149,563.00</u>	

Grand Total Fees:

\$901,758.00

SCHEDULE- Work will be scheduled upon receipt of authorization and will continue until complete.

FEE- Fees will be billed monthly as work progresses on either a percent complete or on an hourly/rate basis as noted above.

It is expressly agreed upon and stipulated between the parties that this contract shall be deemed to have been made in the State of Alabama where the principal office of Volkert, Inc. is located. This contract shall be governed by the laws of the State of Alabama. The Circuit or District Court of Mobile, Alabama shall have jurisdiction over any dispute which arises under this contract, and each of the parties shall submit and hereby consents to the jurisdiction of either such court.

Submitted by: _____

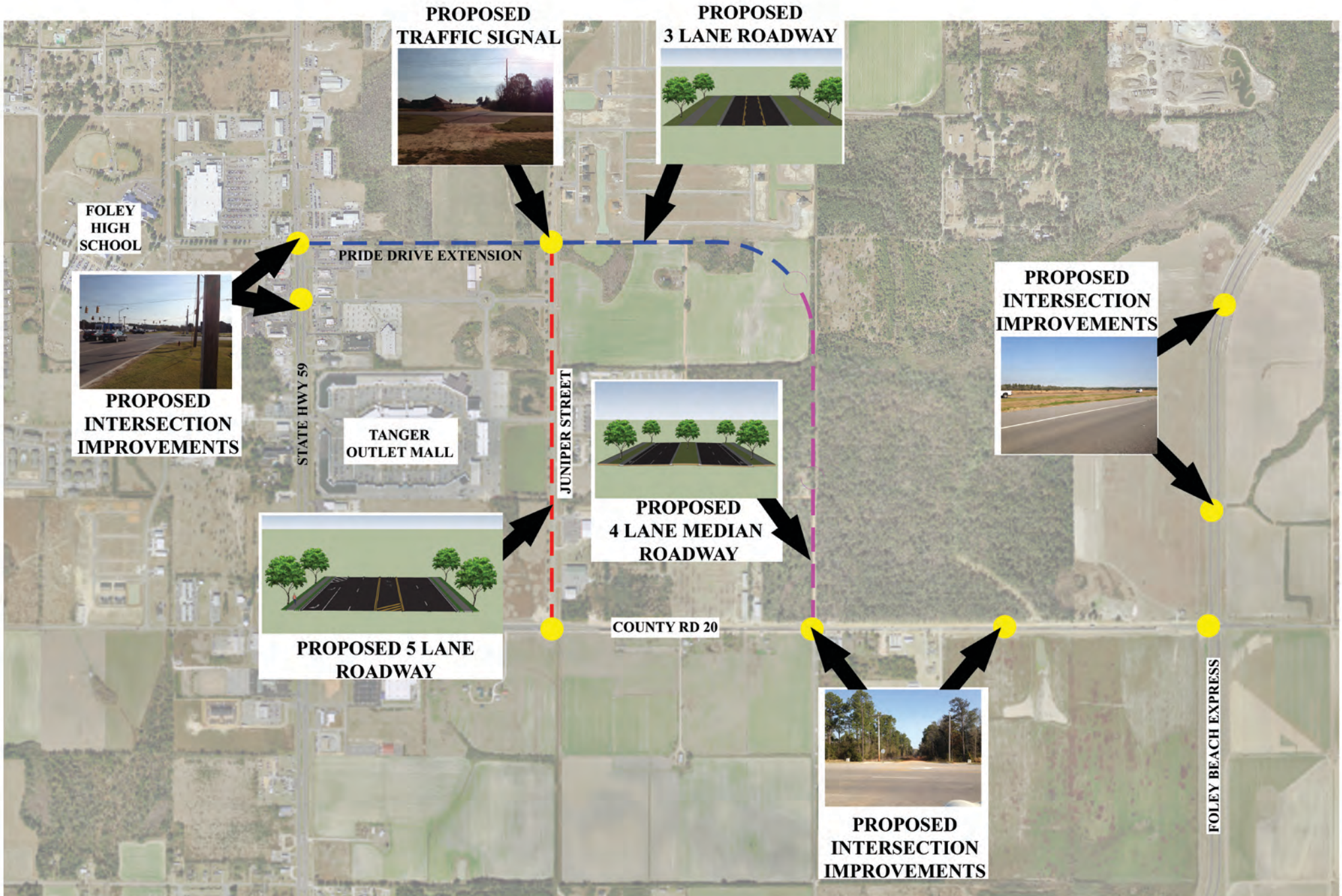
Clayton Hare, P.E.
Volkert, Inc.
Clayton Hare, P.E.

5/24/13
Date

Approved by: _____

The City of Foley

Date



**SUPPLEMENTAL AGREEMENT NO. 1
TO TASK AGREEMENT NUMBER 13
SOUTHEAST QUADRANT TRANSPORTATION IMPROVMENTS ATRIP
VOLKERT, INC. PROJECT NUMBER 140013.02
DATED _____, 2013 BETWEEN
VOLKERT, INC
AND THE CITY OF FOLEY, ALABAMA**

THIS SUPPLEMENTAL AGREEMENT, made and entered into this the ____ day of _____, 2013, by and between The City of Foley, (hereinafter called the OWNER), and Volkert, Inc. (hereinafter called the CONSULTANT);

WITNESSETH, THAT:

WHEREAS, the OWNER and the CONSULTANT entered into an Agreement on the ____ day of _____, 2013, whereby, the CONSULTANT is to provide all necessary professional services associated with the Southeast Quadrant Transportation Improvements ATRIP project, all as more specifically set forth in said Agreement, and

WHEREAS, the OWNER now desires to proceed with additional services as described below.

Generally, the supplemental scope of work includes the addition of the Drainage Basin Study to the scope of work to be performed by CDM Smith as a sub-consultant to Volkert, Inc.

WHEREAS, the CONSULTANT is agreeable to completing the required work for fees that are acceptable to the OWNER.

NOW THEREFORE, it is hereby agreed between the parties hereto that the Original Contract be supplemented as follows:

CDM Smith will develop the Drainage Basin Analysis as described in the attached sub-consultant proposal. This scope of work does not include the design or preparation of construction documents for the regional detention facility within the Blue Collar Development.

Method of compensation to be as follows:

Drainage Basin Study Addition to CDM Smith's scope of work as a sub-consultant to Volkert, Inc: **\$80,200.00**

Total Fee for Supplemental Agreement No. 1 = \$80,200.00

Time or beginning and completion of work to be as follows:

Work will be scheduled upon receipt of authorization and will continue until complete.

All work encompassed herein shall be accomplished in accordance with the requirements of the aforesaid Original Contract, and all requirements of said Agreement except as specifically modified by this Supplemental Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreement on the day and year first above written.

OWNER

Attest: _____
Name: _____
Title: _____

Name: _____
Title: _____

Federal Employer ID # (Corporation): _____

Social Security # (Individual): _____

VOLKERT, INC.

Attest: _____
Name: _____
Title: _____

Name: _____
Title: _____



1100 Marion St., Suite 200
Knoxville, Tennessee 37921
tel: 865.963.4300
fax: 865.963-4301

May 22, 2013

Mr. Jay Dickson, AICP – Marketing Director
Volkert, Inc.
316 S. McKenzie Street
Foley, Alabama 36535

RE: Proposal for Engineering Services for the Alabama Transportation Rehabilitation and Improvement Program (ATRIP) for the City of Foley, Baldwin County, Alabama

Dear Mr. Dickson:

CDM Smith appreciates the opportunity to provide a proposal to provide Engineering Services in connection with the subject project. From the meetings we have had with the City of Foley and your firm we have developed our scope and fee proposal to include in the overall project submittal to the City Council. We understand the primary services that are required of CDM Smith are listed below:

- Functional roadway plans for the approximate 1.2 mile extension of Pride Drive from Juniper Street to County Road 20
- Intersection signal design and signal and turn lane modifications
- Updates to existing traffic study which was performed last year for the ATRIP application
- Juniper Drive Drainage basin analysis
- Utility Coordination with the ATRIP improvements
- Coordination meetings with ATRIP project and its interface with the other aspects of the overall development project.
- Federal Highway Environmental Documentation





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05/02/2013

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The following paragraphs outline the scope of services in more detail.

Functional Roadway Plans - \$58,150.00 ~~\$20,000.00~~

Functional roadway plans will be completed for the approximate 1.2 mile extension of Pride Drive from Juniper Street to County Road 20. These plans will have a horizontal alignment and profile for Pride Drive, and the functional layout of two intersections with the other proposed site development roads. Functional cross sections and slope limits will be produced for Pride Drive to you a roadway template which is coordinated with adjacent drainage swales and that the side slopes tie within the property boundaries. The roadway alignment, profile, and cross sections are to be coordinated with the site plan to ensure compatibility with site grading and access points. This scope includes three meetings in Foley to review the functional plans at 60% and 90% with the city, your firm and ALDOT (we have included the time David Webber ask us to include in these meetings). Upon completion of the functional plan, CAD files will be submitted to your firm for use in completing the roadway design to ALDOT standards through preliminary, right of way, and final construction stages.

Intersection Signal Design, Signal Modifications, and Traffic Study Updates - \$98,000.00

Intersection improvements plans will be completed for the following intersections:

- Foley Beach Express & North Access
- Foley Beach Express & South Access
- Mifflin Road (CR 20) & Pride Extension/Beck Road/James Road
- Mifflin Road (CR 20) & East Access
- Juniper Street & Pride Drive
- Foley Beach Express & Mifflin Road (CR 20)
- Mifflin Road (CR 20) & Juniper Street
- McKenzie Street (SR 59) & Mifflin Road (CR 20)
- McKenzie Street (SR 59) & Pride Drive

The intersections will be coordinated with the site plan and the new roadway plans to ensure compatibility with site grading and access points. This scope includes meetings in Foley to review the functional plans with the city, your firm and ALDOT. Upon completion of the construction plans, CAD files will be submitted to your firm for use in completing the ATRIP design to ALDOT standards.



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CDM Smith was also asked by your firm to revise the current traffic study for the development. CDM Smith will update the current traffic study, for ALDOT, for the ATRIP proposed improvements. This study will reflect land use changes by the City and excludes the proposed Blue Collar development. An electronic file will be provided to your firm for submission to ALDOT.

Drainage Basin Analysis – 80,200.00

Task 1 – Data Collection

Compile and review existing GIS and pertinent information to support the subsequent tasks in the development of the drainage study. Anticipated information to be reviewed and considered includes, but is not limited to:

- GIS base mapping data (e.g. aerials, parcels, land use, contours, LiDAR, soils, etc.)
- Storm water and other utility mapping
- Major site development plans
- Local rainfall data
- Federal Emergency Management Agency (FEMA) floodplain information
- Historic flooding information (High water marks, storm water requests, flood damage claims information)
- Previous studies / reports

Based on the results of the data gathering, CDM Smith will collect field inventory and survey as described below to support the drainage study. The assumptions used to derive the scope of work are noted below (NOTE: accurate as-built or site plan information may reduce this effort)

- Survey of all open-system roadway/bridge crossings (upstream face, downstream face, structure, and top of road)
- Survey of open channel cross sections
- Field survey of closed pipe systems (e.g. inverts, pipe sizes and materials, rim elevations, etc.) is not anticipated for this scope of work.

Task 2 – Hydrologic and Hydraulic Analysis

Develop a hydrologic and hydraulic model of the contributing drainage area to the Blue Collar Country site. The model will incorporate major inlets, road crossings, junctions, pipe/ditch sections, storage areas, or overland flow paths (such as streets that may convey storm flows). CDM Smith



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will simulate five design storm events of appropriate duration: 2-, 5-, 10-, 25- and 100-year. These design storms are necessary to evaluate the capacity of open channel sections and culvert crossings associated with this project.

Task 3 – Drainage System Capacity Analysis

Using the results of the modeling in Task 2, CDM Smith will evaluate the drainage system capacity of the road side ditches. The evaluation will include a determination of the existing capacity as well as a proposed cross-section(s) that meets the required capacity for roadside ditches as per the Alabama Department of Transportation (ALDOT) requirements.

Task 4 – Technical Memorandum

The results of the drainage study will be summarized in a brief technical memorandum that includes pertinent, supporting calculations and documentation. The memorandum will summarize the data collection efforts, the methods for determining flow in the system, the results of the modeling efforts and the capacity analysis of the roadside ditches. A copy of all submittals will be transferred to your firm in electronic format for review. CDM Smith will incorporate one-round of comments before production of a final submittal.

Task 5 – Project Coordination and Meetings

CDM Smith proposes to facilitate two meetings throughout the development of the drainage study. The first meeting will kick off the study and discuss project direction, data collection needs and general background information. The second meeting will discuss the findings of the study and associated deliverables. Throughout the project, the Task Leader will provide bi-weekly updates regarding progress.

Utility Coordination - \$14,000.00

 CDM Smith will provide utility coordination and relocation as it relates to the ATRIP roadway and signal improvements. Since CDM Smith has overall design and coordination for the overall site utility design, we will insure the ATRIP project utilities adjustments will not cause future conflicts to other proposed utility construction within the overall development

Coordination Meetings and Administration - ~~\$55,000.00~~

\$15,000.00



As has been discussed with your firm, the City of Foley, the Master Developer, and ALDOT we are to coordinate our design processes throughout the design and construction of this project. These coordination meetings will take place locally; as such we are including meeting times with all parties included in the project for the duration. CDM Smith has anticipated two monthly coordination meetings in Foley, Alabama with the project team for the ATRIP project and also for the coordination with the overall development.



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Federal Highway Environmental Documentation - \$84,350.00

CDM Smith with the resources of TTL as a sub-consultant will prepare the necessary environmental documentation required by Federal Highway. Much of the work required to prepare the Blue Collar Country /City of Foley site has been previously performed to create the existing road alignment for the Pride drive extension the Traffic work was performed last summer and the Social and environmental justice task needs to be documented for the required corridor study.

TTL will complete the environmental field work to satisfy Federal Highway requirements for the ATRIP application. Our NEPA professionals will take that information and incorporate into the Study Report and with the aid of Volkert present same to State and Federal officials for review and approval. The report will address the alternative alignments and a cost estimate associated with each part of those alignments.

This information that would be prepared for a public hearing and with the aid of Volkert we will conduct a public hearing on the project to satisfy FWA requirements. Based on information obtained to date with the conclusion of the public hearing a FONSI would be developed to allow the project to obtain right-of-way certification and allow the project to move forward into construction. We will start work on filed work beginning on Monday May 28th with approval by the City and endeavor to complete this work in the next 120 days after our notice to proceed.

Contractual

\$115,200.00

We request a lump sum fee of ~~\$387,700.00~~ for providing the services described above should changes or extra services be needed, which will cause a change in the scope outlined above or cost overrun; CDM Smith will consult with your firm for adjustments prior to conducting the work.

If the City Council approves the proposal for our firms to be Engineer of Record for this scope, please have the appropriate party acknowledge on your firms behalf in the space provided in this proposal. At the appropriate time we will formalize this arrangement with a written contract after funding has been obtained and is in place.



Mr. Jay Dickson
05/02/2013

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We very much appreciate the opportunity to present this proposal for engineering services for the ATRIP project. Please be in touch with Mr. Greg Presnell or myself with any questions.

Sincerely,
CDM Smith

A handwritten signature in cursive script, appearing to read "Randy Corlew".

Randy Corlew, P.E.
Principal
Client Service Manager

Cc: Mr. Glen Bilbo, Blue Collar Country
Mr. Butch Stokes, City Engineer
Mr. Greg Presnell, E.I.

APPROVED:

Witness

Volkert

Date