

**HIGHLINE WATER DISTRICT  
King County, Washington**

**RESOLUTION 14-12-17E**

**RESOLUTION AUTHORIZING AMENDMENT #2 FOR CONTRACT #12-60-03 WITH BHC CONSULTANTS, LLC, FOR PROJECT 13-1A ANGLE LAKE WATER MAIN REPLACEMENT**

**WHEREAS**, by passage of Resolution 12-3-7A, the Board of Commissioners authorized Contract #12-60-03 to BHC Consultants, LLC, for Phase 1 – Preliminary Services for Project 13-1A Angle Lake Water Main Replacement; and

**WHEREAS**, by passage of Resolution 13-5-15A, the Board of Commissioners authorized Amendment #1, incorporating Phase II Design Services into Contract #12-60-03, which included Survey and Aerial Topography; Easements; Design; Permitting; Public Outreach Program; Cultural Resources; and Project Management and Administration; and

**WHEREAS**, BHC Consultants, LLC, have incurred additional costs during the development of design of the project and the acquisition of the easements; and

**WHEREAS**, the additional costs to Contract #12-60-03, as outlined in Attachment-1 (12/10/14 BHC Scope of Phase II Design Services – Amendment #2) and incorporated herein by this reference, included the following professional services:

Task 1 – Survey and Aerial Topography; Task 2 – Easements; Task 3 – Design; Task 4 – Permitting; Task 5 – Public Outreach Program; Task 6 – Cultural Resources; Task 7 – Project Management and Administration; and Task 8 – Condemnation Proceeding Assistance.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Board of Commissioners authorizes Amendment #2 to Contract #12-60-03 with BHC Consultants, LLC, for a not-to-exceed amount of \$156,071.00, excluding sales tax, as referenced in Attachment-1.
2. The General Manager or designee is authorized to sign Amendment #2 (Attachment-2, incorporated herein by this reference) for the revisions outlined in BHC Consultants, LLC, Scope of Phase II Design Services dated 12/10/14 (Attachment-1) for Project 13-1A Angle Lake Water Main Replacement.

**HIGHLINE WATER DISTRICT  
King County, Washington**


**RESOLUTION 14-12-17E**

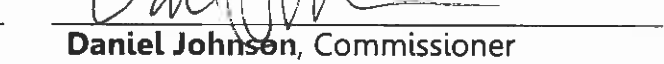
**ADOPTED BY THE BOARD OF COMMISSIONERS** of Highline Water District, King County, Washington, at an open public meeting held this **17th** day of **December 2014**.

**BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
**Kathleen Quong-Vermeire**, President

  
\_\_\_\_\_  
**George Landon**, Secretary

  
\_\_\_\_\_  
**Gerald R. Guite**, Commissioner

  
\_\_\_\_\_  
**Daniel Johnson**, Commissioner

  
\_\_\_\_\_  
**Vince Koester**, Commissioner

**EXHIBIT A  
HIGHLINE WATER DISTRICT  
ANGLE LAKE AC WATER MAIN REPLACEMENT**

**SCOPE OF PHASE II DESIGN SERVICES  
Amendment #2**

**December 10, 2014**

**HISTORY OF CONTRACT SERVICES**

BHC Consultants, LLC (hereinafter referred to as "Consultant") entered a contract with Highline Water District (hereinafter referred to as "District") on March 19, 2012 to perform Phase I Preliminary Engineering Services related to upgrading or replacing approximately 6,200 feet of 4-inch and 6-inch asbestos cement (AC) water main that is currently located on easements around the south, east, and north sides of Angle Lake.

Subsequent to the completion of Phase I, the contract was amended via Amendment #1 on May 17, 2013 for the Phase II, Design Services required for the project. The Phase II services continued the community relations program that was setup during Phase I, collected topographic survey data, geotechnical information, and environmental data to facilitate the design and permitting of the proposed upgrades. In addition, Phase II included negotiations with the property owners for the required easements, the design of the proposed upgrades, and the acquisition of permits to allow the project to be constructed. This phase will be complete once bids are opened from contractors to construct the project, which is anticipated to occur in the spring or summer of 2015. As Phase II is wrapped up, a future amendment to address engineering services during construction (Phase II) will need to be negotiated.

**PURPOSE OF AMENDMENT #2**

The Consultant has incurred additional, unforeseeable and out of scope costs during the development of the design of the project and the acquisition of the easements. These additional costs are primarily related to changes necessitated through the easement negotiations. The negotiations have required more discussions and meetings with property owners than was included in the approved scope of services and in several instances, the negotiations resulted in the District making changes to the alignment that required the collection of additional topographic survey data, the acquisition of additional title reports, modifications to the legal descriptions and easement documents, and changes to the design drawings. The purpose of Amendment #2 is to address those extra costs.

**SUMMARY OF OUT OF SCOPE COSTS FOR PHASE II – DESIGN SERVICES**

As previously described, the Consultant has incurred additional out-of-scope costs during Phase II of the project. These costs are summarized as follows:

**TASK 1 – SURVEY AND AERIAL TOPOGRAPHY**

The easement negotiations resulted in several changes to the proposed alignment of the new water mains and associated services. Many of these alignment revisions extended into areas that required additional topographic survey data to be collected. Amendment #2 addresses the costs associated with collecting the additional information.

**TASK 2 – EASEMENTS**

As previously mentioned in Task 2, the easement negotiations resulted in several changes to the proposed alignment of the new water mains and associated services. These changes required

modifications to the easement legal descriptions, easement language, and exhibits and in some circumstances, additional title reports had to be obtained. Amendment #2 addresses the costs associated with those changes.

### **TASK 3 – DESIGN**

The design of the proposed water main upgrades had to occur concurrently with the easement negotiations in order to determine the easements that are necessary. As a result, changes in the alignment driven by the easement negotiations required revisions to the design documents. The consultant minimized the impacts of the revisions by not allowing the design efforts to get too far ahead of the easement negotiations, but additional costs were incurred. Those costs are addressed in this amendment.

### **TASK 4 – PERMITTING**

The permitting processes identified in the Phase II scope have not changed. However, due to changes in the Consultant's staffing, the Consultant's anticipated costs to complete the permitting processes and to apply for the project permits has been reduced. Amendment #2 includes those reduced costs as offsets to the increased costs incurred in Tasks 1, 2, and 3.

### **TASK 5 – PUBLIC OUTREACH PROGRAM**

The purpose of this task was to assist the District by engaging stakeholders in the design of the upgrades. This task has been successfully completed via the efforts identified in this task and through the easement negotiation process. Therefore, no additional activity is anticipated under this task, which results in a credit being applied under Amendment #2 to offset some of the additional costs incurred in Tasks 1, 2, and 3.

### **TASK 6 – CULTURAL RESOURCES**

The purpose of this task was to complete a cultural resources review of the project area and to prepare an associated technical report in order to address Executive Order 05-05 requirements and to support the Shoreline Substantial Development Permit application. This Task was completed by the Consultant and no prehistoric or historic cultural remains were recovered in the survey. Therefore, further archaeological investigations are unnecessary and the remaining budget under this task is being credited by Amendment #2 towards the additional costs incurred under Tasks 1, 2, and 3.

### **TASK 7 – PROJECT MANAGEMENT AND ADMINISTRATION**

The Consultant's costs to manage the project are directly tied to the duration of the project. The schedule associated with Phase II is driven by the easement negotiations. Because the easement negotiations have required more time than planned, the Consultant's project management costs are consequently increased. While efficiently managing the project has attempted to mitigate those impacts, some minor impacts have occurred. Amendment #2 addresses those additional costs.

### **TASK 8 – CONDEMNATION PROCEEDING ASSISTANCE**

The easement negotiation process has revealed a couple of instances where the District may have to proceed with condemnation to acquire the easement. This task is added to the Phase II services for the Consultant to assist the District in this process. The budget for this task is a placeholder budget and is based on discussions with the District regarding the support services that may be necessary. The Consultant will bill against this task on an as requested basis and will not exceed the budget without prior authorization from the District. The placeholder budget assumes condemnation proceedings will be necessary to acquire easements from the following properties.

- 
- Magelssen (PIN 11)
  - McGregor (PIN 185)

If additional condemnation proceedings are required, then the budget for this task may need to be modified accordingly.

#### **BUDGET**

The Amendment #2 budget dated December 3, 2014 is **\$156,071** and is attached as Exhibit B. The budget is based on, and in accordance with, the Consultant's 2013 rate schedule included in the Phase 2 Contract Amendment. The District agrees to allow the Consultant (and sub-consultants) to adjust rates on an annual basis in January of each year.

#### **ADDITIONAL SERVICES**

In preparing this amendment, the Consultant has attempted to identify the additional out-of-scope costs that have been incurred directly or indirectly through the easement negotiation process. A future amendment addressing services during construction will still be required and is not included in this amendment.

EXHIBIT B - BUDGET

Highline Water District  
 Angle Lake AC Water Main Replacement (13-10259.01)  
 Phase II - Design Services  
 Date: December 10, 2014

Project Description	2013 Budget Rate	PWI Mgr		PWI Eng		Asst PW		PWI C		PWI E		CDD		Accumulating		BHC Total		Subcontractors	Total Work Remaining	Budget Summary										
		Rate	Units	Rate	Units	Rate	Units	Rate	Units	Rate	Units	Rate	Units	Rate	Units	Rate	Units			Revised Budget	Original Budget	Budget Amendment No. 2								
<b>Task 1 - Survey and Final Opportunity</b>																														
Coordinate		4	\$712																											
Coordinate		4	\$1,118																											
<b>Task 2 - Construction</b>																														
Construction Management		60	\$2,830	18	\$2,200																									
Project Management		9	\$1,426	9	\$1,180																									
Project Management		24	\$4,272	24	\$1,433																									
<b>Task 3 - Design</b>																														
Construction Management		8	\$1,761	8	\$1,344																									
Construction Management		8	\$1,674																											
Construction Management		12	\$3,176	12	\$1,344																									
Construction Management		4	\$722																											
Construction Management		4	\$717																											
Construction Management		8	\$1,674	4	\$716																									
Construction Management		10	\$3,526	10	\$1,344																									
Construction Management		24	\$4,272	24	\$1,433																									
<b>Task 4 - Permitting</b>																														
Construction Management		6	\$1,426																											
Construction Management		4	\$712																											
Construction Management		4	\$1,118																											
Construction Management		4	\$712																											
Construction Management		2	\$440																											
Construction Management		2	\$440																											
Construction Management		8	\$1,761	4	\$716																									
<b>Task 5 - Construction</b>																														
Construction Management		2	\$350	2	\$280																									
Construction Management		0	\$1,000	0	\$450																									
Construction Management		14	\$2,482	14	\$2,007																									
Construction Management		22	\$3,818	22	\$3,168																									
<b>Total Budget</b>		32	\$7,040	218	\$39,270	94	\$9,438	100	\$12,000	204	\$23,280	32	\$3,648	181	\$3,482	153	\$4,721	8	\$764	48	\$3,094	1,044	\$3,828	\$38,761	\$21,800	\$33,880	\$160,741	\$268,071	\$700,000	164,071

BHC E expenses include mileage, express mail/courier services and external reproduction costs



**AMENDMENT #2**

**CONSULTANT AGREEMENT FOR SERVICES  
BHC CONSULTANTS, LLC – CONTRACT #12-60-03  
PROJECT 13-1A ANGLE LAKE WATER MAIN REPLACEMENT**

BHC Consultants, LLC, incurred additional costs as described in their Scope of Work Phase II Design Services dated December 10, 2014 (incorporated herein by this reference) as related to Project 13-1A Angle Lake Water Main Replacement.

The current contract amount is \$948,299.00. The estimated cost for the additional services is \$156,071.00. The revised contract amount is \$1,104,370.00. The same standard general terms and conditions will apply as agreed to in Contract #12-60-03 dated 3/19/2012.

**Effective Date.** The effective date of this Amendment shall be the date signed by an authorized representative of the District.

**HIGHLINE WATER DISTRICT**

**BHC CONSULTANTS, LLC**

By: \_\_\_\_\_  
Matt Everett

By: \_\_\_\_\_

Title: General Manager  
\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Agenda Item No.:** 5.5  
**Agenda Date:** 12/17/14  
**Reviewed By:** [Signature] M.E.

**Subject:** Authorize Amendment #2 – BHC Consultants, LLC - Contract #12-60-03  
Project 13-1A Angle Lake Water Main Replacement

CATEGORY	
<i>Executive</i>	<input type="checkbox"/>
<i>Administrative</i>	<input type="checkbox"/>
<i>Engineering/Operations</i>	<input checked="" type="checkbox"/>

FINANCIAL						
<i>Expenditures?</i>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
<i>Budgeted?</i>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
<i>Estimated Amount:</i>		\$	156,071.00		Excludes sales tax	

**ATTACHMENTS:**

1. Resolution 14-12-17E
2. Attachment-1 BHC Consultants, LLC -12/10/14 Scope of Work for Phase II Design Services
3. Attachment-2 Amendment #2

**COMMENTS:**

BHC Consultants, LLC, submitted a proposal for additional costs relating to Phase II Design Services for Project 13-1A Angle Lake Water Main Replacement.

The General Manager and District Engineer have reviewed the 12/10/14 Scope of Phase II Design Services – Amendment #2 from BHC Consultants and recommend approval of this resolution.