Council Meeting Date: April 3, 2023 **Agenda Item:** 7(b)

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Authorize the City Manager to Execute Amendment 3 to Contract 8961 with Herrera Environmental Consultants for the Hidden Lake Dam Removal Construction and Permitting Support Services in the Amount of $298,853
DEPARTMENT:	Public Works
PRESENTED BY:	Elizabeth Kelly, Interim City Engineer
ACTION:	____ Ordinance ____ Resolution __X_ Motion ____ Discussion ____ Public Hearing

PROBLEM/ISSUE STATEMENT:

On June 4, 2018, Council authorized a contract with Herrera Environmental Consultants, Inc. (Herrera) to complete the design of the Hidden Lake Dam Removal project. The scope of the project grew to include trail and park user enhancements and private property easement acquisitions which required an amendment to the contract, which was authorized by Council on June 24, 2019. The first phase of the project was completed in 2021 and additional support from Herrera was needed to complete the design of both phases as well as additional permitting and construction support for the first phase of the project (Dam Removal).

As of today, construction of the first phase of the project is nearly complete. This amendment to the Herrera contract is necessary to provide professional services to complete remaining permitting for Phase 2 (NW Innis Arden Way Culvert Replacement), support bidding and construction planned for Summer 2024, and provide post-construction monitoring through the end of 2025. The Amendment will extend the contract through the end of 2025 as needed to support the project schedule.

RESOURCE/FINANCIAL IMPACT:

Amendment 3 to the Herrera contract will increase the contract amount by $298,853 which brings the new contract total to $1,347,125. This amendment will be funded by the Surface Water Utility Fund. Construction of Phase 2 of this project is partially funded by a King County Flood Control Grant.

Below is a breakdown of funding for the Hidden Lake Dam Removal project:

EXPENDITURES

Herrera Original Contract + Amendments 1&2	$1,048,272
Amendment 3	***$ 298,853***
Right-of-Way Acquisition	$ 444,050

City Administration	$ 150,000
Construction	$6,600,000
Total Cost	**$8,541,175**

REVENUE

Land and Water Conservation Funding (RCO)	$ 447,975
2018 King County Flood Control District	$ 300,000
King County WaterWorks Grant	$ 50,000
2022 King County Flood Control District	$ 700,000
Surface Water Capital Fund	$ 7,043,200
Total Revenue	**$ 8,541,175**

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute an amendment to contract 8961 with Herrera Environmental Consultants for the permitting, bidding and construction services, and post-construction monitoring of the Hidden Lake Dam Removal Phase 2 project (NW Innis Arden Way Culvert Replacement) in the amount of $298,853.

Approved By: City Manager ***BE*** City Attorney ***MK***

BACKGROUND

Hidden Lake was an artificially created pond located east of the intersection of NW Innis Arden Way and 10th Avenue NW, partially within Shoreview Park. The former dam and lake were constructed in 1995 by King County. Since the dam's construction, sediment has been deposited in the lake at a much higher rate than expected requiring the City's Surface Water Utility to remove large volumes of sediment to maintain the lake as an open water feature. This came at a large expense to the utility and on September 8, 2014, the City Council authorized staff to cease dredging the lake and begin a phased approach to remove Hidden Lake Dam and reestablish Boeing Creek through the existing lake bed. The City Council authorized Herrera to complete an alternative analysis on May 23, 2016 to investigate additional downstream alternatives. Staff recommended that a second phase of the project be added to replace the existing culverts below NW Innis Arden Way to remove the fish passage obstruction and improve flood conditions in the area. Herrera also completed additional project pre-design efforts, authorized by the City Council on October 2, 2017.

The original design contract with Herrera was authorized by the Council on June 4, 2018. The scope of the original contract included engineering design and permitting services for both phases of the Hidden Lake Dam Removal project. The first contract amendment, authorized by the Council on June 24, 2019, increased the contract scope to include the more complex culvert design, private property acquisition services, and design for trail and park user enhancements that were added as a result of obtaining a grant from the Recreation and Conservation Office (RCO)'s Land and Water Conservation Fund (LWCF). The second contract amendment, authorized by the City Council on October 11, 2021, included additional funding for the final design and construction assistance during Phase 1 (Dam Removal) which was completed in summer and fall of 2022.

The project is at a final design level for Phase 2 (NW Innis Arden Way Culvert Replacement) and is expected to be constructed in summer 2024.

DISCUSSION

This third contract amendment will extend the scope for tasks not included in the original scope and first two amendments. This amendment will increase the scope to include assistance in bidding and construction efforts for Phase 2 as well as the post-construction monitoring of the proposed engineered stream structures for Phase 2 of this project. This amendment will also include additional scope for permitting and minor design updates that were out of scope with the original contract. The scope of work for this contract amendment is included as Attachment A.

Additionally, Herrera's contract currently has an end date of December 31, 2023. Amendment 3 will extend the contract by two years, with a new end date of December 31, 2025, as needed to support construction of Phase 2 improvements and provide one year of postconstruction monitoring.

ALTERNATIVES ANALYSIS

The alternative to authorizing this contract amendment is to take no action. The no action alternative would leave City staff poorly equipped to obtain all necessary permits and complete bidding and construction services for this project. This would put the project at a serious risk of not being completed.

COUNCIL GOAL(S) ADDRESSED

Progress on the Hidden Lake Dam Removal Project helps to implement City Council Goal 2: Continue to deliver highly valued public services through management of the City's infrastructure and stewardship of the natural environment.

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RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute an amendment to contract 8961 with Herrera Environmental Consultants for the permitting, bidding and construction services, and post-construction monitoring of the Hidden Lake Dam Removal Phase 2 project (NW Innis Arden Way Culvert Replacement) in the amount of $298,853.

ATTACHMENTS

Attachment A: Herrera Environmental Consultants Hidden Lake Dam Removal Project Scope of Work (Amendment #3)

Attachment A

CONTRACT 8961.02 AMENDMENT 3

SCOPE OF WORK

HIDDEN LAKE DAM REMOVAL PROJECT FINAL DESIGN AND PERMITTING

The City of Shoreline (City) is in the process of completing restoration of Boeing Creek at the former site of Hidden Lake on the western edge of Shoreview Park and replacing the existing Boeing Creek culverts beneath NW Innis Arden Way, immediately downstream of the former dam, which was removed in summer 2022, with a wider culvert. Herrera Environmental Consultants (Herrera) is leading a team of firms in assisting the City with final design, permitting, construction support, and related tasks for the project. This scope of work describes the activities, assumptions, and deliverables associated with additional work that was not included in the original contract or in contract Amendments 1 and 2, that the Herrera team will perform under the following tasks:

- Task 10 – Environmental Permits
- Task 14 - Project Management
- Task 17 – Construction Support Services
- Task 18 - Geotechnical Services During Construction
- Task 20 - Year 1 Post-Construction Monitoring for Culvert Replacement
- Task 21 – Management Reserve

Herrera will lead and coordinate the work of all tasks, with subconsultants serving in the following roles for this amended scope of work: HWA GeoSciences (HWA) – geotechnical analysis and support for construction of subsurface project components; Jacobs – engineering of structures and roadway improvements; Alta Planning + Design – assistance with design modifications for boardwalk trail construction. QA/QC review work by the team is incorporated in each task as applicable, and budgeted accordingly.

Task 10. Environmental Permits

Task 10F. Additional Assistance for City of Shoreline Permit Approvals

Herrera will prepare a Surface Water Report for each of the two phases of project construction, outlining project compliance with the City of Shoreline Engineering Development Manual and those portions of the Washington State Department of Ecology's Stormwater Management Manual for Western Washington that are not modified by the Engineering Development Manual. For each phased report, Herrera will submit a draft for City review and then address City comments in preparing a final version used for permit approval.

Herrera will prepare a Construction Stormwater Pollution Prevention Plan (SWPPP) for the second phase of construction - the NW Innis Arden Way Culvert Replacement Project - thoroughly addressing the City's requirements for erosion and sediment control.

Additionally, Herrera will provide support for addressing comments during City review of permit applications for the NW Innis Arden Way Boeing Creek Culvert Replacement Project. This work is expected

to include providing answers to questions from the City permit reviewers and making any minor changes to the permitting application package that may be requested.

Deliverables:

- Hidden Lake Dam Removal Project Surface Water Report – draft and final (Microsoft Word and Adobe PDF electronic file formats)
- NW Innis Arden Way Boeing Creek Culvert Replacement Project Surface Water Report – draft and final (Microsoft Word and Adobe PDF electronic file formats)
- NW Innis Arden Way Boeing Creek Culvert Replacement Project Construction SWPPP – draft and final (Microsoft Word and Adobe PDF electronic file formats)

Task 14. Project Management

This amendment will extend the completion date of the Herrera team's work by one year to the end of 2024 to capture construction support services for the culvert replacement project, which is planned to occur in 2024. The project management level of effort to manage the project team expands commensurate with the extended time period.

Assumptions:

- The deliverables in this task will be comparable to the deliverables outlined in the original contract and as previously amended, commensurate with the extended period of time to complete the work of this task.

Deliverables:

- Notes from project management meetings to guide ongoing work and document key decisions
- Project schedule updates for task work the Herrera consultant team is responsible for
- Monthly invoices and progress reports

Task 17. Construction Support Services

This amended task includes added support by the Herrera team for the first phase of construction relative to this task as described in Amendment 2, and all of the expected support needed for the second phase of construction which was not covered in Amendment 2.

Additional work that has emerged for the first phase of construction includes the following:

- Assist in revisions to the trail boardwalk design stemming from altering the alignment as a result of a decision to retain a larger area of existing vegetation
- Assist in revisions to the boardwalk design to reduce costs
- Support the City's construction management team with additional inspections related to complications in completing the stream channel restoration work as a result of prolonged retaining wall construction work.

Deliverables:

- The deliverables associated with this added work are consistent with deliverables outlined in the scope of work of Amendment 2.

Task 17A. Phase 2 Construction Support (NW Innis Arden Way Boeing Creek Culvert Replacement)

The Herrera team will provide a variety of support services for the second phase of project construction. These services include but may not be limited to the following:

- Assist in preparing addenda to the bid documents if necessary.
- Responses to bidder questions.
- Support the City's construction management team with reviewing and commenting on up to five (5) contractor submittals required in the bid documents.
- Support the City's construction management team with review of up to ten (10) contractor requests for information (RFIs) associated with the design plans and specifications.
- Prepare design changes to selected drawings if a need arises due to conditions encountered onsite during construction that are not consistent with the design plans.
- Perform site inspections at key times during construction, when requested by the City. For each day of inspection work performed, prepare a daily construction inspection report documenting observations, supporting photos, and recommendations for ongoing work.
- Review, finalize, and stamp construction Record Drawings.
- Perform load rating of the culvert in accordance with the WSDOT Bridge Design Manual and AASHTO Manual for Bridge Evaluation. Prepare a load rating report that consists of load rating summary form and load rating calculations.

Assumptions:

- Construction of the culvert replacement and associated roadway and utility work will occur in summer/fall 2024.
- City staff and/or a consultant(s) under separate contract will lead all aspects of construction management and administering the construction contract, inclusive of daily onsite inspections, filling the role of the onsite engineer through the duration of construction, and preparing and negotiating any change orders that may arise.
- The City will consolidate Record Drawing redlines for consistency prior to providing them to Herrera for final, cleaned-up production.
- Herrera consultant team staff will provide onsite inspection work, including travel time from offices in Seattle, Bellevue, and Redmond, to the extent as can be afforded with the budget allocated to this task.

Deliverables:

- Written responses to RFIs and submittal reviews as requested by the City – electronic files in formats to be established by the City
- Daily inspection reports for days on which consultant team staff are onsite performing inspections – electronic file format to be established by the City
- Record Drawings – electronic files in AutoCAD and .pdf file formats
- Culvert load rating report, draft and final – PDF file

Task 18. Geotechnical Services During Construction

Task 18A. Phase 2 Construction Geotechnical Support (NW Innis Arden Way Boeing Creek Culvert Replacement)

Construction for the culvert replacement will be performed within areas that classify as Moderate to High Risk Landslide Hazard Areas and Very High Risk Landslide Hazard Areas and their buffers. Suitability of the

conclusions and recommendations provided in HWA's Geotechnical Report completed to meet the requirements SMC 20.80.224(F) for alterations in a Very High Risk Landslide Hazard Area is dependent on sufficient monitoring and testing during construction by HWA to confirm the conditions encountered are consistent with those indicated by the explorations, that the geotechnical aspects of construction comply with the contract plans and specifications, and to provide recommendations for design modifications should conditions revealed during construction differ from those anticipated. Specific geotechnical support services and on-site geotechnical inspections for monitoring the construction are listed below. Note that HWA cannot provide confirmation of, or acceptance for, elements that were not observed during their installation.

- Assist Herrera with responses to bidders' questions, and preparing addenda to design documents as needed for geotechnical aspects of the project.
- Prepare one addendum to the Revised Final Geotechnical Report dated May 2, 2022, updating anticipated subsurface conditions for Phase 2 based on conditions encountered during Phase 1 construction.
- Review and comment on submittals related to geotechnical aspects of the project, including proposed sources for imported aggregate and geotextile materials, temporary excavation and shoring plans, soldier pile drilling and installation plans, and dewatering plans.
- Review contractor requests for information (RFIs) associated with the design plans and specifications as requested by the City.
- Attend up to three weekly onsite construction meetings.
- Provide consultation during construction. This may include site visits (up to 4) for items such as temporary sloping, shoring, and potential impacts to adjacent slopes.
- Provide full-time observation of the excavation and emplacement of 8 piles to be installed for the soldier pile wall north of the culvert. It is anticipated this will take about 8 working days at 12 hours each day.
- Provide review of the deflection monitoring data provided by the Contractor, as required by the geotechnical report. Includes reviewing data daily while the excavation is advanced and twice a week until the excavation is fully backfilled.
- Conduct up to three half-day site visits at up to 6 hours each to observe if exposed slope materials within the culvert excavation are consistent with the soil conditions observed in the geotechnical borings and will provide adequate slope stability for the interim condition during new culvert installation and backfill.
- Provide up to six full day site visits at up to 9 hours each for assessment of suitability of subgrade to support the proposed prefabricated culvert structure.
- Provide QA of contractor submittal responses, field reports, and coordination with design team and City personnel for site visits, submittals, and construction meetings.
- Prepare a letter documenting geotechnical inspection observations and conclusions encompassing both phases of project construction.

Assumptions:

- Site visits will be coordinated by the City, and should provide at least 24 hours advance notice.
- Number and length of site visits are estimated based on assumed rates of progress by the Contractor. The actual time spent performing construction inspections will depend on the Contractor's choice of equipment, the conditions encountered, the weather, and other factors beyond HWA's control.

Deliverables:

- Written responses to RFIs and submittal reviews – electronic files in formats to be established by the City
- Daily inspection reports for days on which HWA staff are onsite performing inspections
- Letter documenting geotechnical inspection observations and recommendations encompassing both phases of project construction

Task 20. Year 1 Post-Construction Monitoring for Culvert Replacement

Herrera will conduct monitoring of the constructed project elements in the culvert replacement phase of construction to satisfy permit requirements for mitigation monitoring (focused mainly on the planted areas), and also to confirm that the stream channel is functioning as intended. Herrera will prepare a brief monitoring report that addresses permit requirements for the report contents, and submit a draft for City review before finalizing it for submittal to applicable regulatory agencies.

Assumptions:

- This monitoring will occur in 2025, and the reporting prepared to document it will be completed before the end of 2025 to coincide with completion of all other tasks described in this scope of work.
- The City will oversee all maintenance occurring at the site for Year 1 and report to Herrera when maintenance is occurring so that monitoring can be timed appropriately.
- Up to two days of site visits will be conducted by a biologist and an engineer to set up monitoring transects/plots, survey points, and collect monitoring data and photographs.
- A comparable monitoring report prepared by Herrera for the 1st year of monitoring for the dam removal phase of project construction will form a basis for the outline structure and format for the report before the draft is written.

Deliverables:

- Monitoring site visit(s)
- Year 1 monitoring report – draft and final

Task 21. Management Reserve

This task provides a means for the City to supplement this scope of work without requiring a Council-approved contract modification. Herrera will promptly communicate all project requirements considered to be outside the approved scope of work for Tasks 10, 14, 17, 18, and 20 to the City's Project Manager as the work of those tasks is carried out. Herrera must prepare a written scope of work and budget estimate and receive written approval from the City Project Manager prior to performing any additional work using Management Reserve funds. City approvals for use of the Management Reserve will be documented either via e-mail or other written correspondence.

Deliverables

- Scope(s) of work and budget tabulation(s) for specific work to be performed using the Management Reserve, in similar format as the scope and budget of the original consultant contract.