

# Memorandum

To: Programs, Projects, and Operations Subcommittee  
From: Lori Ann Laster, Stormwater Management Engineer  
Date: June 5, 2024  
RE: Amendment No. 5 with HDR for WP-4

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In May 2017, the Board selected HDR Engineering, Inc. (HDR) for the preliminary design of West Papillion Regional Basin Number 4 (WP4), Dam Site 19 (DS19), and Dam Site 12 (DS12) Projects. Preliminary design was completed in 2018. The contract has since been amended to provide final design, design adjustments, bidding services, and construction administration services.

Construction of WP4 began in March 2023. Once the contractor was mobilized and began work, several site-related issues were encountered. Groundwater levels on the site were much higher than expected so the soil borrow areas had to be adjusted to get dry material for the main dam. To minimize costs, additional borrow areas were identified across the entire site. This led to the need to prepare additional grading plans and revise the trail plan.

Based on the original construction schedule the contract included 2,310 hours for the Resident Project Representative (RPR) on site. This assumed that there would be a 13-week winter shutdown. However, weather conditions over the winter only required a 2-week shutdown. While some work was done over the winter, the project has also encountered delays with the construction of the new sanitary sewer lift station due to utility line coordination with the City of Gretna and OPPD and dewatering concerns. The original substantial completion date for the project was August 1, 2024. With these delays we are currently expecting a substantial completion date of September 15, 2024. This extended timeline requires additional hours for the RPR.

The proposed amendment, cost estimate and schedule are attached. HDR will provide professional services on an hourly basis not to exceed the amount of \$213,200 bringing the total contract amount to \$3,877,026.

**Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute Amendment No. 5 with HDR Engineering, Inc. for Professional Engineering Services for modifications to the Final Design of the WP4 Project in an amount not to exceed \$213,200, bringing the total contract amount to \$3,877,026 subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.**

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated May 22, 2017.

**AMENDMENT TO OWNER-ENGINEER AGREEMENT  
Amendment No. 5**

The Effective Date of this Amendment is: \_\_\_\_\_, 2024.

Background Data

Effective Date of Owner-Engineer Agreement: May 22, 2017

Owner: Pappio-Missouri River Natural Resources District (P-MRNRD)

Engineer: HDR Engineering, Inc. (HDR)

Project: Preliminary Design of Dam Site 12, Dam Site 19, and Regional Detention Basin WP-4.

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

- Additional Services to be performed by Engineer
- Modifications to services of Engineer
- Modifications to responsibilities of Owner
- Modifications of payment to Engineer
- Modifications to time(s) for rendering services
- Modifications to other terms and conditions of the Agreement

Description of Modifications:

- a. Modify Article 7 – Definitions, 7.01.A.24 Maximum Amount. Remove “three million, six hundred sixty-three thousand, eight hundred and twenty-six dollars (\$3,663,826.00).” and replace with “three million, eight hundred seventy-seven thousand twenty-six dollars (\$3,877,026.00).”
- b. The Scope of Services currently authorized to be performed by Engineer in accordance with the Agreement and previous amendments, if any, is modified as follows:
  - 1) Exhibit A, “Engineer’s Services”, shall be amended to include Exhibit A-5, Engineer’s Services for Amendment No. 5 and Attachment 1 to Exhibit A-5.
  - 2) Exhibit C, “Payments to Engineer for Services and Reimbursable Expenses” shall be amended to include Appendix 2 to Exhibit C-5.

Agreement Summary:

Original agreement amount: \$ 2,043,823  
    Dam Site 12 \$707,140  
    Dam Site 19 \$717,403  
    Basin WP-4 \$619,280

Net contract change for Amendment No. 1: \$ 1,434,813  
    WP-4 Phases II and III Services: \$ 1,498,745  
    WP-4 Credit for Remaining Phase I Services: -\$ 63,932

Amendment No. 2:  
    Phase II Services: \$ 68,972

Amendment No. 3:  
    Phase II Services: \$ 51,346

Amendment No. 4:  
    Phase II Services: \$ 64,872

Amendment No. 5:  
    Phase III Services: \$ 213,200

Adjusted Agreement amount: \$ 3,877,026

Change in time for services (days or date, as applicable): April 1, 2024 to December 31, 2024

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibits C, C-1, C-2, C-3, C-4 and C-5.

Owner and Engineer 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.

OWNER:

ENGINEER:

Papio-Missouri River Natural Resources District

HDR Engineering, Inc.

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

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

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Name: John Winkler

Name: Matthew Tondl, P.E.

Title: General Manager

Title: Senior Vice President

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

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

This is **Attachment 1** to **EXHIBIT A-5**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated May 22, 2017.

## AMENDMENT NO. 5

### Engineer's Services for Amendment No. 5

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**Papio-Missouri River Natural Resources District  
Final Design and Construction Services for WP-4  
Papillion Creek Watershed, Sarpy County, NE**



### ENGINEERING PROPOSAL

#### BACKGROUND AND BASIS OF PROPOSAL

This Scope of Services is to document professional services to the P-MRNRD for a final design and construction of regional detention basin WP-4 (Project). The scope includes Phase III – Construction Management Services.

The purpose of Amendment No. 5 is to modify the existing Agreement to reflect additional time and effort related to Construction Phase activities.

#### Final Design and Construction Phases

Amendment No. 5 addresses modifications to the following task series included in Phase III:

- Task Series 1300 – Construction Contract Administrative Services

The previously scoped duration of construction phase professional services was 14 months, which anticipated an additional 3 month Winter shutdown. The revised duration of construction is 17 months from approximately March 1, 2023 through September 2024 with two weeks of Winter shutdown.

#### TASK SERIES 1300 – CONSTRUCTION CONTRACT ADMINISTRATIVE SERVICES

Modify:

##### Task 1310.1 Records and Reports Documentation

- Full-time resident project representative (RPR) providing construction quality assurance for the Project. The level of construction observation effort included in this scope amendment equates to 1,170 hours. Reasonable variations in work days and schedules are anticipated, but no protracted overtime, work stoppages or extended work schedules are assumed.

Modify:

##### Task 1320.1 Contract Documentation Clarification

- Coordination, clarification, and documentation of responses to Contractor regarding earthwork quantities, specifications, and payments.

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**MODIFIED VERSION of**

**June 2024**

Attachment 1 to Exhibit A-5 – Proposed Scope of Services for Amendment No. 5

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Modify:

**Task 1320.4 Submittal Reviews**

- Additional review time due to multiple Contractor submittal revisions, reviews, and resubmissions.
- Additional coordination and modifications to Covington Lift Station due to delayed and changed OPPD requirements.
- Review time for multiple Contractor installed dewatering wells submittals.

Modify:

**Task 1320.6 Technical Field Observations**

- Additional visits related to fisheries enhancement coordination, structural review, and inspections of lift station appurtenances.
- Additional site visits for geotechnical engineer related to coordination with Contractor on groundwater specification requirements and Contractor installed dewatering wells.

Modify:

**Task 1320.8 Design Modifications**

- Trail redesign due to additional borrow area excavations.
- Coordination & design of alternate fishing nodes due to unsuitability of sheet piling and NGPC typical revisions.
- Redesign of channel mitigation due to additional channel pool impacts.
- Preparation of Mitigation Plan Amendment addressing channel mitigation plan revision and coordination with USACE.

Modify:

**Task 1330.2 USACE Section 404 Baseline Monitoring & Notification**

- Field survey of downstream channel not included in previous scope.

Fee Schedule

APPENDIX 2 PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AMENDMENT NO. 5 - PHASE III: CONSTRUCTION CONTRACT ADMINISTRATION OF WP-4 FEE ESTIMATE - MAY 2024																
HDR Engineering, Inc. Estimated Hours/Costs													Subconsultants		Est. Total Cost	
TASKS	Project Manager	Specialist	Senior Staff	Technical Staff	RPR	Total Hours	Total Labor Cost	Printing	Travel	Misc.	Total Expenses	Totals	JEO	Total Sub-Consult.		
<b>TASK 1300 CONSTRUCTION CONTRACT ADMINISTRATIVE SERVICES</b>																
<b>Task 1310</b>	<b>Records and Reports</b>															
Subtask 1310.1	Records and Report Documentation					1170	1170	\$155,610		\$ 2,000		\$2,000	\$157,610		\$0	\$157,610
<b>Task 1320</b>	<b>Construction Contract Support</b>															
Subtask 1320.1	Contract Documentation Clarification	2		8		10	\$2,552				\$0	\$2,552		\$0	\$2,552	
Subtask 1320.4	Submittal Reviews and PTCS Tracking		2	4	8	14	\$2,865				\$0	\$2,865	\$4,710	\$4,710	\$7,575	
Subtask 1320.5	Construction Meetings					0	\$0				\$0	\$0	\$3,900	\$3,900	\$3,900	
Subtask 1320.6	Technical Field Observations				16	16	\$2,715		\$50		\$50	\$2,765	\$4,700	\$4,700	\$7,465	
Subtask 1320.8	Design Modifications			20	60	80	\$15,100				\$0	\$15,100	\$17,705	\$17,705	\$32,805	
<b>Task 1330</b>	<b>Permit Compliance Support</b>															
Subtask 1330.2	USACE Section 404 Baseline Monitoring and Notification					0	\$0				\$0	\$0	\$1,250	\$1,250	\$1,250	
<b>TOTAL HOURS</b>		<b>2</b>	<b>2</b>	<b>32</b>	<b>84</b>	<b>1170</b>	<b>1290</b>									
<b>TOTAL COST</b>		<b>\$584</b>	<b>\$524</b>	<b>\$7,872</b>	<b>\$14,252</b>	<b>\$155,610</b>	<b>\$178,842</b>	<b>\$178,842</b>	<b>\$0</b>	<b>\$2,050</b>	<b>\$0</b>	<b>\$2,050</b>	<b>\$180,892</b>	<b>\$32,265</b>	<b>\$32,265</b>	<b>\$213,200</b>

MODIFIED VERSION of

Appendix 2 to Exhibit C-4 – Engineer’s Fee Estimate for Amendment No. 3

**JEO CONSULTING GROUP INC - ESTIMATED HOURS/COSTS  
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT  
AMENDMENT #5  
FEE ESTIMATE - MAY 2024**

JEO Consulting Group Inc. Estimated Hours/Costs									Est. Total Cost
TASKS	John P.	Sr. PE and QC	PE	Layne	CAD/GIS	Surveyor	Admin/ Clerical	Total Hours	Totals
<b>TASK 1300 CONSTRUCTION CONTRACT ADMINISTRATIVE SERVICES</b>									
<b>Task 1310</b>	<b>Records and Reports</b>								
Subtask 1310.1	Records and Report Documentation							0	\$0
Subtask 1310.2	As-Built Drawings							0	\$0
<b>Task 1320</b>	<b>Construction Contract Support</b>								
Subtask 1320.1	Contract Documentation Clarification							0	\$0
Subtask 1320.2	Survey Control and Verification Checks							0	\$0
Subtask 1320.3	Material QA Testing							0	\$0
Subtask 1320.4	Submittal Reviews	2	2	6	16			26	\$4,710
Subtask 1320.5	Construction Meetings	6		6	8			20	\$3,900
Subtask 1320.6	Project Tracking Collaboration System							0	\$0
Subtask 1320.7	Technical Field Observations			4	24			28	\$4,700
Subtask 1320.8	Instrumentation Data Interpretation							0	\$0
Subtask 1320.9	Design Modifications	4	1	10	36	60		111	\$17,705
<b>Task 1330</b>	<b>Permit Compliance Support</b>								
Subtask 1330.1	SWPPP Compliance Monitoring							0	\$0
Subtask 1330.2	USACE Section 404 Baseline Monitoring and Notification				2	8		10	\$1,250
Subtask 1330.3	NDNR Approval to Store Water							0	\$0
	<b>Estimated Task Hours Subtotal</b>	<b>12</b>	<b>3</b>	<b>26</b>	<b>84</b>	<b>62</b>	<b>8</b>	<b>0</b>	<b>195</b>
	<b>Estimated Task Cost Subtotal</b>	<b>\$2,940</b>	<b>\$705</b>	<b>\$4,810</b>	<b>\$13,860</b>	<b>\$8,990</b>	<b>\$960</b>	<b>\$0</b>	<b>\$32,265</b>
	<b>TOTAL HOURS</b>	<b>12</b>	<b>3</b>	<b>26</b>	<b>84</b>	<b>62</b>	<b>8</b>	<b>0</b>	<b>195</b>
	<b>TOTAL COST (ROUNDED)</b>	<b>\$ 2,940</b>	<b>\$ 705</b>	<b>\$ 4,810</b>	<b>\$ 13,860</b>	<b>\$ 8,990</b>	<b>\$ 960</b>	<b>\$ -</b>	<b>\$ 32,265</b>

*MODIFIED VERSION of*

Appendix 2 to Exhibit C-1 – Engineer’s Fee Estimate for Amendment No. 1