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
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.
Highline Water District
Angle Lake AC Water Main Replacement
Amendment #2

- 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 (3.102918.01)
### Phase B - Design Services

**Date:** December 10, 2014

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**Note:** Rates include wages, expenses, materials and services. Additional costs include potential project delays and other unforeseen events.
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

By: ________________________________
Matt Everett
Title: General Manager
Date: ________________________________

BHC CONSULTANTS, LLC

By: ________________________________

Title:

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

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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.