

TASK ORDER

This is Task Order No. **241335-02**,
consisting of **3** pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated **January 10, 2018** ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: **August 6, 2024**
- b. Owner: **City of Dickinson, ND**
- c. Engineer: **Highlands Engineering & Surveying, PLLC**
- d. Specific Project (title): **5th Street SE – S Main Ave to 6th Ave SE
Noise Analysis**
- e. Specific Project (description): The general scope of the project is to provide a Noise Analysis in accordance with FHWA regulations for the above referenced project.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:
set forth in Attachment 1 – Proposal dated 7/29/24 from KLJ.

- B. Resident Project Representative (RPR) Services

If the scope of services established in Paragraph 2.A above includes RPR services, then Exhibit D of the Agreement is expressly incorporated in this Task Order by reference.

- ~~C. Designing to a Construction Cost Limit~~

~~Under this Task Order Engineer will design to a Construction Cost Limit, subject to the terms of Paragraph 5.02 of the Agreement and of Exhibit F to the Agreement. Exhibit F is expressly incorporated by reference. The Construction Cost Limit is \$[]. The bidding or negotiating contingency to be added to the Construction Cost Limit is [] percent.~~

- D. Other Services

Engineer shall also provide the following services: **Highlands Engineering will provide subcontract coordination with KLJ for their services.**

- E. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

Task Order Form

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3. Additional Services

A. Additional Services that may be authorized or necessary under this Task Order are: **N/A**

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

Work to be complete by the end of 2024.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

1. Payments to the Engineer shall be the amount billed by the Subconsultant to Engineer times a factor of **1.10** in accordance with the Agreement. The total project amount will be **\$31,900**.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order:

None

8. Other Modifications to Agreement and Exhibits:

None

9. Attachments:

Attachment 1 – **Proposal dated 7/29/24 from KLJ.**

10. Other Documents Incorporated by Reference:

None

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is **August 6, 2024**.

OWNER:

By: _____

Print Name: _____

Title: _____

Date Signed: _____

ENGINEER:

By: _____

Print Name: KC Homiston, PE/LS

Title: Principal

Date Signed: _____

Engineer License or Firm's Certificate No. (if required):

State of: North Dakota – COCP #805

Address for Owner's receipt of notices:

Address for Engineer's receipt of notices:

Highlands Engineering
319 24th Street East
Dickinson, ND 58601

DESIGNATED REPRESENTATIVE
(Paragraph 8.04):

Title: _____

Phone Number: _____

E-Mail Address: _____

DESIGNATED REPRESENTATIVE
(Paragraph 8.04):

Andrew Schrank, PE

Title: Project Manager

Phone Number: 701-483-2444

E-Mail Address: schrank@highlandseng.com

Date: July 29, 2024
To: Andrew Schrank, PE, CFM – Highlands Engineering & Surveying, PLLC
From: John Crawford, PE, PTOE and Veronica Richfield, PE, PTOE, RSP2 – KLJ Engineering
RE: 5th Street SE Improvements from S Main Ave to 6th Ave SE
City of Dickinson, North Dakota
Traffic Noise Study Proposal

This document presents a proposed scope of services for a traffic noise study to be completed for the reconstruction of 5th St SE within the City of Dickinson, North Dakota. The project limits span approximately one-half mile from S Main Ave to 6th Ave SE. Due to the project’s use of federal funding and its inclusion of a new roadway alignment, it is anticipated the proposed improvements qualify as a Type I project and therefore warrant a traffic noise study as defined by Title 23 Code of Federal Regulations Part 772 (23 CFR 772). The following scope of services is based on this assumption.



Scope of Services

A traffic noise study will be conducted in accordance with the North Dakota Department of Transportation (NDDOT) *Noise Policy and Guidance* (revised June 2020). This Policy describes NDDOT’s implementation of the requirements established in 23 CFR 772 and concurred with by FHWA. The analysis will be conducted using the Federal Highway Administration (FHWA) TNM 2.5 modeling software and following appropriate NDDOT and FHWA regulations and guidance.

1. Data Collection

A. Project Information

Collect available information about the proposed project and its corresponding project area, including existing and proposed roadway alignments and profiles, digital elevation data, planned developments, and conduct a review of any pertinent GIS and aerial photo data layers and information related to noise sensitive receptors and physical characteristics of the surrounding environment. Establish the traffic noise study area and identify the noise sensitive receptors and the associated common noise environments (CNEs).

B. Noise Measurement Plan

Prepare and submit a Noise Measurement Plan or equivalent memorandum to the City of Dickinson for review, and NDDOT for review and approval of identified receptors, CNEs, and proposed noise monitoring sites prior to performing a field visit.

C. Noise Monitoring

Prepare for and perform a field visit of the project site to verify the noise sensitive receptors and conduct noise monitoring at up to five locations per standards and guidance, providing summary results, preparing noise monitoring logs, and incorporating into the draft noise report appendix.

D. Traffic Volume Data

Process Existing, Future No Build, and Future Build traffic data for inclusion into FHWA TNM 2.5 software. Existing and forecasted peak hour traffic volumes, vehicle classifications (automobiles, medium trucks, and heavy trucks), and operating speeds associated with a project-specific traffic study will be provided by Highlands Engineering. Therefore, **traffic count collection, calibration, and forecasting are not included in the scope**. For any minor/low-volume roadways for which traffic data is not available, KLJ will apply engineering judgment to establish estimated values.

Assumptions

- The City of Dickinson will provide information on any recent, ongoing, or future planned development within the established noise study area.
- The City of Dickinson will coordinate notification to property owners regarding right of entry to conduct non-invasive exterior noise measurements.
- Expenses will include up to two (2) nights of hotel accommodation for one (1) staff, and up to three (3) days of meals and incidentals per diem.
- The following items will be provided by Highlands Engineering & Surveying, PLLC:
 - Base mapping: topography, triangular irregular networks (TIN) file, digital terrain model (DTM) file
 - Existing alignment/survey
 - Construction limits
 - Project limits
 - Right-of-way and property line information
 - Project scoping document
 - Signed geometric layout

- Traffic data and traffic analyses/studies conducted for corridor study

2. Noise Analysis

A. Base Noise Model Development and Validation

Develop the base noise model for the project utilizing FHWA TNM 2.5 software. Features to be included in the model, in addition to travel lanes and traffic volumes, may include buildings, large water features, notable terrain topography, traffic control devices, and large parking lots. This effort will include validating and revising, as applicable, the base model versus the recorded field noise measurements.

B. Existing, Future No Build, and Future Build Noise Model Development

Develop the Existing, Future No Build, and Future Build scenario noise models in FHWA TNM 2.5 software. Each scenario will be tailored to represent the physical, geometric, and traffic operations characteristics respectively.

C. Noise Barrier Warrant Analysis

Perform barrier warrant analyses for all modeled receptors in order to identify impacted areas where barriers may be warranted and require modeling and analysis.

Assumptions

The following components are **not included in this scope or fee**.

- Barrier Modeling or Feasibility and Reasonability Analysis
 - If the results of the Barrier Warrant Analysis were to identify any noise impacts to receptors as defined by the NDDOT *Noise Policy and Guidance*, the concept development, modeling, and effectiveness analysis of noise mitigation would be required. If applicable, this task may be added in a future contract amendment.
- Community Noise Engagement and Solicitation of Benefited Receptors
 - If the results of the noise study were to indicate noise mitigation is initially feasible and reasonable, a public engagement and solicitation process would be required. If applicable, this task may be added in a future contract amendment.

3. Reporting

A. Draft and Final Report

Prepare a traffic noise study report including the requisite content in accordance with the NDDOT *Noise Policy and Guidance*. The report shall include documentation of the analysis including the associated TNM 2.5 output exhibits and applicable maps.

A draft report will be submitted to the client, City of Dickinson, and NDDOT for review. Comments received on the draft report will be documented and incorporated into the final report. A final report incorporating required revisions will be submitted after receiving and addressing feedback from all applicable parties.

4. Project Management

A. Meetings

Coordinate and communicate with parties as appropriate throughout the noise study process:

- Kickoff Meeting: Schedule and facilitate a project kickoff meeting to confirm the basic project objectives, solidify a work plan, and obtain consensus on the project requirements.
- Consultant Coordination Meeting(s): Up to two (2) meetings with Highlands Engineering for design and other data exchanges and miscellaneous project logistics.
- State Noise Analysis Unit Meeting(s): Up to two (2) meetings with State Noise Analysis Unit as necessary for coordination throughout the noise study development process.
- Noise Report Approval Meeting(s): Up to two (2) meetings with State and FHWA staff as needed for approval of the final traffic noise analysis report.

B. Administration

Prepare invoices accompanied by supporting data for direct expenses in accordance with a client invoicing template, if provided.

C. Quality Management

Conduct quality assurance and quality control for all project analyses and deliverables.

Fee

The aforementioned work will be completed for a fee of \$29,000.00. This fee assumes that there will be no travel related to this study beyond the Noise Monitoring task and that all meetings will be attended by KLJ virtually. Additional services, such as other meetings or hearings, traffic counts, or requests for further analysis, could be provided on a time and materials basis after receiving written authorization for the additional work. Note that this scope, fee, and schedule will be valid until December 31, 2024.

Thank you for giving us the opportunity to propose on these services.