

August 4, 2023

Mike Dolan, Clerk
Hamburg Township
10405 Merrill Rd.
Hamburg, MI 48139

RE: Manly W. Bennett Park Renovations & Water Trail Access Improvements
Hamburg Township, Livingston County, MI
Letter Agreement for Professional Services

Mike:

We are very pleased your project has been awarded a DNR Trust Fund grant. We look forward to working with the Township on the Bennet Park and Water Trail Access Improvements in Hamburg Township. We have developed our proposal to furnish professional services regarding your project.

Project Background

The Township is planning on making upgrades to the west portion of Manly W. Bennett Park and Water Trail Access Improvements. The Township has received a 2022 Michigan Natural Resources Trust Fund Development Grant for \$300,000.00 to make these improvements. The improvements are listed as follows:

- Accessible canoe/kayak launch
- Accessible park pathway renovations
- Replacement of playground equipment
- Accessible parking improvements

Scope of Professional Services

Spicer's proposed services follow:

1. GRANT ADMINISTRATION

Grant Administration tasks will be required throughout the project period. It is our understanding the Township will be responsible for these tasks, however there may be some assistance required from Spicer Group, Inc. Our assistance will include:

- A. Assistance with executing DNR Project Agreement.
- B. Submission of Plans and Specifications to DNR with Professional Services Certification, itemized project cost estimate, and implementation schedule.
- C. Assistance with Contractor/Vendor Selection process with the DNR.
- D. Assistance with any special requests to DNR such as significant changes to the project or extensions to the project period.
- E. Assist the Township with reimbursement requests.

2. TOPOGRAPHICAL SURVEY

This phase of the project will gather data needed to properly design the project and will include the following tasks:

- A. Research existing area for existing plans, control points, bench marks, survey notes, intersection, right of way information and other pertinent information including water elevations, river bottom, and ordinary high water mark.
- B. Setup necessary data for field crews to perform data collection.
- C. Establish control in the form of NAD83 State Plane Coordinates (horizontal) and NAVD29 datum (vertical) by the use of GPS.
- D. Process all GPS and topographic data into a base drawing to be used for the design.

3. DESIGN PHASE

During the design phase we will develop plans and specifications for the park improvements. More specifically, we will:

- A. Meet with the Township to kick-off the project.
- B. Design the dimensional layout requirements of the new improvements.
- C. Determine the grading and drainage requirements for the improvements. The grading will include a bio-swale with native seeding.
- D. Develop a Soil Erosion and Sedimentation Control Plan meeting the requirements of the County, if required.
- E. Update the preliminary estimate of cost for the proposed improvements.
- F. Seek feedback from the Township at approximately 50% and 90% completion to review the project.
- G. Incorporate your feedback and review comments into the project.
- H. Submit a final set of plans, bidding documents and preliminary estimate of cost to the Township.

4. BIDDING PHASE

During the bidding phase we will assist you with the bidding process including:

- A. Produce sets of plans and bidding documents for distribution. We will distribute plans through our website electronically and will provide paper copies as needed.
- B. Maintain the Planholders list.
- C. Prepare the advertisement for placing in the newspaper.
- D. Answer any questions from contractors preparing their bids.
- E. Issue addenda if required.
- F. Open bids with you.

5. CONSTRUCTION ADMINISTRATION

During the Construction Administration phase, we will assist you with the following tasks:

- A. Prepare a tabulation of the bids received and prepare a letter of recommendation of award to the Township.
- B. Prepare contracts and circulate for signatures.

- C. Make site visits to observe the construction progress, approximately one visit per week.
- D. Prepare the progress payments and any change orders necessary for the project.
- E. Attend a final walk through of the project and develop the final construction punch list.
- F. Review contract closeout.

Please note that construction staking and material testing will be included as line items on the construction contract and therefore are not included in this letter agreement.

6. MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES & ENERGY AND US ARMY CORP OF ENGINEERS PERMITTING

We will prepare and assist in submitting for the EGLE/USACE Joint Permit which includes the following tasks:

- A. Visit the site to obtain field measurements, elevations, and site photos.
- B. Prepare plans for use in submission of the EGLE/USACE Joint Permit Application.
- C. Prepare volume calculations as needed to submit for the EGLE/USACE Joint Permit Application.
- D. Prepare and submit the Joint Permit Application in MiWaters.
- E. Coordinate with review agencies to ensure a complete permit application has been received.
- F. Respond to EGLE comments, as needed once the application has been reviewed.

Services Not Included

The following services are not included in this proposal, however, may be necessary to complete. If we find this to be the case, we will notify you, discuss it and seek your approval prior to commencing the work.

- A. **Wetland Delineation:** We have not included these services at this time. If it is determined that wetlands are present at the site that will be disturbed by the project, this may be required by EGLE and we can determine a cost for these services at that time.
- B. **HEC-RAS Modeling:** At this time, we have not included this service as it may not be required. Through the EGLE permitting process, the EGLE may require a HEC-RAS model to show how the improvements will affect the river flow.
- C. **Geotechnical Investigations:** Soil borings are not included in this proposal. If the scope of this work changes, we will discuss and seek approval for this work prior to commencing the work.
- D. **Permit Fees:** Permit fees are not included in this proposal. Any permit fees would be paid by the Township.
- E. **Environmental Services:** We have not included these services at this time. If it is determined that additional environmental services are necessary, we can determine a cost for these services at that time.
- F. **Interpretive sign:** Design, layout and graphics are the responsibility of the Township.

Additional Services

Additional services related to this project will be furnished by us after you authorize the work. Our fee for the additional services will be determined at the time they are agreed to and rendered.

Fee Schedule

Our proposed fee schedule is as follows **it is the same amount as submitted with the grant**. We will submit monthly invoices to you for services furnished and for any reimbursable expenses. The fee for the Grant Administration, Design, Bidding, and Survey Phases are a lump sum. So, the invoices will be based on our estimate of the proportion of total services actually completed at the time of billing. The fee for the Construction Administration and EGLE/USACE Permitting Phase is an estimated hourly fee, and the invoices will be based on the current standard hourly rates of our personnel assigned to this project applied to the time they spend on it.

The fees below reflect the costs for these services shown in our original cost estimates submitted with the DNR grant application. Our proposed fee shall be as follows:

1. **Grant Administration:**
 - A lump sum amount of \$3,500
2. **Topographical Survey:**
 - A lump sum amount of \$12,500
3. **Design:**
 - A lump sum amount of \$54,900
4. **Bidding:**
 - A lump sum amount of \$3,500

Please note that the sum of the costs listed above equals the **\$74,400** engineering fee that is allowed by the grant.

5. **Construction Administration:**
 - An estimated hourly amount of \$19,200
(assumes a 12-week construction period with an approximate average of 10 hours spent on the project each week for approximately 120 hours)
6. **MDEGLE/USACE Joint Permit Application:**
 - An estimated hourly amount of \$8,000

We have calculated these fees based on our understanding of what you want us to do and what you have told us.

Attached to this letter is a copy of our general conditions for our services which are part of this agreement. Any changes to this agreement must be agreed to by both.

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If this proposal meets with your approval, please acknowledge this approval with an authorized signature below and return the enclosed copy to us.

We deeply appreciate your confidence in Spicer, and we look forward to working with you and for you on your project.

Sincerely,



Cynthia Todd, PLA
Director of Planning



Shawn P. Middleton, P.E., CFM Sr. Project
Manager, Vice President

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Saginaw, MI 48607
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(410) 490-0413
cynthia.todd@spicergroup.com

Cc. SGI File: 133809SG2023
Acctg: KAF

Above proposal accepted and approved by Owner.

HAMBURG TOWNSHIP

By: _____
Authorized Signature

Printed Name

Title

Date: _____