

**AMENDMENT NO. 6 OF AGREEMENT FOR PROFESSIONAL SERVICES
City of Lynden – WWTP Engineering Report – Project No. 2021-16**

THIS AMENDMENT is made and entered into this 1st day of June 2024, by and between the City of Lynden hereinafter referred to as "CLIENT", and *BHC CONSULTANTS, LLC*, hereinafter referred to as "*BHC*".

IN CONSIDERATION of the covenants hereinafter set forth, the parties hereto mutually agree that the Agreement between the parties made and entered into on the 22nd day of September 2021, is amended as follows:

BHC shall perform for CLIENT the following additional services:

CLIENT shall compensate *BHC* for the additional services NOT TO EXCEED the amount of \$197,721.00 in accordance with the terms of the Agreement, and the attached:

- Exhibit A – *BHC*: Scope of Work
- Exhibit B – *BHC*: Project Budget

The total NOT TO EXCEED revised contract value is now \$1,030,507.

All other terms of the Agreement remain in effect.

BHC CONSULTANTS, LLC

By: Cameron Ochiltree Digitally signed by Cameron Ochiltree
Contact Info:
cameron.ochiltree@bhccconsultants.com
Date: 2024.10.10 16:44:23-07'00

Title: Executive Vice President

Date: October 10, 2024

CITY OF LYNDEN

By: _____

Title: Public Works Director, City of Lynden

Date: _____

EXHIBIT A

SCOPE OF WORK – AMENDMENT NO. 6

City of Lynden, Washington

WWTP Engineering Report Project No. 2021-16

Statement of Understanding

WWTP Stage 2 Preparation Design Services: Included in this scope of work is to develop construction plans and specifications for demolition activities during the summer of 2025 at the WWTP. This project is directly related to the Stage 2 – MLE Retrofit project and serves to prepare the site for that work. The following description of demolition work will be included in the detailed design:

Hazardous Materials Work. All hazardous materials identified in the *Limited Hazardous Materials Survey Report*, dated July 21, 2024, will be removed.

Oxidation Ditch No. 2 and Biotower Work. The Biotower shell, interior media, steel superstructure, supporting concrete elevated structural slab, and appurtenances will be demolished. The in-tank existing decommissioned FRP jet aeration system will be demolished as well as removal of the failing tank interior coating. Coating removal will be approximately to extent shown in the previously developed Trane bid set, will include grout restoration, and the new coating terminus edge.

Maintenance Building and Adjacent Structures Work. The maintenance building will have complete removal of the, approximately, eastern forty (40) feet of the structure. The western electrical gear rooms, adjacent area supporting overhead conduit, and respective roof will be left intact. The existing control panel (RCP-1) will be relocated to the western wall in the same room. The elevated concrete slab will be demolished to approximately the same extent as the building and a new temporary structural/weather-proof wood framed wall will be installed on the eastern wall of the remaining structure. The carport/garage, south CMU wall, and subgrade structures/piping/asphalt paving underneath will all be demolished. The eastern storage building will be reroofed, and electrical service restored. All chlorine contact tank (CCT) interior mechanical piping and appurtenances will be removed. Piping below the remaining western portion of the structure will be plugged at the CCT interior wall. Piping in the eastern demolished building/slab portion will be removed beyond the north CCT wall, including the northside concrete sidewalk. Sidewalk removal will be limited to immediately north of the building and carport demo areas where existing fill will be over excavated to approximately two (2) feet below the bottom of the future blower building mat foundation. The exposed CCT concrete exterior walls and interior baffles will all be removed to the elevation extent shown in the IGA plans. The CCT tank will be partially filled with light weight concrete per the 2024 geotechnical report, including below the remaining western structure. The 2024 geotechnical report recommended structural fill for the future Blower Building mat foundation will be used to backfill the site to bring the entire demo/excavation areas to grade so there is not a pit. During the Stage 2 - MLE Retrofit project, the anticipation is this material will be stockpiled after excavation for reuse as backfill for the western side when demo of the remaining existing maintenance building/CCT is completed.

Utilidor Work. The existing foul air piping will be completely removed and capped in the utilidor at the walls. The foul air piping above the utilidor will be completely removed on the south side and removed to the plug valve on the north side. Foul air piping floor penetrations in the utilidor roof will be removed and the space filled with cementitious material. The Biotower effluent concrete structure in the utilidor above the top slab will be removed. The utilidor's elevated slab will be extended to Oxidation Ditch No. 2's north wall to fill in the void after removing the Biotower effluent structure.

Operations Building Pump Room. RAS bypass piping prep will be included by replacing the indicated existing 12" RAS piping elbow with a 12" tee, 12" plug valve, and 12" blind flange for future RAS bypass piping work.

Site Work. Proposed site work will include three (3) buried scum isolation valves on the east side of the WWTP; one (1) 6" for the headworks and two (2) 4" for the selector, will be installed with valve boxes and the finished surface restored.

This following Scope of Work (SOW) is based on our current understanding of the City's request to perform the above-described work.

Scope of Work

The SOW tasks are separated into four components where applicable:

1. Work Tasks: tasks that will be completed by the Consultant;
2. Receivables: elements that will be provided by the City;
3. Assumptions: assumptions used to develop each Work Task;
4. Deliverables: the finished product that will be delivered to the City via electronic copy; and
5. Schedule: deliverable milestones that will be completed by the Consultant.

BHC will not be subcontracting any additional professional services as part of this scope of work.

Estimated Fee

The Project Budget for this SOW is \$197,721. A breakdown of the fee estimate is included as Exhibit B.

Scope of Work

Task 1 - Project Management

Work Tasks:

- 1.1 Amendment Setup, Accounting and Management System. Setup amendment including execution, filing, and internal coordination. Incorporate the amendment into BHC's accounting and management system.
- 1.2 Additional Client and Team Coordination. Continued coordination with City staff by regular project updates, status meetings, telephone communication, scheduling, and e-mail during the project.

1.3 Additional Monthly Invoicing and Budget Tracking. Continue to generate monthly invoices and budget tracking.

Receivables:

- Executed Amendment.

Assumptions:

- None.

Deliverables:

- Continued monthly invoices.

Schedule:

- As detailed in the respective tasks.

Task 2 - Data Review (*current task scope to remain unaltered*)

Task 3 - Evaluate WWTP Improvements (*current task scope to remain unaltered*)

Task 4 - Engineering Report (*current task scope to remain unaltered*)

Task 5 - Site Visit and Meetings

Work Tasks:

5.3 Additional Meetings. Six (6) SRF support meetings attended by one (1) team member from BHC to discuss the design agreement, draft agreement review, IGA contracting, Ecology preliminary observation list, and general funding. Meetings may be attended by City, Ecology, Trane, and Department of Enterprise Services (DES) during the SRF funding coordination.

Receivables:

- None.

Assumptions:

- None.

Deliverables:

- Agenda, meeting minutes, and/or review as required.

Schedule:

- As detailed in the respective tasks.

Task 6 - Mixing Zone (*current task scope to remain unaltered*)

Task 7 - Geotechnical Investigations (*current task scope to remain unaltered*)

Task 8 - Critical Areas Assessment and Permitting Services

Work Tasks:

8.1 Stage I Services. Continued permit coordination and support. Additional permit applications and supplemental materials.

- 1) Prepare a draft/final shoreline variance permit for building height application with supporting materials and information in a memorandum. Address City comments on the draft application materials.
- 2) Prepare a draft/final conditional use permit application with supporting materials and information in a memorandum. Address City comments on the draft application materials.
- 3) Prepare a new draft/final SEPA Checklist for WWTP Expansion projects Stage 2 and 3.

Receivables:

- One (1) consolidated set of City comments on the draft permit application comments.
- One (1) consolidated set of City comments on the SEPA within two weeks of delivery.

Deliverables:

- Draft/Final conditional use permit application and memorandum, electronic deliverable.
- Draft/Final SEPA Checklist, electronic deliverable.

Assumptions:

- Documents will be submitted via email or SharePoint in electronic (PDF) format.

Schedule:

- As detailed in the respective tasks.

Task 9 - Survey (*current task scope to remain unaltered*)

Task 10 - Cultural Resources Assessment (*current task scope to remain unaltered*)

Task 11 - Critical Design Decisions, Pre-Design, and Workshops (*current task scope to remain unaltered*)

Task 12 - Funding Applications

Work Tasks:

12.1 CWSRF Funding Application. Continued support after FY 2024 SRF Step 2 design and FY 2025 Step 3 construction applications and pre-requisite materials. BHC will assist the City with review and development of the FY 2024 SRF agreement for design services; continued coordination on eligibility of the FY 2025 construction; prepare, review, revise, and comment of Ecology, Trane, City, and DES materials; and general support and coordination through the funding process to facilitate a non-traditional project delivery method through the SRF process.

Receivables:

- SRF communications and materials for comment, addition, review, and/or revision as requested.

Deliverables:

- SRF communications and materials for comment, addition, review, and/or revision as requested.

Assumptions:

- None.

Task 13 - Stage 2 Prep – WWTP Demolition Design

Work Tasks:

- 13.1 WWTP Demolition Project Management and QA/QC. Coordination with City staff and the design team by regular project updates, status meetings, telephone communication, scheduling, and e-mail during the project. Review to be provided by a senior engineer of the primary concepts, development, and approach during the analysis and evaluation refinement and preparation of deliverables herein, prior to submittal to the City.
- 13.2 Meetings. Up to two (2) two-and-a-half-hour (2.5-hour) meetings with the City attended by up to two (2) team members from BHC to discuss City review comments of the Draft Stage 2 Prep – WWTP Demolition project and coordinate on finalizing the documents for bidding. The allocated hours include BHC generating an agenda and meeting minutes for each of the meetings.
- 13.3 Draft Plans and Specifications. Task includes the draft detailed design of the Stage 2 Prep – WWTP Demolition project elements and preparation of Contract Documents (drawings and specifications) in accordance with WAC 173-240-070. BHC has prepared a preliminary sheet list for the design based on our understanding of the project scope. The preliminary drawing list includes the following:

No.	Dwg.	Drawing Title
1	G-1	Cover Sheet, Location and Vicinity Map
2	G-2	Index of Drawings, Piping System, and Abbreviations
3	G-3	Legend, Symbols, and Designations
4	G-4	Existing Site, Survey Control and Notes
5	D-1	TESC and Demolition Site Plan
6	D-2	Oxidation Ditch No. 2 Demolition Plan
7	D-3	Oxidation Ditch No. 2 Demolition Detail
8	D-4	Maintenance Building Demolition Plan
9	D-5	Maintenance Building Demolition Section
10	D-6	Maintenance Building Demolition Details
11	D-8	Biotower Demolition Plan and Section
12	D-9	Biotower Foundation Demolition Plan and Section
13	D-10	Biotower Foundation Demolition Sections
14	D-11	Erosion Control Details
15	D-12	Demolition Details 1 of 3
16	D-13	Demolition Details 2 of 3
17	D-14	Demolition Details 3 of 3
18	C-1	Civil Plan
19	C-2	Chlorine Contact Basin Plan and Section
20	C-3	Civil Details
21	A-1	Architectural General Notes and Details
22	A-2	Maintenance Building Partial Plan and Details
23	A-3	Storage Building Roof Plan and Details
24	S-1	Structural General Notes and Details
25	S-2	Structural Sections and Details
26	S-3	Utilidor Slab Upgrade Sections and Details
27	S-4	Storage Building Structural Details
28	M-1	RAS Piping Partial Plan
29	E-1	General Electric Sheet
30	E-2	Electric Partial Site Plan

The draft specifications will include applicable technical specifications (CSI format utilizing Divisions 1 – 17) and updated City provided front end documents, which reference the WSDOT Standard Specifications. BHC will revise the City's standard Special Provisions to modify the WSDOT Standard Specifications for this project. Specifications not covered by the WSDOT Standard Specifications will be prepared in CSI format and referenced in the Special Provisions.

13.4 Final Plans and Specifications. Comments from the City on the draft submittal will be incorporated into the design documents to produce final documents for bidding.

13.5 Opinion of Probable Construction Costs. BHC will develop and update an opinion of probable construction cost (OPCC) for the draft and final design submittals.

13.6 Bid Period Services. BHC will assist the City with responding to questions from bidders as requested by the City. Time for this work item is limited to the budget allocated. BHC will prepare addenda and clarifications. Up to two (2) addenda/clarification documents are assumed. Up to two (2) BHC staff will attend and lead up to one (1) pre-bid meeting with contractors. BHC will prepare a bid tabulation; as well as review the apparent low bidder's bid documents, experience references, and prepare a recommendation letter for award.

13.7 Permitting Support Services. BHC anticipates that a Building Permit may be required for the existing maintenance building partial demolition. BHC will support the application process by providing stamped drawings and structural calculations.

Receivables:

- City building department review comments.
- City front-end specification documents, in Word format.
- Consolidated comments on the draft design submittal.
- Bidder Questions.

Deliverables:

- Meeting agenda and minutes, electronic deliverable.
- Draft and final design submittals each consisting of drawings, specifications, and OPCCs; electronic deliverable.
- Responses/clarifications to the City for bidder questions not requiring addenda; electronic deliverable.
- Addenda; electronic deliverable.
- Recommendation letter for award.

Assumptions:

- The current SEPA Determination, Critical Areas Checklist, and Shoreline Permits currently proceeding through the City's planning department will provide approval for the Stage 2 Prep – WWTP Demolition project activities and therefore no additional shoreline applications, cultural resources, biological assessments, or other regulatory review is required beyond the permitting support services scope indicated in Task 13.7.

- City will provide consolidated review comments within ten (10) working days of submittal(s).
- City will provide the City's standard front-end documents.
- City will prepare all permit applications, function as the point of contact, and be responsible for securing the permits. This includes coordination with the City building official on whether a building permit will be required for the partial demolition of the existing Maintenance Building.
- City will advertise the project, coordinate any legal notices provide bid documents to bidders and maintain plan holder list or utilize a plan center to provide these services.
- City will pay all costs including but not limited to permitting, advertising, and plan center fees.
- City will respond to bidder questions and distribute addenda/clarification documents prepared by BHC.
- Department of Ecology review will not be required; however, bid documents and notification of a process shutdown to perform the work will be provided.

Schedule:

BHC will undertake to complete the Scope of Work based on the milestones listed below, assuming notice-to-proceed is provided by early November 2024. This schedule is contingent on City and regulatory review durations that are outside of BHC control. This schedule will be equitably adjusted as the project progresses, allowing for changes in scope or for delay.

- Completion of the draft bid documents by end of December 2024
- Completion of the final bid documents by mid-February 2025.
- Advertise bid end of February 2025
- Award recommendation letter in April 2025.

Exhibit B - Project Budget

BHC Consultants

City of Lynden

WWTP Engineering Report (Project No. 2021-16) - Amendment No. 6

Task	Description	Principal in Charge		Project Manager/ Process Engineer		Structural Sr. Engineer		Project Engineer		Structural Engineer		Electrical Engineer		CAD/GIS		Clerical Support/Admin		BHC TOTAL LABOR	
		\$275		\$246		\$275		\$161		\$169		\$243		\$158		\$147			
		T. Giese		K. Gray		K. Dahl		B. Nazyab		M. Wildhood		N. Palmatier		G. Castillo		Fritchman/Coughlin			
		Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
1	Project Management																		
1.1	Amendment setup, accounting, and management system		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	1	\$ 147	1	\$ 147
1.2	Additional Client and Team Coordination		\$ -	8	\$ 1,968		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	8	\$ 1,968
1.3	Additional Monthly Invoicing and Budget Tracking		\$ -	2	\$ 492		\$ -		\$ -		\$ -		\$ -		\$ -	8	\$ 1,176	10	\$ 1,668
	Sub-Total	0	\$ -	10	\$ 2,460	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	9	\$ 1,323	19	\$ 3,783
5	Site Vistis and Meetings																		
5.3	Additional Meetings		\$ -	16	\$ 3,936		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	16	\$ 3,936
	Sub-Total	0	\$ -	16	\$ 3,936	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	16	\$ 3,936
8	Critical Areas Assessment and Permitting Services																		
8.1	Stage I Services		\$ -	8	\$ 1,968		\$ -	16	\$ 2,576		\$ -		\$ -		\$ -		\$ -	24	\$ 4,544
	Sub-Total	0	\$ -	8	\$ 1,968	0	\$ -	16	\$ 2,576	0	\$ -	0	\$ -	0	\$ -	0	\$ -	24	\$ 4,544
12	Funding Applications																		
12.1	CWSRF Funding Application, Continued Support		\$ -	36	\$ 8,856		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	36	\$ 8,856
	Sub-Total	0	\$ -	36	\$ 8,856	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	36	\$ 8,856
13	Stage 2 Prep - WWTP Demolition Design																		
13.1	WWTP Demolition Project Management and QA/QC	16	\$ 4,400	64	\$ 15,744		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	80	\$ 20,144
13.2	Meetings		\$ -	5	\$ 1,230		\$ -	5	\$ 805		\$ -		\$ -		\$ -		\$ -	10	\$ 2,035
13.3	Draft Plans and Specifications		\$ -	48	\$ 11,808	28	\$ 7,700	160	\$ 25,760	66	\$ 11,154	28	\$ 6,804	196	\$ 30,968	22	\$ 3,234	548	\$ 97,428
13.4	Final Plans and Specifications		\$ -	18	\$ 4,428	10	\$ 2,750	58	\$ 9,338	22	\$ 3,718	12	\$ 2,916	78	\$ 12,324	6	\$ 882	204	\$ 36,356
13.5	Opinion of Probable Construction Costs		\$ -	8	\$ 1,968		\$ -	20	\$ 3,220	4	\$ 676	1	\$ 243		\$ -		\$ -	33	\$ 6,107
13.6	Bid Period Services		\$ -	12	\$ 2,952	1	\$ 275	24	\$ 3,864	4	\$ 676	1	\$ 243		\$ -	2	\$ 294	44	\$ 8,304
13.7	Permitting		\$ -	2	\$ 492	4	\$ 1,100	12	\$ 1,932	16	\$ 2,704		\$ -		\$ -		\$ -	34	\$ 6,228
	Sub-Total	16	\$ 4,400	157	\$ 38,622	43	\$ 11,825	279	\$ 44,919	112	\$ 18,928	42	\$ 10,206	274	\$ 43,292	30	\$ 4,410	953	\$ 176,602
Total Direct Labor		16	\$ 4,400	227	\$ 55,842	43	\$ 11,825	295	\$ 47,495	112	\$ 18,928	42	\$ 10,206	274	\$ 43,292	39	\$ 5,733	1048	\$ 197,721
Other Direct Costs																			
None																			
BASE TOTAL																			
																		\$ 197,721	