



This instrument has been  
preaudited in the manner  
required by the Local  
Government Budget and  
Fiscal Control Act

\_\_\_\_\_  
Finance Officer

**AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN  
VHB ENGINEERING NC, P.C AND  
TOWN OF SOUTHERN SHORES, NORTH CAROLINA  
FOR  
GRANT APPLICATION ASSISTANCE  
BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC)**

**VHB CONTRACT NO. 85028.21**

**August 25, 2021**

This Contract includes details of the services to be performed, timing of the services, and compensation for the above-referenced project. This Contract is subject to the attached Terms and Conditions, which contain the general terms of the engagement between the Town of Southern Shores, North Carolina, hereinafter called the "Client," and VHB Engineering NC, P.C. (VHB).

**PART I**

**PROJECT DESCRIPTION**

NC 12 through the Town of Southern Shores and the Town of Duck experiences regular flooding from rainwater runoff. In 2006, VHB completed the *NC 12 Drainage Study* in cooperation with the Client, the Town of Duck, and NCDOT, to address potential solutions to flooding throughout the roadway corridor. Since that time, the Client has implemented some of the recommendations, but several areas have not been improved and remain subject to regular flooding. The Client now intends to pursue funding through the Building Resilient Infrastructure and Communities (BRIC) program to implement additional improvements identified in the 2006 report as a comprehensive corridor hazard mitigation project. The BRIC program is administered by the Federal Emergency Management Agency (FEMA) and coordinated through the North Carolina Hazard Mitigation Office.

This Contract details the Scope of Services, Schedule, and Compensation for VHB to assist the Client with development and submittal of a BRIC application. The application will require pre-design level of refinement of the initial concepts included in the 2006 report in order to develop construction cost estimates, address potential right-of-way impacts, address grading and drainage issues, and confirm environmental compliance and permitting requirements. However, the preliminary engineering, final design, construction documents, environmental compliance documents and permitting of the drainage projects will be accomplished by subsequent Contract Amendment pending the actual grant award.

**SCOPE OF SERVICES**

In order to assist the Client with the BRIC funding application, VHB will undertake the following scope of services:

**1.0 LETTER OF INTEREST**

To initiate the BRIC application process, the Client will need to submit to the North Carolina Hazard Mitigation a Letter of Interest (LOI) by October 1, 2021. VHB will provide the Client with a project description narrative, vicinity map, concept plans, construction cost estimate, benefit/cost assessment, and other supporting information for inclusion in the LOI to be completed by the Client and submitted by the Client on Town letterhead.

A state-level decision on the LOI will be made by October 15. Should the Town's project be included in the state-level effort moving forward, VHB will undertake the following tasks.



## **2.0 PRE-DESIGN PLANS**

Based on available Geographic Information Systems (GIS) data and the initial improvement concepts developed by VHB in the 2006 report, VHB will develop pre-design drawings to show improvements at the following locations (it should be noted that the Client has previously implemented the 2006 recommendations at East Dogwood Trail):

- Southern Shores Realty
  - Edge drain infiltration system with a drainage inlet that will allow for use of a portable pump
- Skyline Road
  - Infiltration swales adjacent to intersection
- Ocean Boulevard/Duck Road Split
  - Reconstruct the multi-use path and construct infiltration swales with drainage inlets and subsurface infiltration system (French drain system)
- Fourth Avenue
  - Construct swales within the NC 12 right-of-way
- Sea Oats Trail
  - Edge drain infiltration system

### **Right-of-way**

VHB will utilize available GIS parcel boundary data to identify likely needs for private property easements to accommodate the proposed improvements. Actual development of easement exhibits and plats will be accomplished as part of final design under a contract amendment pending award of grant funds.

### **Construction cost estimate**

Based on the pre-design plans, VHB will develop a preliminary opinion of probable construction cost. The primary purpose of the cost opinion will be for use in pursuing project funding. The opinion of cost to be developed by VHB will include individual estimates for each improvement location along with a total project cost encompassing all of the locations; this will form the basis for the requested BRIC funds.

## **3.0 BRIC APPLICATION**

The BRIC application uses an online application as part of the FEMA GO program. The Client will need to add VHB as a user in the Client's FEMA GO system. This will allow VHB to develop a BRIC application for approval and submittal by the Client to the state no later than November 24, 2021. Following this submittal, the State Hazard Mitigation Officer will review the submittal and offer comments prior to resubmittal no later than January 7, 2022. Based on state-level review and comment, this scope includes one round of revisions by VHB to the online BRIC application. VHB anticipates that the funding application will include the following elements:

- A revised project narrative describing the project history, elements, and anticipated benefits. The narrative will respond to the funding solicitation guidance and program goals.
- The pre-design plans and cost estimate developed during the previous task.
- A revised benefit/cost analysis using the benefit/cost tool included in the program guidance.
- Mapping and other support information previously provided as part of the LOI.
- Identification of likely environmental compliance and permitting requirements.

## **4.0 COORDINATION AND MEETINGS**

During development of the LOI and BRIC application, VHB will coordinate our efforts with the Client and the State Hazard Mitigation Officer. To review plan progress and solicit input in developing the funding application, VHB will conduct regular Teams meetings. Assuming a Notice to Proceed on September 7, 2021, this Agreement includes four coordination meetings prior to the November 24 submittal to the state, and one additional meeting prior to the January 7, 2022 final submittal.



**SCHEDULE**

VHB will begin the work included in this scope of service upon approval of this Agreement. Consistent with the BRIC funding program, VHB will complete the work in accordance with the following schedule milestones:

- Letter of Interest                      October 1, 2021
- BRIC application                        November 24, 2021
- Final application                        January 7, 2022

**SERVICES NOT INCLUDED**

The following services are not anticipated and, therefore, not included in this Agreement at this time:

- Topographic and boundary survey;
- Subsurface utility locating;
- Geotechnical investigations;
- Final plans for the proposed improvements;
- Permitting of the proposed improvements;
- ALTA survey;
- Traffic or safety data collection or studies;
- Field surveys of threatened and endangered species;
- Cultural resource surveys;
- National Environmental Policy Act (NEPA) documentation;
- Subsurface testing for hazardous materials;
- Variance, special use, or conditional use permit requests or rezoning assistance;
- Design of public or private utility relocations.

**COMPENSATION AND PAYMENT FOR VHB SERVICES**

**I. Fees and Reimbursable Expenses**

VHB will complete the Scope of Services described herein for the Lump Sum Fee of \$25,000, which includes labor costs and expenses such as: printing and reprographics; travel and subsistence; computer charges; telephone charges; shipping, postage, and courier service charges; purchase of maps and similar documents; etc. These direct expenses will be billed at cost.

**VHB Engineering NC, P.C., AUTHORIZATION**

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

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**CLIENT AUTHORIZATION**



The Town of Southern Shores, North Carolina, agrees with Part I, which includes the Scope of Services, Schedule, and Compensation, and Part II, which includes the Terms and Conditions of our Agreement. Together they constitute the entire Agreement between VHB Engineering NC, P.C., and the Town of Southern Shores.

**TOWN OF SOUTHERN SHORES, NORTH CAROLINA**

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

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_