Exhibit A

Contract No. 242211
CIP No. 7068

CITY OF WILSONVILLE
FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

Boeckman Creek Flow Mitigation Project

This First Amendment to Professional Services Agreement ("First Amendment") is effective the __ day of July 2024 ("Effective Date"), by and between the **City of Wilsonville**, a municipal corporation of the State of Oregon ("City"), and **Brown and Caldwell, Inc.**, a California corporation ("Consultant"), upon the terms and conditions set forth below.

RECITALS

WHEREAS, the City entered into a Professional Services Agreement ("Agreement") with Consultant on April 8, 2024, relating to what is referred to in the Agreement as the Ash Meadows Flow Mitigation Project, but which has since been renamed as the "Boeckman Creek Flow Mitigation Project" ("Project"); and

WHEREAS, the City requires additional services which Consultant is capable of providing, under terms and conditions hereinafter described ("Additional Services"); and

WHEREAS, Consultant represents that Consultant is qualified to perform the Additional Services described herein on the basis of specialized experience and technical expertise; and

WHEREAS, Consultant is prepared to provide such Additional Services as the City does hereinafter require;

NOW, THEREFORE, in consideration of these mutual promises and the terms and conditions set forth herein, the parties agree as follows:

AGREEMENT

The Agreement is amended as follows:

Section 1. Additional Services to be Provided

Consultant will perform the Additional Services for the Project, as more particularly described in **Exhibit A** attached hereto and incorporated by reference herein, pursuant to all original terms of the Agreement, except as modified herein.

Section 2. Compensation

The City agrees to pay Consultant on a time and materials basis, guaranteed not to exceed TWO HUNDRED EIGHTY-TWO THOUSAND NINE HUNDRED ELEVEN DOLLARS ($282,911.00), for performance of the Additional Services ("Additional Compensation Amount") which, when totaled with the Compensation Amount, equals a total not-to-exceed amount of ONE MILLION THREE HUNDRED SIXTY-TWO THOUSAND TWO HUNDRED SEVENTY-SEVEN DOLLARS ($1,362,277.00) for the performance of the Services and Additional Services ("Total Compensation Amount"). Consultant's estimate of time and materials is attached hereto as **Exhibit A** and incorporated herein by reference.

Section 3. All Other Terms

All of the other terms and conditions of the Agreement shall remain in full force and effect, as therein written. Unless otherwise defined herein, the defined terms of the Agreement shall apply to this First Amendment.

The Consultant and the City hereby agree to all provisions of this First Amendment.

CONSULTANT:	**CITY:**
BROWN AND CALDWELL, INC.	CITY OF WILSONVILLE
By:_____	By:_____
Print Name:_____	Print Name:_____
As Its:_____	As Its:_____
EIN/Tax I.D. No. _____	

APPROVED AS TO FORM:

_____
Stephanie Davidson, Assistant City Attorney
City of Wilsonville, Oregon

#242211
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Brown AND Caldwell

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PROJECT UNDERSTANDING

The purpose of the Ash Meadows flow mitigation project is to capture flows that are currently being diverted towards Boeckman Creek within the Ash Meadows basin corridor and reroute towards Coffee Creek. This project includes two Phases. Phase 1 represents the work that will need to be completed within the Ash Meadows tributary area to divert flows away from Boeckman Creek (Contract No. 242210, CIP No. 7068 executed on April 8, 2024). Phase 2 is proposed as a change order to Contract No. 242210, CIP No. 7068 executed on April 8, 2024, and includes the stream restoration and mass grading of the region below the Boeckman Road bridge on Boeckman Creek (bridge work completed by others) to provide flow restoration and fish passage to Boeckman Creek.

Project management activities including tracking project budgets, project invoicing, communication of project milestones, and virtual monthly meetings are included within the Phase 1, Task 1 Project Management scope and fee.

The Boeckman Creek restoration project extents is shown in Figure 1 using a blue line. This area is approximate and will be confirmed during Phase 2. Scope of services will be limited to the area indicated within the plans provided to BC by the City of Wilsonville titled: 20240319-DWG-BRCP-GMP3.1-IFC-Rev-3-StreamMitRmvl.pdf., the limits of this scope of services are defined as 250 LF upstream and 100 LF downstream of Boeckman Road with a width of 150 LF. The work anticipated within Phase 2 of this proposal includes:

- Repackaging of the BRCP GMP3.1 planset to reflect the future completion of the Boeckman Road bridge and roadway improvement project as the existing condition for the proposed scope of services associated with this Boeckman Creek restoration project.
- Updating the Boeckman Creek Hydrology and Hydraulic Model to reflect the proposed future flows associated with the Ash Meadows Flow Mitigation project (Phase 1 of this contract).
- Completing the stream restoration design of Boeckman Creek, which includes mass grading along the embankment adjacent to Boeckman Creek, and removal of the existing flow control structure.
- Providing permit and bid ready plans, specifications, and an engineers estimate to issue for construction.

This scope of services includes all anticipated services needed to gather required information to complete the designs and complete construction documents through 100% Plans, Specifications and Estimates (PSE) packages for Phase 2.

The Boeckman Creek Hydraulic Evaluation (dated January 31, 2022) is used as basis of design for both Phases; however, the Ash Meadows flow mitigation project will not provide full mitigation of flows resulting from the stream restoration and flow control structure removal at Boeckman Creek. Full mitigation of flows within Boeckman Creek is not a requirement of this project.

BC will use the following documents as a baseline for the Boeckman Creek restoration project:

- 20231215-DWG-BRCP-GMP3.1-IFC-Signed.pdf and associated AutoCAD Civil 3D files
- 20240318-DWG-BRCP-GMP3.1-IFC-Rev-3-StreamMitRmvl.pdf and associated AutoCAD Civil 3D files

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BC understands that the stream restoration design was updated to the 60 percent level, while all other design components were updated to the 90 percent or 100 percent level. Task 15 provides further detail.

Figure 1. *Project extents for Boeckman Creek stream restoration design and bidding services (Phase 2).*

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SCOPE OF SERVICES

PHASE 2: BOECKMAN CREEK RESTORATION

The work defined herein is specific to the Boeckman Creek restoration project. BC's subcontractors, Waterways Consulting, Inc., KPFF, Haley and Aldrich, Morgan Holden, and Greenworks will provide a seamless and efficient methodology for bringing these deliverables to completion. BC assumes we are not responsible for evaluating the downstream creek conditions associated with removal the flow control structure and that the proposed condition documented within the 20231215-DWG-BRCP-GMP3.1-IFC-Signed.pdf planset will be the existing condition for this scope of services and will be referred to as the new Boeckman Road bridge for the purposes of this scope.

The following design components are anticipated as a part of this scope of services:

- Excavation of remaining soils and culvert below the new Boeckman Road bridge.
- Grading of embankment slopes to extend from the proposed stream restoration design and the embankment slope resulting from the new Boeckman Road bridge construction.
- Stream restoration design below the bridge to be updated based on the final designs for the Ash Meadows diversion structure.
- Restoration of Boeckman Creek upstream and downstream of the bridge within the scope limits to re-establish fish passage and provide a wildlife corridor.

The following scope of services includes:

Task 15: Repackaging Boeckman Creek Restoration Sheets
Task 16: Geotechnical Services
Task 17: Arborist Services
Task 18: 90 pct Plans, Specifications, & Estimate
Task 19: Permit Support
Task 20: 100 pct Plans, Specifications, & Estimate
Task 21: BRCP As-Built Review
Task 22: Bidding Support
Project Schedule
Assumptions and Exclusions
Fee Proposal

TASK 15: REPACKAGE BOECKMAN CREEK RESTORATION SHEETS

The Boeckman Creek Restoration design was previously included in the larger Boeckman Road Corridor Project (BRCP). As requested by the City, BC will coordinate and oversee the repackaging of the improvements associated with the Boeckman Creek Restoration project as completed by BC and BC subconsultants. BC assumes the following tasks will be completed during the repackaging effort:

- Update title blocks.
- Rename sheet numbers and pages.
- Update basemaps to reflect completion of the new Boeckman Creek bridge work.

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- Update sheet notes, legends, key notes, key maps on each sheet to reflect completion of the new Boeckman Creek bridge work.

Sheets referenced in black below were provided to BC by the City of Wilsonville (20240319-DWG-BRCP-GMP3.1-IFC-Rev-3-StreamMitRmvl.pdf). Sheets referenced in red are identified as sheets that were not represented within the 20240319-DWG-BRCP-GMP3.1-IFC-Rev-3-StreamMitRmvl.pdf planset but were present in the 20231215-DWG-BRCP-GMP3.1-IFC-Signed.pdf planset and will need to be included as a part of the proposed Boeckman Creek restoration planset. All of the sheets shown in the list below (65 sheets) will be updated with new title blocks, sheet numbers, page numbers, basemaps will be updated, and key notes, key maps, and any other previous references to the 20231215-DWG-BRCP-GMP3.1-IFC-Signed.pdf will be scrubbed and/or re-referenced.

1. A01 Cover Sheet (BC with KPFF support)
2. A02 Sheet Index (BC with KPFF support)
3. A03 Abbreviations and Legend (BC with KPFF support)
4. A04 Construction Notes (BC with KPFF support)
5. AB01 Structure Tables, Notes, and Control Points (BC with KPFF support)
6. AB07 Existing Conditions Plan (KPFF)
7. AB08 Existing Conditions Plan (KPFF)
8. AB09 Existing Conditions Plan (KPFF)
9. AC01 Horizontal Control Plans (KPFF)
10. AE06 Demolition Plan (KPFF)
11. AE07 Demolition Plan (KPFF)
12. AE08 Demolition Plan (KPFF)
13. AF05 Tree Protection and Removal Plan (Greenworks)
14. AF18 Existing Tree Inventory (Greenworks)
15. AF19 Tree Protection Details and Notes (Greenworks)
16. BB01 Details – Earthwork and Excavation (KPFF)
17. BE06 Drainage Details (KPFF)
18. BE12 Drainage Details (KPFF)
19. BG01 Maintenance Road Site Sections (KPFF)
20. BG02 Maintenance Road Site Sections (KPFF)
21. BG03 Creek Channel Site Sections (KPFF)
22. BG04 Creek Channel Site Sections (KPFF)
23. C07 Construction Plan – Maintenance Road and Regional Trail (KPFF)
    a. Sheet will also include minor edits to work under the bridge.
24. C07D Grading Plan (KPFF)
25. C08 Construction Plan – Maintenance Road and Regional Trail (KPFF)
    a. Sheet will also include minor edits to work under the bridge.
26. C08D Grading Plan (KPFF)
27. FA05 Irrigation Plan (Greenworks)
28. FA06 Irrigation Plan (Greenworks)
29. FA07 Irrigation Plan (Greenworks)
30. FA08 Irrigation Plan (Greenworks)
31. FA05A Planting Plan (Greenworks)
32. FA06A Planting Plan (Greenworks)
33. FA07A Planting Plan (Greenworks)
34. FA08A Planting Plan (GW Greenworks
35. FA16A Planting Legends and Notes (Greenworks)
36. FA17A Planting Legends and Notes (Greenworks)

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37. FA05B Materials Plan (Greenworks)
38. FA06B Materials Plan (Greenworks)
39. FA08B Materials Plan (Greenworks)
40. FB01 Erosion and Sediment Control Cover Sheet (KPFF)
41. FB02 Erosion and Sediment Control General Notes (KPFF)
42. FB04 ESC Plan – Existing Conditions and Tree Removal (KPFF)
43. FBXX ESC Plan – Sediment Control Measures – East Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
44. FBXX ESC Plan – Sediment Control Measures – West Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
45. FB08 ESC Plan – Demolition, Clearing, and Grading (KPFF)
46. FB11 ESC Plan – Demolition, Clearing, and Grading (KPFF)
47. FB12 ESC Plan – Demolition, Clearing, and Grading (KPFF)
48. FB14 ESC Plan – Street and Utility Construction (KPFF)
49. FB17 ESC Plan – Street and Utility Construction (KPFF)
50. FB18 ESC Plan – Street and Utility Construction (KPFF)
51. FB20 ESC Plan – Final Stabilization (KPFF)
52. FB23 ESC Plan – Final Stabilization (KPFF)
53. FB24 ESC Plan – Final Stabilization (KPFF)
54. FBXX ESC Plan – Final Stabilization – East Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
55. FBXX ESC Plan – Final Stabilization – West Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
56. FB25 Erosion and Sediment Control Details (KPFF)
57. FB26 Erosion and Sediment Control Details (KPFF)
58. HF001 Creek Plan (Waterways)
59. HF002 Creek Profile and Sections (Waterways)
60. HF003 Creek Sections (Waterways)
61. HF004 Log Structure Details (Waterways)
62. HF005 Creek Details (Waterways)
63. HF006 Stormwater Ditch Details (Waterways)
64. HF007 Temporary Water Management and Erosion Control Plan (Waterways)
65. HF008 Notes (Waterways)

The following sheets were provided within the 20240319-DWG-BRCP-GMP3.1-IFC-Rev-3-StreamMitRmvl.pdf but are not required for the Phase 2 Boeckman Creek Restoration planset. Information within these sheets will either be included within the sheets listed above, or can be provided as an amendment to the future bid package, but will not require updating or inclusion within the Boeckman Creek Restoration planset:

1. BA10 Typical Sections
2. BE07 Drainage Details
3. C05 Construction Plan
4. C05A Utility Plan
5. C05B Profile – Street and Storm
6. C05C Profile – Water and Sewer
7. C06 Construction Plan - Boeckman Road
8. C06A Utility Plan – Boeckman Road
9. C06B Profile – Street and Storm
10. C06C Profile – Water and Sewer

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11. C07A Utility Plan – Maintenance Road and Regional Trail
12. C07B Profile – Street and Storm
13. C08A Utility Plan – Maintenance Road and Regional Trail
14. J001 Plan and Elevation
15. J002 General Notes
16. J101 Foundation Plan
17. J111 Bent 1 Elevations
18. J121 Bent 2 Elevations
19. J122 Intermediate Bent Details
20. J131 Bent 3 Elevations

Subtask 15.1: Repackaging of Stream Restoration Sheets (BC)

As the quality control manager and sheet set developer, BC will complete the repackaging tasks associated with the sheets as identified above. Quality control over BC's contributing subconsultants will be coordinated and overseen for the duration of this task.

1. A01 Cover Sheet (BC with KPFF support)
2. A02 Sheet Index (BC with KPFF support)
3. A03 Abbreviations and Legend (BC with KPFF support)
4. A04 Construction Notes (BC with KPFF support)
5. AB01 Structure Tables, Notes, and Control Points (BC with KPFF support)

Subtask 15.2: Repackaging of Mass Grading Sheets (KPFF)

KPFF will complete the repackaging tasks for a total of 36 sheets (as noted below). Additionally, KPFF will provide all CAD sheets, xrefs, and data required to each of BC's subconsultants to complete the work required. KPFF is responsible for creating a new basemap file to reflect the conditions associated with the completion of the new Boeckman Creek bridge.

1. AB07 Existing Conditions Plan (KPFF)
2. AB08 Existing Conditions Plan (KPFF)
3. AB09 Existing Conditions Plan (KPFF)
4. AC01 Horizontal Control Plans (KPFF)
5. AE06 Demolition Plan (KPFF)
6. AE07 Demolition Plan (KPFF)
7. AE08 Demolition Plan (KPFF)
8. BB01 Details – Earthwork and Excavation (KPFF)
9. BE06 Drainage Details (KPFF)
10. BE12 Drainage Details (KPFF)
11. BG01 Maintenance Road Site Sections (KPFF)
12. BG02 Maintenance Road Site Sections (KPFF)
13. BG03 Creek Channel Site Sections (KPFF)
14. BG04 Creek Channel Site Sections (KPFF)
15. C07 Construction Plan – Maintenance Road and Regional Trail (KPFF)
    a. Sheet will also include minor edits to work under the bridge.
16. C07D Grading Plan (KPFF)
17. C08 Construction Plan – Maintenance Road and Regional Trail (KPFF)

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   a. Sheet will also include minor edits to work under the bridge.
18. C08D Grading Plan (KPFF)
19. FB01 Erosion and Sediment Control Cover Sheet (KPFF)
20. FB02 Erosion and Sediment Control General Notes (KPFF)
21. FB04 ESC Plan – Existing Conditions and Tree Removal (KPFF)
22. FBXX ESC Plan – Sediment Control Measures – East Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
23. FBXX ESC Plan – Sediment Control Measures – West Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
24. FB08 ESC Plan – Demolition, Clearing, and Grading (KPFF)
25. FB11 ESC Plan – Demolition, Clearing, and Grading (KPFF)
26. FB12 ESC Plan – Demolition, Clearing, and Grading (KPFF)
27. FB14 ESC Plan – Street and Utility Construction (KPFF)
28. FB17 ESC Plan – Street and Utility Construction (KPFF)
29. FB18 ESC Plan – Street and Utility Construction (KPFF)
30. FB20 ESC Plan – Final Stabilization (KPFF)
31. FB23 ESC Plan – Final Stabilization (KPFF)
32. FB24 ESC Plan – Final Stabilization (KPFF)
33. FBXX ESC Plan – Final Stabilization – East Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
34. FBXX ESC Plan – Final Stabilization – West Boeckman Road (KPFF)
    a. For any proposed ESC measures at inlets on Boeckman Road
35. FB25 Erosion and Sediment Control Details (KPFF)
36. FB26 Erosion and Sediment Control Details (KPFF)

Subtask 15.3: Boeckman Creek Design and Modeling (Waterways)

Waterways will complete the repackaging tasks for a total of 8 sheets (as noted below).

1. HF001 Creek Plan (Waterways)
2. HF002 Creek Profile and Sections (Waterways)
3. HF003 Creek Sections (Waterways)
4. HF004 Log Structure Details (Waterways)
5. HF005 Creek Details (Waterways)
6. HF006 Stormwater Ditch Details (Waterways)
7. HF007 Temporary Water Management and Erosion Control Plan (Waterways)
8. HF008 Notes (Waterways)

Additionally, we assume these sheets were designed to a 60 percent level and in order to move into Task 18, Waterways will take the existing 2D hydraulic model developed by them and update the model to reflect any changes in flow resulting from the Ash Meadows flow mitigation project (Phase 1) and will prepare a final, 2D hydraulic model that reflects the final grading plan and approved ODFW fish passage plan. BC proposes simulating the 2-yr, 10-yr, 25-yr, and 100-yr 24-hr storm events (NOAA Atlas 14, SCS Type IA) to observe the behavior within the creek. A final 100-year, 24 hour water surface will be developed and included on the final engineering drawings. Model extents are limited to the Phase 2 scope as defined herein.

Subtask 15.4: Repackaging of Landscaping Sheets (Greenworks)

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Greenworks will complete the repackaging tasks for a total of 16 sheets (as noted below).

1. AF05 Tree Protection and Removal Plan (Greenworks)
2. AF18 Existing Tree Inventory (Greenworks)
3. AF19 Tree Protection Details and Notes (Greenworks)
4. FA05 Irrigation Plan (Greenworks)
5. FA06 Irrigation Plan (Greenworks)
6. FA07 Irrigation Plan (Greenworks)
7. FA08 Irrigation Plan (Greenworks)
8. FA05A Planting Plan (Greenworks)
9. FA06A Planting Plan (Greenworks)
10. FA07A Planting Plan (Greenworks)
11. FA08A Planting Plan (GW Greenworks
12. FA16A Planting Legends and Notes (Greenworks)
13. FA17A Planting Legends and Notes (Greenworks)
14. FA05B Materials Plan (Greenworks)
15. FA06B Materials Plan (Greenworks)
16. FA08B Materials Plan (Greenworks)

Task 15 Deliverables:

- Hydraulic modeling files.
- The updated sheet set and basemap will be used to develop the 90 percent package in Task 18.

Task 15 Assumptions:

- Viewports will remain the same as a result of the update process to limit re-work.
- Conditions currently being constructed as a part of the Boeckman Road improvements package will not change significantly. See Task 21 for BRCP As-Built Review services.
- BC will be provided the full CAD files, xrefs, and associated data required to develop the Boeckman Creek Stream Restoration construction plans.

TASK 16: GEOTECHNICAL SERVICES

BC's subconsultant, Haley & Aldrich, will provide geotechnical management and support services for the design of Boeckman Creek stream channel improvements. The geotechnical-related aspects of this portion of the project include:

- Review of the geotechnical report prepared for the creek crossing design to evaluate subsurface soil and groundwater conditions.
- Evaluation of stability of embankment resulting from the new Boeckman Road bridge and the proposed Boeckman Creek restoration design plans and specifications.
- Update, if needed, design recommendations for stormwater structures.
- Update, if needed, earthwork recommendations and guidelines.
- Preparation of report addendum based on updates, if needed.
- Review of 100% plans and specifications.

Task 16 Deliverables:

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- No deliverables. Report addendum will be provided if required. Recommendations will be incorporated into Tasks 18, 19, 20, and 21 deliverables.

Task 16 Assumptions:

- No additional subsurface exploration or laboratory testing will be required as part of this work.
- Provide project management, administrative, and support services up to 16 hours.
- Bidding support will be provided by Haley & Aldrich under Task 22.

TASK 17: ARBORIST SERVICES

BC's arborist, Morgan Holen & Associates, LLC will provide up to 20 hours of on-call services to support and assist the design team with review of site plans and tree protection recommendations. The scope includes up to one (1) on-site meeting from Morgan Holen of up to 3 hours.

Task 17 Deliverables:

- No deliverables. Recommendations will be incorporated into Tasks 18 and 20 deliverables.

Task 17 Assumptions:

- The project is exempt from a tree removal permit per WDC Section 4.6000.40(.01)(C).
- No written arborist report is required.
- This scope of services does not include an individual tree assessment or inventory data.

TASK 18: 90 PCT PLANS, SPECIFICATIONS, & ESTIMATE

This task includes the preparation of the 90 percent level civil construction plans, specifications, and Class II engineering cost estimate for the Boeckman Creek stream restoration, mass grading, and removal of the flow control structure (FCS). BC will coordinate with subconsultants to complete the following tasks:

- Develop construction plans, specifications, special provisions, and Class II engineering estimate (PSE) to the 90% design level.
- Perform internal QC review of the 90% PSE documents.
- Conduct one (1) in-person design review meeting to discuss the proposed 90% documents.

Subtask 18.1: Quality Control Oversight and PSE Development (BC)

BC will provide quality control management, sheet set development, compile specifications, and complete the final engineering estimate package for the 90% design. Quality control over BC's contributing subconsultants will be coordinated and overseen for the duration of this task. BC will coordinate and conduct one (1) in-person design review meeting with the City to discuss the proposed 90% documents (assumes up to 2 hours for 3 BC staff: Project Manager, Design Manager, Engineer).

BC will provide technical specifications for the 90% submittal. BC assumes ODOT 2018 Specifications will be used. Where the 90% PSE design is not represented by the ODT 2018 specifications, BC will prepare special provisions using the City's template to represent any deviations from the ODOT 2018 specifications. Full specifications will be compiled at the 90%

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submittal stage for review. The Bid Booklet, the Front End (Instructions to Bidders, General Terms and Conditions, Special Conditions, Forms of Agreement) and Division 1 – General Requirements are assumed to be provided by the City and will be included with the front end specifications. A digital copy of the documents listed above prepared by BC will be provided in PDF, Microsoft Word and Excel formats.

BC will prepare an engineer's estimate for the proposed design at 90% (Class II) level. Estimates will be completed in accordance with the Association for the Advancement of Cost Engineering (AACE) International Recommended Practice 18R-97. The opinion of probable costs will be based on historical bid tabs for similar projects. The City will provide bid tabs for past projects to be used as a basis.

Subtask 18.2: ESC & Mass Grading PSE Development (KPFF)

This task will be based on the design and plans included in the BRCP GMP 3.1 IFC Construction Documents (dated December 2023). Plans will include demolition, grading, drainage improvements, and erosion control measures below the bridge and down to the edge of the proposed Boeckman Creek 60-foot-wide-floodplain. KPFF will provide technical specifications using the ODOT 2018 standard specifications. A cost estimate with quantities and unit costs will be provided for the work represented on the sheets developed by KPFF (as defined in Task 15).

Subtask 18.3: Stream Restoration Design and PSE Development (Waterways)

BC's modeling subconsultant, Waterways Consulting, Inc. will provide stream restoration design services, documentation to support permitting for Boeckman Creek, and provide 90% plan development, specifications, and quantity take-offs to support cost estimate development. Waterways will address grading, site stabilization, and storm drainage elements within the floodplain and channel areas of the design.

Subtask 18.4: Irrigation and Planting Plan PSE Development (Greenworks)

Greenworks will provide the services necessary to design and prepare documentation of restoration planting areas, develop a design-build specification for the temporary irrigation system servicing proposed restoration plantings beyond the Boeckman Road bridge span limits and a permanent irrigation system for the restoration plantings directly under the Boeckman Road bridge span.

Greenworks will provide the necessary services to design and prepare a draft set of 90% contract documents to include specifications and quantity take-offs to support cost estimate development. Plans will include tree protection and preservation data, all proposed restoration planting communities, plant locations, and quantities, refinements to the design-build irrigation specification and design of the permanent irrigation system.

Task 18 Deliverables:

- **90% submission:** plans (PDF), specifications (Word, PDF), Class II estimate (Excel)

Task 18 Assumptions:

- All submissions are digital using PDF or Microsoft programs.
- One (1) in-person review meeting with the City will be provided.
- One (1) submission will be provided to the City for review.
- BC will respond to one (1) set of compiled comments provided by the City. Responses to the comments will be incorporated into the 100% deliverables in Task 20.

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- No BODR will be provided.
- No street restoration will be required.
- Reference specifications will be provided by the City to be used in contract and bid document preparation.
- ODOT 2018 Standard Specifications will be used. Any deviance from these specifications will be included in special provisions.
- Front End and Division 1 of the specifications will be provided by the City and updated as appropriate.
- Lane closures and traffic control plans will not be required for the stream restoration and excavation off-haul.
- The City will provide bid tabs for past projects to be used as a basis. Electronic databases published by R.S. Means and Rental Rate Blue Book for Construction Equipment (Blue Book) will be used.
- Traffic management plans will not be provided.
- Coordination with City utilities will be completed by the City.

TASK 19: PERMIT SUPPORT

BC, KPFF, and Waterways will provide permit support for the Boeckman Creek Stream restoration project. Supporting calculations for the permit submission will be provided. Additionally, comment responses will be provided along with supplemental information as required.

Subtask 19.1 Permit Support (BC)

BC will coordinate and provide quality oversight of the permit support task. BC will compile provide one (1) comment response to the permitting agencies. BC will prepare up to two (2) figures to support the permit submission.

Subtask 19.2 Permit Support (KPFF)

If required and authorized as contingency, KPFF will prepare RUSLE calculations for the Oregon DEQ 1200 CA permit application (assumes 4 hours). Additionally, KPFF will respond to the City and DEQ review comments pertaining to the first submittal.

Subtask 19.3 Permit Support (Waterways)

Waterways will support the regulatory permit process with specific focus on generating final cut and fill quantities within jurisdictional areas per agency requirements. Waterways will also coordinate with ODFW to receive an approved fish passage permit which may include preparation of additional graphics and results from the 2D hydraulic model to ensure that the proposed fish passage channel design meets state and federal fish passage guidelines.

Task 19 Deliverables:

- DEQ 1200 CA Permit Application Support (including RUSLE calculations)
- Response to City and DEQ review comments

Task 19 Assumptions:

- The permit application and submission will be completed under Contract No. 242210, CIP No. 7068 executed on April 8, 2024.

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TASK 20: 100 PCT PLANS, SPECIFICATIONS, & ESTIMATE

This task includes the preparation of the 100% Issued for Construction (IFC) civil construction plans, specifications, and Class I engineering estimate for the Boeckman Creek stream restoration, mass grading, and removal of the flow control structure (FCS). BC will coordinate with subconsultants to complete the following tasks:

- Develop construction plans, specifications, special provisions, and Class I engineering estimate (PSE) to the 100% design level.
- Perform internal QC review of the 100% PSE documents.
- Conduct and attend one (1) virtual design review meeting to discuss the 100% PSE documents.

This task assumes the preparation of the 100% DRAFT plans reflecting update of special provisions and incorporating comments from the 90% review. No significant changes to the PSE documents will be completed after the DRAFT 100% documents are submitted, but BC will incorporate minor adjustments or corrections and submit 100% final (hereto referred to as 100% IFC documents) that are signed and sealed.

Subtask 20.1: Quality Control Oversight (BC)

BC will perform quality control oversight and review all plans, specifications, and cost estimates developed by subconsultants as defined in each subtask below. As the quality control manager and sheet set developer, BC will complete the tasks associated with the sheets as identified under Task 1. Quality control over BC's contributing subconsultants will be coordinated and overseen for the duration of this task.

BC will provide updates to the technical specifications as developed in Task 18 for the 100% submittal. Comments provided under Task 18 will be incorporated into the deliverable for Task 20. A digital copy of the documents listed above prepared by BC will be provided in PDF, Microsoft Word and Excel formats.

BC will update the 90% engineer's estimate to reflect the proposed design at 100% (Class I) level. Estimates will be completed in accordance with the Association for the Advancement of Cost Engineering (AACE) International Recommended Practice 18R-97. The opinion of probable costs will be based on historical bid tabs for similar projects. The City will provide bid tabs for past projects to be used as a basis.

Subtask 20.2: ESC & Mass Grading PSE Development (KPFF)

This task includes the preparation of the 100% draft plans, updating special provisions, and addressing and incorporating comments from the 90% review. No significant changes to the PSE documents will be completed after the 100% documents are submitted, but BC will incorporate minor adjustments or corrections and submit 100% final (hereto referred to as 100% IFC documents) that are signed and sealed. Updated quantity takeoffs and Class I cost estimate for the KPFF design items will be included.

Subtask 20.3: Stream Restoration Design and PSE Development (Waterways)

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Waterways will develop 100% drawings for the Boeckman Creek stream restoration. Waterways will address grading, site stabilization, and storm drainage elements with the floodplain and channel areas of the design.

Subtask 20.4: Irrigation and Planting Plan PSE Development (Greenworks)

Waterways will develop 100% drawings for the Boeckman Creek stream restoration. Waterways will address grading, site stabilization, and storm drainage elements with the floodplain and channel areas of the design.

Task 20 Deliverables:

- Written response to 90% PSE comments.
- **100% submission:** plans (PDF), specifications (Word), Class I estimate (Excel)

Task 20 Assumptions:

- Lane closures and traffic control plans will not be required for the stream restoration and excavation off-haul.
- All submissions are digital using PDF or Microsoft programs.
- One (1) virtual review meeting with the City will be provided.
- BC will respond to one (1) set of compiled comments provided by the City. Responses to the comments will be incorporated into the 100% deliverables as final issued for construction documents.
- No BODR will be provided.
- No street restoration will be required.
- Reference specifications will be provided by the City to be used in contract and bid document preparation.
- ODOT 2018 Standard Specifications will be used. Any deviance from these specifications will be included in special provisions.
- Front End and Division 1 of the specifications will be provided by the City and updated as appropriate. It is assumed that these will be used for both Phase I and Phase II technical specifications as one complete bid package.
- Traffic management plans will not be provided.
- Coordination with City utilities will be completed by the City.

TASK 21: BRCP AS-BUILT REVIEW

BC, KPFF, and Waterways will review the BRCP as-built drawings related to the Boeckman Creek area to confirm as-built conditions are consistent with the BRCP GMP3.1 IFC drawings. If necessary, BC and subconsultants will revise the 100% drawings to accommodate minor discrepancies. If any major discrepancies are identified, BC will prepare a scope and fee and submit to the City for approval. BC assumes any additional effort would use the approved contingency.

Subtask 21.1 BRCP As-Built Review (BC)

BC will coordinate and provide quality oversight of the BRCP as-built review task. BC will coordinate, oversee, and compile review comments from KPFF and Waterways.

Subtask 21.2 BRCP As-Built Review (KPFF)

KPFF will review the BRCP as-built drawings related to the Boeckman Creek area to confirm as-built conditions are consistent with the BRCP GMP3.1 IFC drawings. KPFF will provide a summary of

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findings to be compiled into a brief memo. If necessary, KPFF will revise the basemap to accommodate minor discrepancies.

Subtask 21.3 BRCP As-Built Review (Waterways)

Waterways will review the BRCP as-built drawings related to the Boeckman Creek area to confirm as-built conditions are consistent with the BRCP GMP3.1 IFC drawings. Waterways will provide a summary of findings to be compiled into a brief memo.

Task 21 Deliverables:

- Email summarizing the findings of the as-built review.
- Revised basemap to address minor discrepancies to be incorporated into the 100% plans, if necessary.

Task 21 Assumptions:

- This task will be limited to the as-built sheets noted in Task 1 and assumes 12 hours for KPFF and Waterways and 24 hours for BC to review of the as-built drawings and documentation of findings and plan adjustments.
- The BRCP as-built drawings will be available a minimum 2 weeks prior to the 100% submittal.
- Survey of as-constructed conditions is not included, as well as updates to the 100% plan outside of the allocated hours.

TASK 22: BIDDING SUPPORT

BC will provide bidding support services to assist the City to support the overall project schedule. This will include the following services, culminating in the selection of a single Prime Contractor for the construction of the project.

Subtask 22.1 Bidding Support Services (BC)

Pre-Bid Conference Support: BC will assist the City in planning and conducting one pre-bid conference. BC will assist the City in drafting the pre-bid conference agenda and content and generate meeting minutes to document the results of the pre-bid conferences. BC will record the questions and requests for additional information, and coordinate with the City for developing responses and additional information.

Information Request Support and Addenda Development: Using the City's chosen Bidding software, BC will respond to up to five (5) bidders' technical questions and requests for additional information. This may include providing technical interpretation of the Bid Documents. BC will provide responses to technical questions for inclusion in addenda; up to two (2) Addenda are included in the cost proposal. The addenda will be prepared and distributed by the City. BC will not respond to any questions received directly from Bidders. Per the instructions to bidders to be included in the bid documents, these questions will be referred to the City.

In general, the following procedures should be followed when altering portions of the Bid Documents by addenda:

- Revisions to drawings may be made via text in the body of the agenda, or a revised drawing may be issued, depending on the nature and extent of the revision. If the drawing is reissued, a revision cloud shall be placed around the changes. A triangle, with corresponding

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T: 503.244.7005

addendum number inside, shall be placed next to the change, and BC shall include a corresponding annotation in the designated border area.

- For all other documents, revisions may be made via text in the body of the addendum, or the item can be reissued, whichever provides more clarity. If an item is reissued it shall use a red-line method to indicate where changes are made and should be noted to indicate Addendum number and date.

Bid Evaluation & Recommendation: BC will assist the City with review and evaluation of all bids received for the project. This will include verification of the financial and performance history documentation submitted by the lowest responsive, responsible bidder and second lowest responsive, responsible bidder. After this review and verification process, BC will prepare a letter of bid review and evaluation and include recommendation for award of the contract for construction or other action as may be appropriate. The City will make the final acceptance or rejection of all bids, contractor selection, and award of the contract.

Subtask 22.2 Bidding Support Services (KPFF)

Bidding support services for KPFF includes both Ash Meadows design and Boeckman Creek Mass grading design work. During the bidding process, Plan Holders may ask clarifying questions and/or identify areas within the bid documents that need to be amended. It is assumed that a pre-bid meeting with prospective Construction Consultants (CCs) will not be required. KPFF will provide written responses to questions from CCs and will amend bid documents to support BC.

Subtask 22.3 Bidding Support Services (Waterways)

Waterways will support BC and will provide subcontractor bidders with written and/or digital clarifications through the bidding process.

Subtask 22.4 Bidding Support Services (Greenworks)

Greenworks will support BC and will provide subcontractor bidders with written and/or digital clarifications through the bidding process.

Subtask 22.5 Bidding Support Services (Haley and Aldrich)

Haley and Aldrich will support BC and will provide subcontractor bidders with written and/or digital clarifications through the bidding process.

Task 22 Deliverables:

- Pre-bid agenda, presentation, and meeting minutes.
- Assist with responses to up to 5 bidder questions.
- Prepare up to 2 addenda.
- Letter of bid review and evaluation.

Task 22 Assumptions:

- City will provide access to the chosen Bidding software.
- The City will provide responses directly to bidders.

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PROJECT SCHEDULE

A detailed project schedule will be provided within 10 days of Notice to Proceed. The overall project schedule is assumed to have a Notice to Proceed by August 6, 2024 and an end date no later than December 31, 2025.

ASSUMPTIONS AND EXLUSIONS

The scope and budget for this project were developed based on the following conditions and assumptions in addition to assumptions found within each task:

1. The City agrees to:
   a) Provide full information as required for the Project.
   b) Meet with BC representatives as needed, provide interim reviews on an agreed-upon schedule, make timely decisions regarding design details and project alternatives, and generally participate in the Project to the extent necessary to allow BC to perform the Services within the schedule proposed. The City will meet with BC representatives in workshop settings to make final decisions on plans and specifications. The necessary City Staff will be available to meet with BC at meetings to allow final decision making.
   c) Provide permit and review fees or obtain other approvals that may be required directly to the appropriate City, county, state, or federal agencies.
   d) Conduct logistical arrangements and notification of participants for the Public Information Meeting described under Task 1. For the Public Information Meeting, BC will review and provide comment on materials prepared by the City and provide graphics that are already developed as part of the scope of services.
   e) Notify and arrange for homeowner permission for needs on private property.
   f) The City is responsible for all reproduction costs related to the drawings and specification documents for the contractor bidding process or construction beyond those identified in this scope of services.
2. Design drawings will be completed in AutoCAD Civil 3D 2018 or newer.
3. Any efforts to obtain any additional easements, temporary or permanent, required to complete this project are not included.
4. The City will provide Front End and Division 1 Specification consisting of the Bidding Requirements, Contract Forms, and Contractual Terms.
5. BC CADD Standards will be used for the contract drawings, and technical specifications will be in ODOT format. City details and specification will be incorporated where necessary/appropriate.
6. Permit Fees are not included in this proposal.
7. The scope and budget assume navigable water courses do not exist in the project area.
8. Cut/fill of material will not be balanced on-site. The excess excavated soil will be the responsibility of the contractor and disposed of off-site. This scope of services does not include design or permitting of any soil disposal site(s).
9. Property boundary survey work (CSM) is not included.
10. Energy Dissipation can be provided using riprap / rock at outlets.
11. The budget assumes all work in this scope of services will be completed by December 31, 2025.
12. Information and data provided by the City is deemed to be accurate and complete for the purposes of this project.
13. For all subsurface investigations, the actual characteristics may vary significantly between test points, sample intervals and at locations other than where observations, exploration, and

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T: 503.244.7005

investigations are made. Because of the inherent uncertainties in subsurface investigations and evaluations, changed or unanticipated subsurface conditions may occur that could affect project cost and/or execution. These conditions and the effects on cost and execution of the project are not the responsibility of BC.

14. BC and its subcontractors have no liability associated with any hazardous materials or wastes encountered on or near the project site. BC shall at no time take title, risk of loss, or ownership of the hazardous materials or wastes. BC assumes no risk and/or liability for hazardous materials encountered while performing any services associated with such hazardous waste.
15. Existing utility information will be based on available record drawings and survey of surface features.
16. Easement survey and Subsurface Utility Engineering services (SUE) are not included in this scope of services.
17. All submittals will be electronic, no hard copies will be provided for deliverables.
18. The intent of designing the Boeckman Creek site is to restore the creek to a natural condition by removing the flow control structure and excavate the grade below the existing bridge and restoring the stream channel to it's natural condition. It is important to recognize that the accuracy of the model results and design to be provided by Waterways are a function of the existing model accuracy and the accuracy of available information used to develop model proposed conditions and design. Model results should not be used to establish official flood elevations, flood insurance, or development requirements (e.g. structure finished floor elevation).
19. The model updates will not address any potential downstream impacts past the project extents.
20. The scope of services includes consideration of the 100yr 24hr storm event to evaluate existing flooding and design of improvements. Storm events of greater depth or intensity will likely occur, resulting in additional flooding extents and depths in the future.
21. No additional survey will be required as a part of this effort.
22. BC will not review or modify the information or model provided by the City for updates, changes, or correctness. Model input data will be modified to the extent and to the level of detail feasible with information provided and collected per the scope of services, and within the allocated project hours.
23. City will review and provide comments on model input and results.
24. Permanent irrigation will be incorporated into the project to ensure plantings under the Boeckman Road bridge receive sufficient long-term watering for establishment and survival.
25. On-going maintenance will be required by the City after construction and the warranty period to prevent establishment of weeds in restoration planting areas.

FEE PROPOSAL

Exhibit A

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Task	Task Description	Total Labor Hours	Total Labor Effort	Total ODCs	Total Sub Cost	Total Expense Cost	Total Expense Effort	Total Effort
015	**Boeckman Repackage Stream Restoration Sheets**	**80**	**15,494**	**0**	**27,337**	**27,337**	**28,704**	**44,198**
001	Repackage Stream Restoration Sheets, Subcontractor Submittal Review & Coordination	80	15,494	0	0	0	0	15,494
002	Subcontractors	0	0	0	27,337	27,337	28,704	28,704
016	**Geotechnical Services**	**0**	**0**	**0**	**18,499**	**18,499**	**19,424**	**19,424**
017	**Arborist Services**	**0**	**0**	**0**	**4,076**	**4,076**	**4,280**	**4,280**
018	**90 Percent Plans, Specifications, and Estimate**	**124**	**24,890**	**0**	**27,667**	**27,667**	**29,050**	**53,940**
001	90% Plan Development, Specs, Subcontractor Submittal Review & Coordination	94	18,928	0	0	0	0	18,928
002	90% Cost Estimate	30	5,962	0	0	0	0	5,962
003	Subcontractors	0	0	0	27,667	27,667	29,050	29,050
019	**Permit Support**	**34**	**7,871**	**0**	**10,970**	**10,970**	**11,519**	**19,389**
001	Respond to Comments	34	7,871	0	0	0	0	7,871
002	Subcontractors	0	0	0	10,970	10,970	11,519	11,519
020	**100% Plans, Specs and Estimate - Boeck**	**96**	**21,170**	**0**	**34,799**	**34,799**	**36,539**	**57,709**
001	100% Plan Development, Specs, Subcontractor Submittal Review & Coordination	78	17,354	0	0	0	0	17,354
002	100% Cost Estimate	18	3,816	0	0	0	0	3,816
003	Subcontractors	0	0	0	34,799	34,799	36,539	36,539
021	**BRCP As-Built Review**	**24**	**5,544**	**0**	**5,270**	**5,270**	**5,534**	**11,078**
001	BRCP As-Built Review, Subcontractor Submittal Review & Coordination	24	5,544	0	0	0	0	5,544
002	Subcontractors	0	0	0	5,270	5,270	5,534	5,534
022	**Bidding Support - Boeckman**	**52**	**10,931**	**0**	**18,379**	**18,379**	**19,298**	**30,228**
001	Pre-Bid Meeting	16	3,518	0	0	0	0	3,518
002	Addenda	26	4,967	0	0	0	0	4,967
003	Bid Evaluation & Recommendation	10	2,447	0	0	0	0	2,447
004	Subcontractors	0	0	0	18,379	18,379	19,298	19,298
025	**Contingency and Expenses - Boeckman**	**0**	**0**	**39,059**	**3,434**	**42,493**	**42,665**	**42,665**
001	Expenses	0	0	7,600	0	7,600	7,600	7,600
002	Contingency BC	0	0	31,459	0	31,459	31,459	31,459
003	Contingency Subs	0	0	0	3,434	3,434	3,606	3,606
	TOTAL	**410**	**85,899**	**39,059**	**150,431**	**189,490**	**197,012**	**282,911**

Hours and Dollars are rounded to the nearest whole number.
Escalation has been applied to BC labor fee for work to be performed in 2025.
Work performed by Subcontractors is subject to 5% BC markup.
Sub Contingency includes $2,955 for Haley & Aldrich under Task 016 and $651 for KPFF under Task 019