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COUNTY DEPT: Public Works, Solid Waste
DEPT. CONTACT PERSON: Brian Eytcheson
TELEPHONE/FAX NUMBER: 425-388-7607
PROJECT: Sisco Landfill Remediation Plan
AMOUNT: \$1,316,040.58
FUND SOURCE: 4025064374101
CONTRACT DURATION: Execution through December 31, 2022

AGREEMENT FOR PROFESSIONAL SERVICES – AMENDMENT NO. 9
AGREEMENT NO. CC04-17

THIS AMENDMENT NO. 9 is made by and between Snohomish County, a political subdivision of the State of Washington (the “County”) and GeoEngineers, Inc., a Washington corporation (the “Consultant”), to amend the Agreement executed on March 16, 2017, as amended by Amendment No. 1 on July 18, 2018, as amended by Amendment No. 2 on December 3, 2018, as amended by Amendment No. 3 on March 13, 2019, as amended by Amendment No. 4 on December 2, 2019, as amended by Amendment No. 5 on June 9, 2020, Amendment No. 6 on September 21, 2020, Amendment No. 7 on September 24, 2020, Amendment No. 8 on December 4, 2020, and identified as Agreement No. CC04-17 (the “Agreement”).

NOW, THEREFORE, for and in consideration of the benefits conferred on both parties and the mutual promises set forth below, the parties agree that the Agreement be amended as follows:

1. Schedule A-5, attached hereto and incorporated by this reference, is added to Schedule A of the Agreement as additional work to be performed under the Scope of Services.
2. Schedule B-1e, attached hereto and incorporated by this reference, is added to Schedule B-1 of the Agreement as additional compensation for the additional work to be performed under Schedule A-5 of the Agreement.

3. Section 3(f) of the Agreement is deleted and amended as follows:

f. Contract Maximum. Total charges under this Agreement, all fees and expenses included, shall not exceed \$1,316,040.58 excluding extensions or renewals, if any.

4. Except as expressly provided in this Amendment No. 9, all terms and conditions of the Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF the parties execute this Amendment No. 9 upon the signature date of the last party to sign.

“County”
SNOHOMISH COUNTY:

“Consultant”
GEOENGINEERS, INC.:

County Executive

Date

Title:

Date

Approved as to form only:

Approved as to form only:

/s/ George March 04/22/2021
Deputy Prosecuting Attorney Date

Legal Counsel to the Consultant Date

Schedule A-5 Scope of Services

This Scope of Services addresses the comments and requirements provided by the Washington State Department of Ecology (Ecology) in response to the February 10, 2020 Feasibility Study (FS) report and provided in an Opinion Letter dated January 21, 2021.

The Consultant will complete the work with assistance from the vendor Eurofins TestAmerica laboratory, which will analyze the surface water samples.

Task 5 – Field Activities

Ecology requested that historical surface water sampling locations W-5, W-7, and W-10 be sampled if possible. Historically the sample locations have often been dry. The Consultant will perform the following activities.

Activities:

- Mobilize to the site to collect samples if water is present. The sampling will be performed in accordance with previous surface water sampling procedures.
- Collect field parameters including pH, specific conductance, temperature, and dissolved oxygen.
- Submit samples to Eurofins TestAmerica for analysis of site indicator hazardous substances (IHSs) including ammonia, nitrite, sulfate, arsenic, iron, manganese and nickel. Samples will be submitted on a standard turnaround time. Samples will be couriered due to the relatively short hold-time (48 hours) for the nitrite analysis.
- Incorporate the new data into the FS.

Deliverables:

- No stand-alone deliverable for this task. The data will be incorporated into the FS deliverable as discussed below.

Assumptions:

- If sampling locations are dry, we will only invoice for travel to and from the site/locations.

Task 7 – Initial Regulatory Coordination

Ecology has indicated the site is no longer eligible for the Voluntary Cleanup Program (VCP) and that the site must be cleaned up under an Agreed Order (AO). This task includes support and coordination during the development of the AO and associated public participation.

Activities:

- Provide support to the County and its legal counsel during preparation of the AO.

- Provide support to the County and Ecology during preparation of the Public Participation Plan (PPP).
- Provide materials (existing documents or figure files) and/or review of Ecology materials (notices for participation activities, participation materials) developed to support public participation activities and events. Attendance of public participation events.

Deliverables:

- Materials (existing documents and figure files) requested by Ecology.
- Review comments and proposed revisions to AO Scope of Work, PPP and public participation materials prepared by others.

Assumptions:

- Support for preparation of the AO is assumed to include coordination with the County and its legal counsel during preparation of the AO and support for development of the AO scope of work. It is assumed that the County’s legal counsel will prepare the draft AO or modify the language of Ecology’s “boiler plate AO” and negotiate with Ecology during establishment of the AO. A draft Scope of Work will be provided by legal counsel and/or Ecology for review, comment and suggested revisions. Attendance of two meetings with the County, legal counsel and/or Ecology on the site AO.
- Ecology will prepare the Public Participation Plan as stated in the meeting with Ecology on February 17, 2021. The draft PPP will be provided by Ecology for review, comment and suggested revisions.
- No public participation materials will be prepared by the Consultant.
- Two participation events will be held requiring attendance.
- The level of effort (hours of labor) needed to support these tasks has been assumed based on the meeting with Ecology on February 17, 2021.

Task 9 – Feasibility Study

This task includes additional effort to respond to unanticipated comments on the draft revised FS provided in Ecology’s Opinion Letter.

Activities:

- Evaluation of impacts to project scope, approach and schedule based on Ecology’s requirement to move the project from the Voluntary Cleanup Program to an AO.
- Revisions to the FS to include additional information based on the following comments (comment numbers assigned by Consultant in a draft Response to Comments document):
 - Comment Number 5 regarding groundwater/surface water interactions including additional text and graphics.
 - Comment Numbers 10 and 15 regarding a discussion of groundwater monitored natural attenuation (MNA) including research and text revisions.

- Comment Number 11 regarding nickel as a potential indicator hazardous substance in sediment including research, text revisions and supporting information.
- Comment Number 25a regarding updated screening levels for IHSs including revisions to text, tables and figures.
- Comment Numbers 25a and 25f regarding draft Ecology petroleum guidance including research and coordination with Ecology.
- Incorporate responses to additional comments into the response to comment document being prepared for Ecology.

Deliverables:

- Final, Revised FS (“clean” and “red-lined” version) with revisions based on additional comments.
- Response to Ecology comment document with response to additional comments.

Assumptions:

- No further comments will be provided by Ecology on the Final, Revised FS submitted to Ecology and prepared in response to Ecology’s comments on the February 10, 2020 Draft, Revised FS.
- No further responses to comments will be needed for the Final, Revised FS submitted to Ecology.

Task 21 – Project Management

This amendment includes extending project management tasks through December 31, 2021.

Activities:

- Manage project staffing, billings, communications and records; track budgets and schedule; and notify the County in a timely manner regarding changes in the scope of services, budget and schedule.
- Contract with subconsultants and manage subconsultant contracts and invoicing.
- Prepare monthly progress reports and submit to County electronically. Submit invoices and progress reports monthly.

Deliverables:

- Invoices, progress reports and schedule.

Assumptions:

- Project management will occur through December 31, 2021.

SCHEDULE

The Consultant can proceed with the sampling immediately upon receiving notice-to-proceed. Revisions to the FS and preparation of the responses to Ecology comments are ongoing. We anticipate incorporating the results of sampling and analysis into the revised FS and response to comments document within four weeks of the site visit for surface water sampling.

Schedule B-1e
Compensation – Budget

FEE ESTIMATE, TERMS AND CONDITIONS

In light of recent events associated with the COVID-19 pandemic, there is a possibility that unforeseen events or circumstances that stem from the virus will affect the completion of work and project schedule. Based on what we know today, we believe that the risk to the completion of work and schedule is relatively low. However, there are circumstances that could arise which are beyond our or the County's reasonable control that could impede the completion of work on the tasks identified in this proposal. In the event that work described in this proposal is prevented or delayed, we will provide notification of the event, the reasons preventing or delaying the work and potential impacts.

The billing rates used in this proposal are the rates agreed to by the Consultant and the County in Amendment 6 (September 21, 2020).

The total contract amount for this project including prior amendments is \$1,316,040.

Sisco Landfill Closure Project Fee Estimate - Amendment 9
GeoEngineers, Inc.

Project Number: 0280-064-03		Sisco Landfill Closure and Remediation		Project Name: Design		Owner: Snohomish County Solid Waste Administration																			
Client: Brian Eychessen		PM: Ken Fellows		Date: April 14, 2021																					
Description	Billing Rate	LABOR										DIRECT EXPENSES				OUTSIDE SERVICES									
		Senior Manager	Principal	SR1	SR1	Eg1	Sr1	Staff Sr/ Anyst3	Staff Sr/ Anyst2	GIS Analyst	Associate	CAD Design	Admin	Total Labor Hours	Total Labor Cost	Mileage	Total Equipment Units	Total Equipment Cost	Analytical Lab (incl. shipping)	Sales Tax @ 8.6%	Total Outside Services	Tab By Task			
Task 1: Initial Site Visit																									
Task 2: Existing Data Compilation																									
Task 3: Existing Data Review and Data Gaps Evaluation																									
Task 4: Critical Area Survey and Report and Permitting Plan																									
Task 5: Field Activities																									
Additional Surface Water Sampling Requested by Ecology		2	2										8												
Incorporate Data into FS		2	6									4													
Subtotal		0	4	0	8	0	0	0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	
Subtotal Cost (per Category)		\$0	\$480	\$0	\$1,920	\$0	\$0	\$0	\$0	\$0	\$0	\$807	\$521	\$0	\$0	\$383	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Task 6: Survey and Base Map																									
Task 7: Initial Regulatory Coordination																									
Support for Transition from VOP to AO		2	12																						
Public Participation Support		2	20										8												
Subtotal		4	32	0	12	0	0	0	0	0	0	8	0	0	8	0	0	0	0	0	0	0	0	0	
Subtotal Cost (per Category)		\$800	\$7,680	\$0	\$1,920	\$0	\$0	\$0	\$0	\$0	\$0	\$1,061	\$0	\$1,220	\$768	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,470	
Task 8: Data Gap Filling Activities																									
Task 9: Feasibility Study (FS) Report																									
Revise FS and Prepare Response to Additional Ecology Comments		8	24	8	36								24			16	12	128	\$21,862						
Subtotal		8	24	8	36	0	0	0	0	0	0	24	0	16	12	128	\$21,862	0	0	\$0	\$0	\$0	\$0	\$0	
Subtotal Cost (per Category)		\$1,760	\$5,760	\$1,383	\$5,886	\$0	\$0	\$0	\$0	\$0	\$3,184	\$0	\$2,240	\$1,150	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$21,362	
Task 10: Cleanup Action Plan (CAP)																									
Task 11: EDR and BID Documents																									
Task 12: Environmental Documentation and Permits																									
Task 13: Compliance Monitoring Plan																									
Task 14: Operations and Maintenance Plan																									
Task 15: Bidding Support																									
Task 16: Remedial Action Implementation Support																									
Task 17: Institutional Controls Support																									
Task 18: Remedial Action Construction Completion Report																									
Task 19: Public Meeting Support																									
Task 20: Meetings																									
Task 21: Project Management																									
Monthly Invoicing and Progress Reports through December 2021		15																							
Subtotal		15	0	0	30	0	0	0	0	0	0	0	0	0	0	7.5	\$8,923	0	0	\$0	\$0	\$0	\$0	\$0	
Subtotal Cost (per Category)		\$3,300	\$0	\$0	\$4,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$719	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,923	
Task 22: Long-Term Monitoring and Support																									
Total Hours / Units		27	60	8	86	0	0	0	0	0	8	36	0	24	31.5	280.5	80								
Total Cost (per Category)		\$5,940	\$14,400	\$1,383	\$14,061	\$0	\$0	\$0	\$0	\$0	\$8,907	\$4,775	\$0	\$3,860	\$3,018	\$17,844	\$44	\$0	\$0	\$0	\$0	\$0	\$0	\$48,637	
TOTAL FOR PROJECT																									

