

BOARD OF SARPY COUNTY AND CITIES WASTEWATER AGENCY**RESOLUTION APPROVING AMENDMENT
TO AGREEMENT FOR ENGINEERING SERVICES**

WHEREAS, pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq., (hereinafter the “Act”), Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna entered into an agreement, (hereinafter the “Agency Formation Agreement”) and formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (hereinafter the “Agency”); and,

WHEREAS, the Agency is a separate body corporate and politic under the Act; and,

WHEREAS, pursuant to the Agency Formation Agreement, the powers of the Agency as a body are exercised by the Agency Board; and,

WHEREAS, pursuant to Section V of the Agency Formation Agreement, the Agency has the authority to contract with and compensate consultants for professional services; and,

WHEREAS, on November 13, 2018, the Agency previously entered into an agreement with HDR ENGINEERING, Inc. (“HDR”) for professional services (“HDR Agreement”); and,

WHEREAS, HDR is willing to amend the HDR Agreement and to perform additional professional engineering services and,

WHEREAS, HDR has proposed an amendment to the HDR Agreement, in the form attached hereto as Exhibit A, to identify additional professional services needed to assist the Agency in the planning and design of the Unified South Sarpy Wastewater Agency System to supplement the original HDR Agreement entered into between HDR and the Agency; and,

WHEREAS, the Agency Board discussed the professional services included the attached amendment and after discussion the Board deemed it appropriate and advisable to approve HDR’s proposed amendment to the HDR Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD that HDR’s proposed amendment is hereby approved; and,

NOW, THEREFORE, IT FURTHER BE RESOLVED BY THE AGENCY BOARD that the Agency Board Chairman is hereby authorized to execute, on behalf of the Agency Board, the amendment to the HDR Agreement attached hereto and any and all documents associated with or in furtherance of such amendment.

The above Resolution was approved by a vote of the Sarpy County and Cities Wastewater Agency Board at a public meeting duly held in accordance with applicable law on the 26th day of June 2019.



Sarpy County and Cities Wastewater
Agency Board Chairman

Exhibit A

Amendment to Agreement for Engineering Services

[Attached]

AMENDMENT TO AGREEMENT
FOR
ENGINEERING SERVICES

WHEREAS:

HDR ENGINEERING, INC. ("HDR") entered into an Agreement on November 13, 2018 to perform engineering services for the Unified South Sarpy Wastewater Agency System ("the Agency"); the Agency desires to amend this Agreement in order for HDR to perform services beyond those previously contemplated;

HDR is willing to amend the agreement and perform the additional engineering services.

NOW, THEREFORE, HDR and the Agency do hereby agree:

The Agreement and the terms and conditions therein shall remain unchanged other than those sections and exhibits listed below;

Exhibit A, Part 2 shall be amended with the following:

HDR's estimated level of effort to assist in advancement of the wastewater regionalization project through the pre procurement phase. It assumes that the team will be ready to proceed in three months with, but does not include, procurement. It does include the following:

- \$6,760 right of way services (subcontracted to Midwest Right-of-Way) for acquisition of ZC-3 treatment site. Title insurance cost will be borne by the agency and is not included.
- \$6,044 for coordination of subcontracted ROW services for acquisition of the ZC-3 treatment site
- \$48,440 labor + \$1650 expenses for ongoing technical support / coordination over the next three months to support Husch Blackwell, and Ernst & Young, and the Sarpy Agency in defining and refining the procurement process and the composition of the procurement documents.
- \$62,894 total through pre procurement (in addition to scope and fee authorized in November).

Please note the following.

- The aforementioned ROW services are only for the ZC-3 treatment site. HDR has defined ownerships in 300 foot wide corridors for the conveyance facilities but not specific easement requirements. The specific easement requirements are dependent on actual horizontal and vertical alignments and are generally defined hand in hand with actual conveyance facility design. HDR would plan to procure easements in parallel with conveyance facilities design, whether that design be by HDR during the subsequent procurement phase or by the P3 developer following their selection.
- The aforementioned ongoing technical support / coordination does not include advancing conveyance or treatment facilities design beyond what is already reflected in the Preliminary Engineering Report nor does it include defining Phase 1A permitting requirements or advancing the SRF application process. The services and fee to finalize the Preliminary Engineering Report, define Phase 1A permitting requirements, and advance the SRF application process are not included above because they are in HDR's scope and \$281,000 of fee already approved in November 2018.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

for the "Agency"

HDR ENGINEERING, INC. ("HDR")

By: *Daniel R. Kelly*

By: *Matthew B. Zell*

Title: Chairman

Title: Senior Vice President

Date: June 26, 2019

Date: Feb 14, 2019