

## Contract Supplemental Agreement

<b>Supplemental Agreement Number: 5</b>	<b>Organization and Address:</b> Landau Associates, Inc. 130 2 <sup>nd</sup> Ave S Edmonds, WA 98020
<b>Original Contract Number:</b> 2016-109	<b>Execution Date of Supplement:</b> April 18, 2023
<b>City Engineering Project Number:</b> TBD	<b>Completion Date of Supplement:</b> December 31, 2024
<b>Project Title:</b> Bravo Co Blvd Utilities	<b>Maximum Amount Payable this Supplement:</b> \$109,700
<b>Maximum Total Amount Payable for the Agreement:</b>	\$644,700

### Section 1: Supplemental Agreement

The City of Yakima, Washington desires to supplement the contract agreement entered into with Landau Associates, Inc. and executed on April 18, 2023 by Resolution No. \_\_\_\_\_ and identified as Contract \_\_\_\_\_. All provisions in the basic contract remain in effect except as expressly modified by this supplement. The changes to the agreement are described as follows:

### Section 2: Scope of Services

See attached Exhibit A - Scope and Budget Proposal: East-West Corridor/Bravo Co. Boulevard Roadway Project Environmental and Construction Support Services Closed City of Yakima Landfill Yakima, Washington

### Section 5: Compensation

Payment for this supplemented work will, as shown on Exhibit A is not to exceed \$109,700, bringing the total amount of the Agreement to \$644,700

### Section 7: Project Schedule and Budget

If you concur with this supplement and agree to the changes as stated above, please sign the appropriate spaces below and return to this office for final action.

*Landau Associates*

By: Piper Roelen - Principal

  
\_\_\_\_\_  
Consultant Signature

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

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Date



## EXHIBIT A

March 10, 2023

Transmitted via email to: [Bill.Preston@yakimawa.gov](mailto:Bill.Preston@yakimawa.gov)

City of Yakima  
Engineering Department  
129 North 2nd Street  
Yakima, WA 98901

Attn: Mr. Bill Preston, City Engineer

**Re: Scope and Budget Proposal: East-West Corridor/Bravo Co. Boulevard Roadway Project  
Environmental and Construction Support Services  
Closed City of Yakima Landfill  
Yakima, Washington**

Dear Mr. Preston:

Landau Associates, Inc. (Landau) is pleased to submit this scope and budget proposal to the City of Yakima (City) to provide environmental and construction support services related to the Bravo Company Boulevard and East-West Corridor roadway project (roadway project) through the Closed City of Yakima Landfill Cleanup Site (Landfill Site) and Boise Cascade Mill Site (Mill Site) in Yakima, Washington. As you are aware, the City has entered into an Agreed Order (AO; No. DE 15861) with the Washington State Department of Ecology (Ecology) to complete the Model Toxics Control Act (MTCA)-related cleanup actions at the Landfill Site. Also, under the AO, Ecology has authorized completion of the roadway project through the Landfill Site and Mill Site through approval of an Interim Action (IA) Work Plan (Landau 2019). Landau has previously provided support for City-directed municipal solid waste (MSW) and wood debris removal activities within the roadway project right-of-way (ROW)/construction easement. This letter describes the proposed services and estimated budget for Landau to provide additional environmental, regulatory, and construction support services for the next phase of roadway project construction, primarily pertaining to the planning and installation of sewer and water infrastructure in the ROW across the Landfill Site and Mill Site.

As described below, Landau will assist the City with communications and coordination with Ecology related to the planned roadway project work; prepare an addendum to the IA Work Plan or other applicable submittal to Ecology; assist the City and its civil engineering consultant with the environmental elements of the project design, specifications, and bid documents; and provide construction observation and/or oversight related to the environmentally related elements of the project (e.g., excavation, management, and disposal of contaminated media that may be encountered during construction).

The following summarizes scope of services included in this proposal.

## **Task 1: Project Management, Administration, and Meetings**

This task includes typical project management activities such as project setup, contracting with subconsultants and subcontractors (if needed), invoicing, budget tracking, and internal coordination activities. This task also includes coordination and communication with the City, the City’s civil engineering consultant, the City’s selected contractor, and Ecology (or other regulatory agencies, as needed) during planning and construction implementation. The budget for this task assumes that project management will occur for a duration of up to 12 months for this phase of roadway project construction planning and implementation. The budget also assumes participation in up to three meetings in Yakima with the City, Ecology, and/or other project stakeholders (up 8 hours each including meeting, travel, and preparation time) for two individuals (project manager and field engineer/geologist/technician). Additionally, the budget assumes Landau’s participation in weekly teleconference status meetings (1 hour each) attended by the project manager or appropriate task manager, for the duration of construction (assumed to be up to 3 months).

## **Task 2: Interim Action Work Plan Addendum**

Landau will prepare an addendum to the IA Work Plan (or other applicable or equivalent submittal) to provide Ecology with notification and documentation of the planned roadway project construction activities, including the removal, management, and disposal of known contaminated media (identified in the Mill Site remedial investigation report [Barr 2021]) and management of wood debris that is expected to be encountered during the installation of the roadway utilities, and the management of methane risks during construction to mitigate potential explosive gas hazards and protect worker and public health and safety. The IA Work Plan addendum will provide Ecology with necessary and required information in compliance with MTCA regulations, and supplement (as necessary) the excavated materials management plan (EMMP) and sampling and analysis plan (SAP) in the IA Work Plan (Appendices C and D of the IA Work Plan, respectively) for the contractor if unexpected contamination is encountered during construction.

The IA Work Plan Addendum will include a description of:

- Planned roadway project construction activities (i.e., location/alignment of planned utility corridors, estimated volumes of soil removal/backfilling, construction methods).
- Location and summary of known contaminated soil and wood debris anticipated to be encountered during construction.
- Management/disposal procedures for excavation, stockpiling, loading, hauling, and disposal of contaminated soil and excavated wood debris during roadway construction activities.
- Contingency procedures for responding to unexpected areas of contamination encountered in the roadway project utility excavations, including sampling, analysis, characterization, and management of the contaminated media (addendum to EMMP and/or SAP, as necessary).

An initial draft of the IA Work Plan Addendum will be submitted for the City’s review. Upon receipt of the City’s written comments, Landau will prepare an agency-review draft for Ecology’s review. Upon receipt of Ecology’s comments, Landau will discuss the comments with the City, address the

comments as appropriate, and prepare a final version for submittal to the City and Ecology. The budget for this task assumes that City and Ecology comments will be minimal and require no more than 8 hours to address each set of comments (text, figures, tables, document quality assurance/quality control/production) and prepare the subsequent versions of the work plan.

### **Task 3: Civil Consultant/Bid Document Support**

Landau will provide as-needed support to the City’s civil consultant (HW Lochner) related to the environmental aspects of the project design, specifications, and/or bid documents for construction of the roadway project utility corridors. This may include:

- Preparation of plan view and/or cross sections of the roadway alignment including estimated areas where contaminated soil and wood debris may be encountered during utility installation.
- Preparation of individual sections of the technical specifications related to management of contaminated media and wood debris and/or applicable environmental health and safety related to management of contaminated soil and methane.
- Preparation of text or sections of the construction bid documents related to the presence and/or management of contaminated soil and methane.

Landau will work directly with HW Lochner to determine the specific needs for the project planning and bid documents. The budget for this task assumes that Landau may prepare:

- Up to three plan sheets for inclusion in the master plan set:
  1. Plan view sheet showing the locations of soil contamination and wood debris in roadway ROW;
  2. Cross section sheet showing location and depth of soil contamination and wood debris in roadway ROW; and
  3. Miscellaneous details sheet.
- Up to three separate sections for the special provisions sections for inclusion in the master technical specifications:
  1. Environmental Health and Safety (Contaminated Soil and Methane) section;
  2. Solid Waste (Contaminated Soil) and Wood Debris Removal section; and
  3. Hazardous Materials Management section.
- Miscellaneous text, details, and descriptions related to environmental issues needed for the bid documents.

Up to three versions of each of the above items may be prepared (e.g., 60 percent, 90 percent, out-to-bid).

### **Task 4: General Construction/Contractor Support**

Landau will provide as-needed support to the Contractor related to removal of the contaminated soil and wood debris, and implementation of the EMMP (Appendix C to the IA Work Plan), as amended by the IA Work Plan Amendment. This support includes the following:

- Reviewing the following required Contractor submittals:
  - Health and Safety Plan
  - Construction Sequencing Plan/Schedule
- Responding to Contractor requests for information (RFIs) related to:
  - Health and safety or other issues related to the management or disposal of contaminated soil and wood debris
  - Implementation of the EMMP
  - Regulatory requirements applicable to environmental issues and construction activities that are related to the IA (roadway construction).
- Providing oversight of contaminate soil excavation and supporting implementation of the EMMP
  - Construction observation and oversight services related to the excavation of contaminated soil and wood debris, as needed
  - Field support, as needed, for the Contractor relating to implementation of applicable portions of the EMMP, including waste characterization for any unanticipated contamination discovered during construction and determination of waste management and disposal requirements.

## Assumptions

This task assumes that the City, City's civil consultant, or others will provide support for submittal review and RFI response related to general construction-related tasks (civil designs, specifications, backfilling, etc.) and archaeological/cultural resources/natural resources services. These activities are not included in this proposed scope of services.

This task also assumes that Landau will be onsite for up to 4 weeks in conjunction with excavation through known areas of contaminated soil to generally evaluate whether the Contractor is properly performing excavation, hauling, and disposal of the material; and up to 1 additional week if previously unidentified contamination, dangerous waste, or other dangerous materials/special wastes are encountered during construction. It is assumed that utility installation and associated excavation will not come into contact with groundwater; therefore, characterization and management of impacted groundwater will not be necessary and is not included in Landau's scope of services. Specifically, Landau will:

- Observe and, as needed, screen materials being excavated from the ROW to evaluate appropriateness for transportation and disposal of the material to the designated disposal facility(ies) selected/approved for the project.
- Provide guidance to City staff or City construction management representatives on how to execute the EMMP.
- If necessary, provide field analytical testing and/or collect and submit samples for laboratory analysis to characterize materials that are identified as potentially hazardous or other special waste.

- If necessary, direct the Contractor on how to segregate, manage, transport, and dispose of wastes not suitable to be disposed at the designated Subtitle D disposal facility for the project.
- Landau’s site visits will either be on a specified/scheduled days or weeks as agreed to between Landau, the City, the City’s representative, and the Contractor; or on an on-call basis. For on-call services, Landau will be onsite or available to be onsite within 48 hours (during normal business days) to execute the SAP (Appendix D to the IA Work Plan) as needed or to assist the Contractor with implementation of the EMMP.
- When onsite, Landau will bring appropriate monitoring equipment for screening of solid materials and/or laboratory sampling containers needed to sample, identify, and analyze the materials to determine appropriate management and disposal requirements. The City will be responsible for providing its own equipment for such screening activities when Landau is not onsite.
- The proposed budget for this task is based on the proposed time onsite indicated above and a budget of up to \$5,000 for laboratory analytical services. The laboratory budget is not based on any specific number of samples or analytes (which will be determined based on Landau’s professional judgement); it is only an allowance to allow Landau to be responsive to the needs of the project. This budget will need to be adjusted if the allowance is exceeded.
- General construction quality assurance work (e.g., quality assurance for Contractor’s general compliance with construction specifications; soil compaction testing, etc.) is to be performed by the City (or City’s representative) and is not included in Landau’s proposed scope or budget except where specifically identified herein.
- Actual schedule and duration of oversight of these activities will be dependent on the Contractor’s schedule. If the schedule is longer than estimated in this proposal or the City requests additional oversight tasks and time onsite, Landau will provide an estimate of the additional time and cost necessary to complete these activities.

## **Terms & Conditions, Schedule, and Estimated Budget**

The scope of work for the additional services described above will be performed in accordance with our existing Contract No. 2016-109 between Landau and the City.

The schedule for performance of this work is dependent on the overall roadway project construction schedule (not yet determined/available). While this schedule is outside of Landau’s direct control, Landau will work with the City, City’s representative, and Contractor to identify and meet construction milestones and deadlines.

The estimated cost for the services outlined in this proposal was developed on a cost-plus-fixed-fee basis consistent with the Local Agency Guidelines (LAG) Manual prepared by the Washington State Department of Transportation using Landau’s most recent audited overhead rates. Accordingly, we propose to update the compensation schedule included in Contract No. 2016-109 (i.e., update Exhibit B – Professional Fees and Exhibit C – Schedule of Rates) to be consistent with these rates. The estimated costs are summarized below by task and detailed in the attached revised Exhibits B and C.

Task	Estimated Budget
Task 1. Project Management, Administration, and Meetings	\$21,900
Task 2. Interim Action Work Plan Addendum	\$8,900
Task 3. Civil Consultant/Bid Document Support	\$15,000
Task 4. General Construction/Contractor Support	\$63,900
<b>Estimated Total Cost</b>	<b>\$109,700</b>

As noted above, Landau’s services will be provided on a cost-plus-fixed-fee basis based on the attached contract compensation schedule. Estimated labor costs have been developed based on direct labor costs established as the “Not-To-Exceed” labor rate for each Landau billing category calculated using our proposed contract rates. However, labor charges will be accrued based on the actual direct labor rate for the Landau staff member(s) working on the various aspects of the project.

If the scope of work related to the roadway project is increased or requires a higher level of effort than assumed above, or unforeseen conditions or circumstances are encountered during performance of these services, we will bring these to your attention and seek modification to this scope of services and budget, as appropriate.

## Authorization

Approval for adding the additional services described above can be authorized by signing the attached authorization form, or by the City’s preferred method. An email authorization to proceed is acceptable.

## Project Staff

Landau staff for this project will include Piper Roelen, PE, Principal Engineer, who will be the Project Manager responsible for day-to-day management of the project. Piper will be supported by other engineers and field staff familiar with the site and/or with the appropriate experience to execute the proposed scope of services.

\* \* \* \* \*

Thank you for giving Landau the opportunity to provide this proposal for the contracted scope of services. We look forward to working with the City team on this project. Please give us a call if you have any questions regarding this proposal.

**LANDAU ASSOCIATES, INC.**



Piper M. Roelen, PE  
Principal

PMR/SRK/ljl  
2023-0916  
[X:\C\_YAKIMA\2023-03\_YAKIMA LF\_ROADWAY CONSTR SUPPORT\YAKIMA LF\_ROADWAYCONSTRSUPPORT\_PROP\_03.10.2023.DOCX]

Attachments: Exhibit B – Consultant Professional Fees  
Exhibit C – Schedule of Rates

**References**

Barr. 2021. Revised Draft Remedial Investigation Report, Yakima Mill Site (aka Boise Cascade Mill Site). Barr Engineering. November 15.

Landau. 2019. Final (Revision 1), Interim Action Work Plan – Roadway Project, Closed City of Yakima Landfill Site, Yakima, Washington. Landau Associates, Inc. July 29.



## AUTHORIZATION

The scope of services and contractual conditions as described in this proposal and its attachments are accepted and Landau Associates, Inc. is authorized to proceed.

By

\_\_\_\_\_  
Signature\*

\_\_\_\_\_  
Printed

For

\_\_\_\_\_  
Firm\*

\_\_\_\_\_  
Date

\*Name of person with contractual authority and firm responsible for payment of Landau Associates, Inc. billing.

Scope and Budget Proposal: East-West Corridor/Bravo Co. Boulevard Roadway Project  
Environmental and Construction Support Services  
Closed City of Yakima Landfill, Yakima, Washington

**Exhibit B**  
**Consultant Professional Fees - Summary Sheet**  
**Landau Associates, Inc.**

**Project:** City of Yakima - East-West Corridor/Bravo Co. Blvd Roadway Project Support

**Subconsultant:** Landau Associates

**Direct Salary Cost (DSC):**

<u>Classification (b)</u>	<u>Hours</u>	=	<u>Typical Rate (a)</u>	=	<u>Cost</u>
Principal*	65	X	\$85.34		\$5,546.78
Senior Associate	0	X	\$67.31		\$0.00
Associate	0	X	\$58.90		\$0.00
Senior	90	X	\$55.00		\$4,950.00
Senior Project	75	X	\$49.28		\$3,696.00
Project	0	X	\$44.48		\$0.00
CAD Designer/GIS Technician	33	X	\$48.35		\$1,595.55
Senior Staff	239	X	\$40.87		\$9,767.93
Staff/Senior Technician II	0	X	\$37.26		\$0.00
Data Specialist	8	X	\$36.30		\$290.40
CAD Operator/GIS Technician	0	X	\$41.35		\$0.00
Project Coordinator	8	X	\$39.50		\$316.00
Assistant/Senior Technician I	0	X	\$28.00		\$0.00
Technician	12	X	\$23.50		\$282.00
Support Staff	6	X	\$28.00		\$168.00
Total Hours =			536	Total Direct Salary =	\$26,612.66
Overhead Cost @ 222.81% of Direct Labor Cost (c) =					\$59,295.66
Fixed Fee @ 30% of Direct labor Cost =					\$7,983.80
				Total Direct Labor =	\$93,892.11

**Subconsultants (d)**

Laboratory Analytical	\$5,000.00
Driller	\$0.00
Excavation Contractor	\$0.00
Other Subconsultant (Utility Locator, Surveyor)	\$0.00
Injection Material Vendors (Oxygen, ISCO/ORC)	\$0.00
Subcontractor Markup (10%)	\$500.00
<b>Total Subcontractor/Subconsultant Cost =</b>	<b>\$5,500.00</b>

**Reimbursables (d)**

Travel Expenses (est. #miles @ \$0.655/mile IRS)	4250	X	\$0.655	\$2,783.75
Per Diem (WSDOT Rates - Yakima)	36	X	\$98.00	\$3,528.00
Other Non-Labor Expenses (equipment and supplies)				\$3,988.25
Total Reimbursables =				\$10,300.00

**Subconsultant Total = \$109,692.11**

Prepared By: Piper Roelen Date: 3/1/2023

(a) Rates shown reflect the typical compensation rate of employees assigned to the billing category listed.

Each category may have multiple employees assigned to that billing category and each employee may have a different hourly rate of pay. Employee compensation is subject to adjustment annually.

(b) Classifications shown are general, the actual invoice will show our employee's specific discipline for e.g., Senior Engineer, Senior Geologist, Senior Planner.

(c) Per WSDOT analytical review of Landau Associates' financial statements for the year ended 6/30/19.

(d) Per terms of Contract No. 2016-109, subcontractor and reimbursable expenses include a markup not to exceed 10%. IRS allowable mileage charges apply.

\* Excludes CEO

**EXHIBIT C**  
**Schedule of Rates**  
**Landau Associates, Inc.**

Classification	Hourly Rates
Principal	\$301.07
Senior Associate	\$237.48
Associate	\$207.81
Senior	\$194.05
Senior Project	\$173.86
Project	\$156.93
CAD Designer/GIS Analyst	\$170.58
Senior Staff	\$144.19
Staff	\$131.46
Data Specialist	\$128.07
Senior Technician II	\$130.72
Assistant/Senior Tech I	\$98.79
Technician	\$82.91
CAD Operator	\$128.78
GIS Technician	\$145.89
Project Coordinator	\$139.36
Support Staff	\$98.79