

REQUEST AUTHORIZATION FOR MAYOR AND FINANCE OFFICER TO SIGN PROFESSIONAL SERVICES AGREEMENT OR AMENDMENT

Date: July 21, 2014

Project Name & Number: Irrigation Diversion Point Abandonment; Project No. 12-2034

CIP #: 50922

Project Description: Abandonment of irrigation diversion points for water rights the City of Rapid City has acquired and transferred to municipal use.

Consultant: ReSpec

Original Contract Amount: \$24,810.00

Original Contract Date: August 1, 2012

Original Completion Date:

Addendum No: 1

Amendment Description: An increased effort was required for interaction with irrigation ditch companies for abandonment of irrigation diversion points. Also added construction phase services and final documentation of abandoned irrigation points to project scope.

Current Contract Amount: \$24,810.00

Current Completion Date:

Change Requested: \$12,525.00

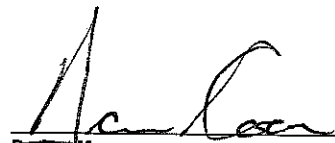
New Contract Amount: \$37,335.00

New Completion Date:

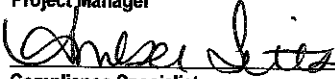
Funding Source This Request:

Amount	Dept.	Line Item	Fund	Comments
\$12,525.00	933	4223	602	
\$12,525.00	Total			

Agreement Review & Approvals


Project Manager 7/7/14
Date


Division Manager 7-9-14
Date


Compliance Specialist 7/8/14
Date


Department Director 7-9-14
Date


City Attorney Date

ROUTING INSTRUCTIONS

Route two originals of the Agreement for review and signatures.
 Finance Office - Retain one original
 Project Manager - Retain second original for delivery to Consultant
 cc: Public Works
 Engineering
 Project Manager

FINANCE OFFICE USE ONLY

(Note to Finance: Please write date of Agreement in appropriate space in the Agreement document)

Date	Initials	Approved
7/10/14		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
		<input type="checkbox"/> Y <input type="checkbox"/> N

AMENDMENT NO. 1 TO AGREEMENT

Project: Irrigation Diversion Point Abandonment; Project No. 12-2034;
CIP No. 50922

Background Data: Effective Date of Agreement: August 1, 2012
Owner: City of Rapid City
Engineer: RESPEC

Nature of Amendment: Increased effort for interaction with Irrigation Ditch Companies,
addition of construction phase services and development of
final documentation as outlined in Exhibits A and B.

Current Contract Amount: \$24,810.00

Change Requested: \$12,525.00

New Contract Amount: \$37,335.00

Owner and Engineer hereby agree to modify the above referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The effective date of this Amendment is: July 21, 2014.

CITY OF RAPID CITY:

By: _____
Mayor

Date Signed: _____

ATTEST:

By: _____
Finance Officer

Date Signed: _____

REVIEWED BY:

Project Manager

ENGINEER:

By: _____

Date Signed: 7-1-14



July 3, 2014

Mr. Dan R. Coon
City of Rapid City
300 6th Street
Rapid City, SD 57701


Dear Mr. Coon:

RESPEC is currently engaged in a contract (No. 12-2034) with the City of Rapid City to prepare a construction bid package for abandoning irrigation structures on several irrigation ditches in Rapid Valley. An original budget of \$24,810 was submitted in August 2012 by RESPEC to the City of Rapid City to complete the work. During the project, RESPEC has been working diligently to coordinate with the ditch companies and landowners to identify the correct structures to abandon; however, working with the South Side Ditch Company has been challenging because it has required several coordination meetings beyond what was originally budgeted to make their board comfortable with the project objectives and to coordinate with their ditch riders and landowners to identify the correct structures. The City also decided to perform the construction work internally, which essentially nullified the need for "Task 4 – Develop Construction Bid Package" and "Task 5- Bidding Services", as outlined in the original scope of work. It should be noted that at the time the City decided to perform the construction work themselves, RESPEC had essentially finalized "Task 4 – Develop Construction Bid Package". The City of Rapid City then requested that RESPEC support their construction staff in coordinating with the ditch companies and local landowners to ensure the correct structures were abandoned. Also, RESPEC has been directed to document the methods used to disable each of the structures and place these findings in a final report.

RESPEC believes this additional effort is out of scope from what was originally proposed. We are therefore proposing to add two tasks to the scope of work ("Task 6 – Construction Services" and "Task 7 – Provide Final Project Report") and amend the budget for "Task 3 – Interaction With Irrigation Ditch Personnel and the South Dakota Department of Environment and Natural Resources" to reflect the additional effort required to acquire the information from the South Side Ditch. Attachments A and B include the amended scope of work with the added tasks proposed above, along with an updated project schedule and budget table. The amended budget numbers reflect expenditures to date along with projected future expenditures.

Thank you for the opportunity to work on this project. If you have any questions or need additional information, please contact me by telephone (605.394.6400) or email (Jared.Oswald@respec.com).

Sincerely,



Jared K. Oswald, P.E.

Manager, Watershed Management

JKO:llf

cc: Project Central File 1992 — Category A

ATTACHMENT A
RESPEC AMENDED SCOPE OF WORK

EXHIBIT A**RESPEC AMENDED SCOPE OF WORK
IRRIGATION DIVERSION POINT ABANDONMENT
CITY OF RAPID CITY
PROJECT NO. 12-2034/CIP NO. 50922****BACKGROUND**

The City of Rapid City (City) has obtained the water rights from several irrigators served by Rapid Creek in the Rapid Valley area and then transferred those rights to either storage in Pactola Reservoir or for consumption in water-supply collection galleries. According to the South Dakota Department of Environment and Natural Resources (SD DENR) Water Rights Division, once the right to irrigate the land has been removed, the structure used to control diversion to the property should be removed to ensure that the ability to continue to use the transferred water has been discontinued. To date, the City has record of the transfer but has not actively pursued disabling the aforementioned diversion structures and does not have an in-depth understanding of their location or structural integrity.

The original purpose of this project is to inventory the location and structural integrity of all diversion structures, compile them in a geodatabase, and develop a construction bid package that will be used to direct their removal. Near the completion of the "Task 4 – Develop Construction Bid Package", the City decided it would be more cost effective to have City staff complete the construction phase of the project. This essentially nullified the need for "Task 4 – Develop Construction Bid Package" and "Task 5- Bidding Services" outlined in the original scope of work. It should be noted that at the time the City decided to perform the construction work themselves, RESPEC had essentially finalized "Task 4 – Develop Construction Bid Package".

SCOPE OF WORK**Task 1 – Kick-Off Meeting**

RESPEC will meet with City staff to detail the project's concept and scope. RESPEC will prepare an agenda and take and distribute meeting minutes. The kick-off meeting will be used to identify, review, and transfer information that both parties may have concerning the project.

This task is complete.

Task 2 – Data Gathering/Detail Maps/Geographic Information System Information/Field Survey

This task includes a search of City of Rapid City records as well as the SD DENR database to identify water rights that have been transferred and the associated diversion structure. This task will also include identification, documentation, and field reconnaissance of diversion structures that have been abandoned in accordance with permit conditions and pertinent regulations, as well as diversion structures that remain to be abandoned. RESPEC will obtain permission from impacted property owners or irrigation ditch personnel as required to conduct the field reconnaissance. This information will be documented in a preliminary project Design Report which will, at a minimum, include the following:

- A summary of the process and resources researched to determine the status of the identified diversion points.
- Identify construction access requirements to the diversion structures that remain to be abandoned and the City in obtaining the necessary construction access easements from the affected property owners.
- Information on each identified diversion point including, but not limited to, water rights permit information, how and from whom the water rights were obtained, the location of the diversion point (latitude and longitude and description of the location), the location of irrigation ditch on which the diversion point is located, status of the diversion point (abandoned or in use), photographs of the associated diversion point, access requirements, and a map showing all identified diversion points.
- **This task is complete.**

Task 3 – Interaction With Irrigation Ditch Personnel and the South Dakota Department of Environment and Natural Resources

This task will consist of the following items:

- Meet with the appropriate Irrigation District boards or designated personnel to inform them of the project; review the information documented in Task 2, and obtain feedback concerning the project.
- Provide a copy of the report developed in Task 2 to the appropriate SD DENR personnel and meeting with and obtaining feedback concerning the report.
- Revise the preliminary project Design Report to address concerns identified in these meetings.
- Meetings with the Irrigation Ditch and SD DENR representative(s) will be coordinated with and attended by, City representatives, as appropriate.
- Prepare an agenda and record and distribute meeting minutes for all of the meetings.
- **During the project, the RESPEC team will work diligently to coordinate with the ditch companies and landowners to identify the correct structures to abandon. However to-date, working with the South Side Ditch Company has**

been challenging because it required several coordination meetings beyond what was originally budgeted to make their board comfortable with the project objectives and to coordinate with their ditch riders and landowners to identify the correct structures. The original budget of approximately 55 hours to complete the task has been modified to reflect current expenditures of 114 hours.

Task 4 – Develop Construction Bid Package

A construction bid package will be developed to disable all functional structures that serve irrigated land to which the water rights were acquired by the City of Rapid City and transferred to an alternate location. This construction bid package will, at a minimum, include the following items:

- Finalize the project Design Report.
- Prepare easement exhibits as necessary, providing copies of current deeds of properties where easements are needed, and conducting property owner meetings for easement acquisition and document acquisition meetings.
- Provide erosion and sediment control plans, including the appropriate bid items in the bidder's proposal if more than 1 acre is disturbed. If less than 1 acre is disturbed, the contractor shall provide an Erosion and Sediment Control Plan and a bid item for "Erosion and Sediment Control Plan" will be included in the bidder's proposal.
- Provide three copies of the Initial and Final Design Services submittal. During the project design, the City will conduct an initial review and a final review of the bid documents. The documents submitted for the initial review shall have information of sufficient detail concerning demolition and reconstruction requirements to allow the City to have a thorough understanding of the proposed improvements. The final review will be conducted on a bid document that incorporates all of the City's previous comments and the consultant feels is ready for bidding. A final bid document will be developed based on the City's final review comments. The submittal will consist of complete plans, specifications, contract documents, and opinion of probable construction cost to the City of Rapid City's project manager for review.
- Field surveying of construction control points.
- Coordinate directly with utility companies' engineering divisions to ensure that all existing utilities are completely and accurately identified and located in the field; that pertinent information regarding depth, material, and size are noted on the plans; and that conflicts requiring relocation of utilities or special construction techniques are fully specified in the contract documents. Preliminary plans will be provided to the pertinent utilities for comment at the time they are complete followed by a specific private utility coordination meeting at the City in 2 to 3 weeks.
- It is the Consultant's responsibility to meet the City requirements and request and secure exceptions. Failure by the City to comment on a nonconforming item during a review does not constitute the granting of an exception.

- Provide detailed specifications supplementing the City of Rapid City Standard Specifications, as necessary. Typically, project drawing specific issues should be indicated as a General Note on the drawings. Material types and material specific items would be included as a detailed specification.
- Prepare any and all permits with exhibits required for the City.
- Identify permits that will be required for the Contractor. Identifying permit costs and indicate if any permit costs are paid for directly by the owner or if it is a Contractor cost. Typically, all permit costs are the Contractor's obligation.
- Prepare final "Engineer's Estimate" of probable construction cost for the project.
- Deliver the following:
 - One copy and a PDF version of bid documents, including complete plans, specifications, and an Engineer's Estimate of probable construction cost to the City of Rapid City's project manager for City distribution.
 - Complete plans on a CD that is compatible with AutoCAD Release 2006 to 2008 format.
 - Provide all topographic, control, and design points in the .dwg file and in tabular format, both on CD and on hard copy printout.
- Provide complete specifications on a CD in Microsoft Word XP or previous versions.
- Provide a unit-price cost estimate on a CD in Microsoft Excel XP or previous version on the City of Rapid City "Engineer's Estimate" form.
 - Provide an Engineer's Estimate of probable construction costs as a component of this submittal.
- Engineer will obtain an administrative design exception for draft criteria manual requirements.
- **This task is complete with the exception of providing an "Engineer's Estimate" of probable construction costs as this is not necessary since the City of Rapid City will be self-performing the work.**

Task 5 – Bidding Services

Bidding Services have been removed from RESPEC's scope of services for this project.

Task 6 – Construction Services – **New Task**

As a new task, this consists of all services necessary to complete the abandonment/disablement of the identified irrigation structures and may include the following itemized services:

- Coordination with City of Rapid City construction staff and irrigation ditch representatives to identify the correct structures for abandonment.
- Documentation of the methods used for abandoning identified irrigation structures.

Task 7 – Provide Final Project Report – **New Task**

As a new task a final Project Report will be developed detailing the initial condition of the structures identified for abandonment along with the methods used to disable the structure. This Report will contain, at a minimum, the following items:

- Methods used to identify the diversion structures to be disabled.
- Initial condition and location of structures identified for abandonment including photo documentation.
- Methods recommended for disabling the structures.
- Site access considerations.
- Documentation of methods used to abandon the individual structures.
- Final condition of structures including photo documentation if applicable.

PROJECT SCHEDULE

Task	Task Description	End Date	Amended End Date
1	Kick-Off Meeting	09/07/12	09/07/12
2	Data Gathering/Detail Maps/Geographic Information System Information/Field Survey	10/19/12	10/19/12
3	Interaction With Irrigation Ditch Personnel and South Dakota Department of Environment and Natural Resources	11/30/12	11/30/14
4	Develop Construction Bid Package	12/15/12	N/A
5	Bidding Services	01/29/13	N/A
6	Construction Services	N/A	11/30/14
7	Provide Final Project Report	N/A	11/30/14

**ATTACHMENT B
AMENDED BUDGET FOR IRRIGATION DIVERSION POINT
ABANDONMENT PROJECT**

EXHIBIT B**AMENDED BUDGET FOR IRRIGATION DIVERSION
POINT ABANDONMENT
CITY OF RAPID CITY
PROJECT NO. 12-2034**

Task	Task Description	Budget (\$)	Amended Budget (\$)
1	Kick-Off Meeting	590	610
2	Data Gathering/Detail Maps/Geographic Information System Information/Field Survey	10,370	8,567
3	Interaction with Irrigation Ditch Personnel and South Dakota Department of Environment and Natural Resources	5,055	12,543
4	Develop Construction Bid Package	6,615	6,615
5	Bidding Services	2,180	N/A
6	Construction Services	N/A	6,000
7	Provide Final Project Report	N/A	3,000
Total		24,810	37,335