



City Council Staff Report

Subject: Richardson Flat OU4 (Prospector Drain) Engineering Evaluation/Cost Evaluation (EE/CA)
Professional Service Agreement – Amendment No. 3

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Department: Sustainability

Date: January 29, 2019

Type of Item: Administrative

Recommendation

Staff recommends Council authorize the City Manager to execute the Third Amendment to the Professional Services Agreement (PSA), in a form approved by the City Attorney, with URS Corporation for services related to the Engineering Evaluation/Cost Evaluation (EE/CA) Professional Services aspects of the Richardson Flat Tailings Site Operable Unit 4 (OU4) (also known as the Prospector Drain) Administrative Order on Consent (AOC) for an increase to the contract in an amount not to exceed \$54,422 and to extend the term of the contract to December 31, 2020.

The contract amendment will allow staff to consult with URS Corporation complete the required EE/CA, and meet the requirements of the AOC with EPA for the Richardson Flat Tailings Site OU4 (the Prospector Drain) AOC.

Executive Summary

On January 10, 2013, Council approved and the Mayor signed the Proposed Administrative Order on Consent (AOC) for Richardson Flat Tailings Site OU4 (the Prospector Drain) perform an EE/CA negotiated by Park City Municipal Corporation staff, the Environmental Protection Agency, the U.S. Fish and Wildlife Service, the Bureau of Land Management and the Utah Department of Environmental Quality.

In January of 2013, Staff obtained Statements of Qualifications (SOQ) for the Engineering Evaluation/Cost Analysis (EE/CA) for Richardson Flat Tailings Site OU4 (the Prospector Drain) from four consultants. URS, was selected as the best qualified based on selection criteria outlined in the February 14, 2013 Staff Report.

Field work for the Site Characterization and EE/CA was initiated in June 2013. In February 2015, a draft Site Characterization Report was submitted to the EPA. Staff assisted by URS has been working with EPA to address comments on the draft Site Characterization Report. EPA has submitted comments on the draft Characterization in April, August and November of 2015 and January, February and April of 2016. In October 2018, the EPA conditionally approved the draft Site Characterization. The additional tasks needed to finalize the Site Characterization and complete the EE/CA is described in the Problem section.

Acronyms

The following acronyms and abbreviations have been used in this report.

AOC	Administrative Order on Consent
EE/CA	Engineering Evaluation/Cost Evaluation
EPA	Environmental Protection Agency
OU4	Operable Unit 4 (Prospector Drain)
PSA	Professional Services Agreement
SOQ	Statements of Qualifications

The Problem

Proposed Amendment No. 3 captures additional costs in an amount of \$54,422 (for a total contract amount of \$602,666.94) for the following scope items that are added to the consultant services:

- Collection of additional monthly samples from the Biocell Vault and the Biocell Outfall.
- Additional effort required to respond to EPA's comments on the Draft Site Characterization
- Additional meetings with the EPA and Trustees.
- Additional effort anticipated to meet requirements of EPA and Trustees for completing the EE/CA.
- Additional field support.
- Extend the term of the contract to expire on December 31, 2020.

The attached Amendment No. 3, Exhibit A, provides additional information and detailed costs for the above items. Staff feels that these fees are usual and customary with projects of this type, scope, and complexity.

Background

- On January 10, 2013 Council directed Mayor Williams to sign the Administrative Order on Consent for the completion of EE/CA and Removal Action on the Prospector Drain.
- On February 14, 2013, the City Manager executed a Professional Services Agreement, in an amount of \$295, 835.10, with URS Engineers to provide services related to the EE/CA aspects of the Richardson Flat Tailings Site OU4 (the Prospector Drain) AOC.
- In June 2013, field work was initiated by URS.
- In February 2015, a draft Site Characterization Report was submitted to the EPA.
- In March of 2015, URS submitted a change order for the amounts of \$29,582.84. This amount was below the City policy of 10% of the original contract amount and was approved by staff.
- From April 2015 to current, EPA and Park City have been communicating comments and response on the Draft Site Characterization.
- On May 28, 2015, City Council approved the First Addendum to the PSA.

- On September 1, 2016 City Council approved the Second Addendum to the PSA.
- On September 28, 2018, Park City received conditional approval of the draft Site Characterization.
- On October 25, 2018, Park City responded to the comments in the conditional approval letter.

Department Review

This report has been reviewed by representatives of Sustainability, Legal, and the City Manager's Office and their comments have been integrated into this report.

Funding Source

There are currently environmental cleanup funds within the adopted Capital Improvement Plan (CIP) for this project. Initial costs will be for the completion of the Engineering Evaluation/Cost Analysis (EE/CA). Staff expects additional funds may be needed for the Natural Resource Damages aspect of the AOC and the CIP is expected to be adjusted as part of the regular prioritization process.

Attachments

EXHIBIT A: Engineering Evaluation/Cost Evaluation (EE/CA) PSA URS Corporation, Amendment No. 3, Scope of Services