

**AMENDMENT TO COOPERATIVE AGREEMENT
FOR PREPARATION OF A FEASIBILITY REPORT FOR
MAIN STEM CHANNEL RESTORATION PROJECT 2015CR**

This amendment is made as of the ____ day of _____, 2013, by and between Bassett Creek Watershed Management Commission, a joint powers watershed management organization (hereinafter the "Commission"), and the city of Golden Valley, a Minnesota municipal corporation (hereinafter the "City").

WITNESSETH:

WHEREAS, the Commission and the City entered into an agreement dated _____, 2013, entitled "Cooperative Agreement for Preparation of a Feasibility Report for Main Stem Channel Restoration Project 2015-CR" (hereinafter the "Cooperative Agreement"); and

WHEREAS, the parties wish to amend the Cooperative Agreement as hereinafter provided.

NOW, THEREFORE, on the basis of the premises and mutual covenants hereinafter set forth, the parties agree that the Cooperative Agreement is amended as follows:

1. Paragraph 2 of the Cooperative Agreement is amended to read as follows: "The City will prepare a feasibility report for the Project (the "Report") in accordance with the proposal of WSB & Associates dated October 31, 2013, attached as Attachment One.
2. Paragraph 3 of the Cooperative Agreement is amended to read as follows: "The Commission will reimburse up to \$62,000 of the cost of preparing the Report."
3. The proposal of WSB dated October 31, 2013 attached to this amendment as Attachment One, is substituted for the Attachment One attached to the Cooperative Agreement.
4. Except as explicitly amended herein, the Cooperative Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on behalf of the parties as of the day and date first above written.

**BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION**

By: _____
Its Chair

And by: _____
Its Secretary

CITY OF GOLDEN VALLEY

By: _____
Its Mayor

And by: _____
Its Manager

ATTACHMENT ONE



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October 31, 2013

Mr. Jeff Oliver
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427

Re: Revised Work Plan to Provide Professional Engineering Services
for the 2015 Bassett Creek Main Stem Restoration Project
City of Golden Valley, MN

Dear Mr. Oliver:

As requested by the Bassett Creek Watershed Commission (BCWMC), this work plan for the 2015 Bassett Creek Main Stem Restoration Feasibility Study has been revised from the original work plan dated May 8, 2013. *(The revised tasks are identified with an asterisk (*))*

This work plan is associated with providing engineering services required for the development of a feasibility study for the 2015 Bassett Creek Main Stream Restoration Project, Subreach 2 of Reach 1. As part of the revised work plan, this feasibility study will provide greater detail than previous studies by including a preliminary plan with alternatives for stream restoration techniques for permitting purposes and for public input.

This subreach of Bassett Creek Based is located within the City of Golden Valley and begins at Rhode Island Avenue, just north of 10th Street, and extends about 9,500 feet north to Duluth Street. The tasks to complete the feasibility study include the following:

Task 1: Gather Background Information*

As part of this task, a project kickoff meeting will be held and background information related to the project will be obtained from various sources in order to best describe the project. These sources will include information from previously constructed projects, Barr Engineering, staff members from the City of Golden Valley, GIS and record drawings from Golden Valley, and other background information that may be made available as the project develops. A preliminary inspection of the channel will provide documentation of the eroded sections of the creek, define tree removals, identify potential access routes and staging areas, and identify any infrastructure repairs that may be required. Information regarding property boundaries, wetlands, and existing easements that are dedicated over the area will also be collected.

The estimated cost to complete this task:

\$9,800

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Task 2: Complete Review and Analysis of Background Information

As part of this task, the background information collected as part of Task 1, will be reviewed and analyzed to prioritize the eroded sections of the creek and to evaluate a wide variety of stabilization practices to facilitate the restoration of the creek. In addition to this analysis, tree removals will be quantified, access routes and staging areas will be further defined, and recommendations will be suggested for any infrastructure repairs identified along the subreach, for the purpose of further refining the feasibility study.

The estimated cost to complete this task: \$4,500

Task 3: Complete Wetland Delineation and Survey

As part of this task, we will perform a Level 1 wetland delineation (completed in-office with field verification) to approximate wetland boundaries and types within a specific review area. Available water and wetland resource related information will be reviewed for an evaluation of the conditions that may be present within the project corridor and will be field verified. Permitting for wetland impacts associated with the project will be associated with the final design of the project. In the case where additional wetland delineation work will be required by a permitting agency, the cost to complete the additional wetland delineation will be included as part of this task. Therefore, the cost for this task is provided as a range.

The estimated range of costs to complete this task: \$4,000-\$9,500

Task 4: Complete Cultural Resource Survey

As part of this task, we will complete a cultural resource survey of the reach to determine if there are historical artifacts or the likelihood of encountering any historical artifacts during restoration activities. Once completed, the information gathered will be discussed with the permitting agency representatives to obtain general concurrence on the survey and will to be taken into consideration as part of any future project design. Cultural Resource Permitting for the project will be associated with the final design of the project.

The estimated cost to complete this task: \$6,200

Task 5: Complete Environmental Review

As part of this task, we will perform an Environmental Regulatory Review to obtain information for evaluating the presence of contamination that could be encountered during restoration activities. Sites within 200 feet from the creek centerline will be searched to evaluate for potential soil and/or groundwater contamination risk along the project area. Environmental permitting will be associated with the final design of the project. In the case where additional environmental assessment, completion of a Phase I, is required by a permitting agency, the cost

to complete the additional environmental assessment will be included as part of this task.
Therefore, the cost for this task is provided as a range.

The estimated range of costs to complete this task: \$1,200-\$4,500

Task 6: Prepare Preliminary Plan and Costs*

As part of this revised task, a preliminary plan will be developed and the maintenance areas will be prioritized and selected. Two restoration techniques will be provided and will be assessed for long term stability and cost effectiveness. These restoration techniques will include bioengineering as well as more engineered restoration techniques in areas where significant tree removals would be required when using bioengineering practices. For each of these maintenance areas, a preliminary estimate of cost will be prepared, along with a rough estimate of the benefits of each of these improvements in regard to their ability to stabilize the channel.

The estimated cost to complete this task: \$10,500

Task 7: Review Preliminary Plan with Stake Holders*

As part of this revised task, we anticipate holding several meetings to which we would invite City staff, representatives from the BCWMC, Corps of Engineers, DNR, and SHPO. In addition, we anticipate holding a public meeting with the homeowners in the project area to review the potential tree removals, the proposed restoration techniques, and to obtain feedback on the alternatives.

The estimated cost to complete this task: \$4,800

Task 8: Select Most Cost-Effective Feasible Alternative/Refine Design*

The most cost-effective feasible alternative that appears to receive the most stakeholder support will be further developed and refined. A more accurate estimate of construction cost and benefits will be developed.

The estimated cost to complete this task: \$3,200

Task 9: Prepare Feasibility Report*

As part of this task, a feasibility report will be prepared having the following format:

1. Executive Summary
 - 1.1. Reach Background
 - 1.2. General Project Description and Estimated Cost
 - 1.3. Recommendations

2. Background and Objectives
 - 2.1. Goals and Objectives
 - 2.2. Background
 - 2.2.1. Reach Description
 - 2.2.2. Past Documents and Activities Addressing this Reach
3. Site Characteristics
 - 3.1. Bassett Creek Watershed
 - 3.2. Stream Characteristics
 - 3.3. Site Access
 - 3.4. Wetlands
 - 3.5. Cultural and Historical Resources
 - 3.6. Phase I Environmental Assessment
4. Potential Improvements
 - 4.1. Description of Potential Improvements
 - 4.2. Project Impacts
 - 4.2.1. Easement/Right of Entry Acquisition
 - 4.2.2. Permits Required for Project
 - 4.2.3. Other Project Impacts
 - 4.3. Opinion of Cost
 - 4.4. Funding Sources
 - 4.5. Project Schedule

Tables

- BCWMC Channel Projects
- Potential Stabilization Measures at Each Site
- Potential Permit Requirements by Work Site
- Site Locations, Potential Stream Stabilization Practices, and Overall Option of Cost for Project

Figures

- Location Map
- Stream Stabilization Sites
- Stream Stabilization Options

Appendices

- a) Preliminary Plan Set with Stream Restoration Alternatives
- b) Site Photos
- c) Wetland Delineation Report
- d) Cultural and Historical Resource Report
- e) Phase I Environmental Assessment
- f) City Erosion Inventory

The estimated cost to complete this task:

\$5,500

Mr. Jeff Oliver
October 31, 2013
Page 5

Task 10: Review Report with City Staff and BCWMC

As part of this task, the findings contained in the final feasibility report will be reviewed and presented to City staff, BCWMC, and other interested parties. Should the City and BCWMC wish to proceed with the project, we will provide information and recommendations on the best approach to move forward with implementation of the project.

The estimated cost to complete this task: \$1,500

Task 11: Submit Project Plans to Permitting Agencies

As part of this task, permit applications will be prepared and submitted to the U.S. Army Corps of Engineers for a 404 Permit and Section 401 Certification from the Minnesota Pollution Control Agency. Permits will also be prepared and submitted to the LGU in compliance with Minnesota Wetland Conservation Act, and a permit application will be prepared and submitted to the DNR for a Public Waters Work Permit. A NPDES Storm Water Pollution Prevention Permit application will also be submitted for the project that will address managing erosion during construction.

The estimated cost to complete this task: \$2,000

Cost for Study/Feasibility Report

We estimate the revised cost to complete **Tasks 1 – 11** to range from **\$53,200 to \$62,000**. Unless unforeseen issues are identified that are outside the scope of work described above, this work should be able to be completed within nine months of the date we receive notice to proceed. If you are in agreement with the terms as outlined above, please sign where indicated below and return one copy to our office.

Sincerely,

WSB & Associates, Inc.

Pete Willenbring, PE
Project Manager/Vice President

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Mr. Jeff Oliver
October 31, 2013
Page 6

ACCEPTED BY:

Thomas D. Burt, City Manager
City of Golden Valley

Date

Shepard M. Harris, Mayor
City of Golden Valley

Date

cc: Todd Hubmer, WSB and Associates, Inc.