Item 4G
BCWMC 5-16-13

COOPERATIVE AGREEMENT
FOR
PREPARATION OF A FEASIBILITY REPORT FOR
MAIN STEM CHANNAL RESTORATION PROJECT 2015CR

This Agreement is made as of this ____ day of _____, 2013, by and between the 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 adopted the Bassett Creek Watershed Management Commission Water Management Plan, July 2004 on September 16, 2004 (the "Plan"), a watershed management plan within the meaning of Minn. Stat. § 103B.231; and

WHEREAS, the Plan, as amended, includes in the Commission's Capital Improvement Program ("CIP") a Project referred to as Main Stem Channel Restoration, 10th Avenue to ~~St. Croix Avenue~~ Duluth Street (2015CR) (the "Project"); and

WHEREAS, the Joint Powers Agreement for the Commission requires the preparation of a feasibility report for projects in its CIP; and

WHEREAS, the City is willing to prepare a feasibility report for the Project on the terms and conditions hereinafter set forth.

NOW, THEREFORE, ON THE BASIS OF THE PREMISES AND MUTUAL COVENANTS HEREINAFTER SET FORTH, THE PARTIES AGREE AS FOLLOWS:

1. The Project will consist of the Main Stem Channel Restoration, 10th Avenue to ~~St. Croix Avenue~~ Duluth Street (2015CR).

2. The City will prepare a feasibility report for the Project (the "Report") in accordance with the proposal of WSB and Associates, dated _____, attached as Attachment One.

3. The Commission will reimburse up to _____ Dollars ($ 54,100) of the cost of preparing the Report.

4. Reimbursement to the City will not exceed the amount specified in paragraph 3. Reimbursement will not exceed the costs and expenses incurred by the City for preparation of the Report, less any amounts the City receives for preparation of the Report as grants from other sources. All costs of preparing the Report incurred by the

City in excess of such reimbursement shall be borne by the City or secured by the City from other sources.

5. All City books, records, documents, and accounting procedures related to the preparation of a Report are subject to examination by the Commission.

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

WSB & Associates, Inc.
engineering • planning • environmental • construction

701 Xenia Avenue South
Suite 300
Minneapolis, MN 55416
Tel: 763-541-4800
Fax: 763-541-1700

May 8, 2013

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

Re: 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, outlined below is a Scope of Work associated with providing engineering services needed for the development of a feasibility study for the 2015 Bassett Creek Main Stem Restoration Project, Subreach 2 of Reach 1. This feasibility study will be similar to the studies developed by the Bassett Creek Watershed Commission (BCWMC), in that it will provide more detail to the study than is typically associated with these types of studies. Based on the available information provided by the BCWMC, this subreach extends about 9,500 feet from 10th Avenue 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, estimated tree removals, identification of potential access routes and staging areas, and identification of 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: $8,200

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 task, a preliminary plan will be developed and the maintenance areas will be prioritized and selected and restoration options will be assessed for long term stability and cost effectiveness. 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: $7,500

Task 7: Review Preliminary Plan with Stake Holders

As part of this task, we anticipate holding a meeting to which we would invite City staff, representatives from the BCWMC, Corps of Engineers, DNR, and potentially homeowners in the project area to review the options and obtain feedback on the alternatives.

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

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: $2,500

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
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: $4,500

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 cost to complete **Tasks 1 – 11** to range from **$45,300 to $54,100**. 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

ef

ACCEPTED BY:

_____ _____
Thomas D. Burt, City Manager Date
City of Golden Valley

_____ _____
Shepard M. Harris, Mayor Date
City of Golden Valley

cc: Todd Hubmer, WSB and Associates, Inc.