



RESOLUTION 2024-008

AUTHORIZING THE CITY MANAGER PRO TEM TO SIGN A CONTRACT AMENDMENT WITH WSP USA ENVIRONMENTAL & INFRASTRUCTURE, INC. FOR THE TANNERY SITE CLEANUP PROJECT

WHEREAS, the Tannery Site Cleanup Project is a top priority for the City with the City recently submitting a \$5M EPA Brownfields Cleanup Grant Application with awards to be announced in May 2024; and

WHEREAS, a formal Request for Proposals (RFP) was advertised in the Oregon DJC on August 18th and August 21st of 2023 seeking a firm to perform Qualified Environmental Professional (QEP) services required to deliver bid documents, construction permits, and environmental permits to complete the cleanup project; and

WHEREAS, two (2) proposals were received from Stantec and WSP USA Environmental & Infrastructure, Inc. (WSP) and WSP's proposal scored highest after independent review & evaluation of the proposals by the City's evaluation committee; and

WHEREAS, the City entered into a Direct Appointment (<\$100k) contract with WSP in October 2023 for the first phase of the project which included assisting City staff with the \$5M EPA grant application, preparing preliminary design plans, and pursuing alternate funding sources to the EPA grant; and

WHEREAS, the first phase of the project has been completed and the City would like to continue with the remaining work in preparation for potential EPA funds and refine cost estimates for the FY 24-25 CIP Plan set to be adopted in May; and

WHEREAS, WSP has developed a Scope of Work and associated remaining Fee of \$680,900.00 to complete the remaining services requested in the original RFP; and

WHEREAS, staff recommends a Contingency Amount of \$100,000.00 (14.7% of the Professional Services Contract amount) to handle unforeseen conditions and issues encountered over the next 3.5 years; and

WHEREAS, the total amount authorized by this resolution is \$780,900.00 to be expended over the current and subsequent three fiscal years and beyond for site monitoring.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

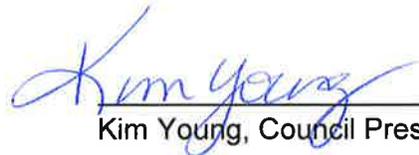
Section 1. The City Manager Pro Tem is hereby authorized to sign a Contract Amendment with WSP USA Environmental & Infrastructure, Inc. for the Tannery Site Cleanup Project with a Scope of Work in a form substantially similar to the attached Exhibit A.

Section 2. The Contract Amendment shall be in the amount of \$680,900.00, in conformance with a Fee Schedule in a form substantially similar to the attached Exhibit B.

Section 3. The City's Contract Administrator is authorized to amend the contract amount by up to \$100,000.00 for unforeseen conditions needed to complete the design, obtain necessary permits, and prepare bid documents for the cleanup project.

Section 4. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 20th of February 2024.



Kim Young, Council President

Attest:



Sylvia Murphy, MMC, City Recorder

February 9, 2024
361m130823

Mr. Jason Waters
City of Sherwood
22580 SW Pine Street
Sherwood, Oregon 97140

Subject: Proposal for Continued Environmental Consulting Services to Support Cleanup of Former Frontier Leather Tannery Property, Oregon Street, Sherwood, Oregon

Dear Mr. Waters:

WSP USA Environment & Infrastructure Inc. (WSP) is pleased to provide this proposal to the City of Sherwood, Oregon (City) for professional services at the former Frontier Leather Tannery Property. The property consists of three vacant tax lots located along Oregon Street (Tax Lots 2S129D000600, 2S129D000602, and 2S128C000400), hereinafter referred to as the "Site." Our proposed services generally follow the proposed approach presented in our response to the City's RFP #23-05, dated September 21, 2023.

BACKGROUND

The Site consists of the former Frontier Leather Tannery Property which is currently owned by Washington County, Oregon. It is approximately 32 acres in size and is in an industrially zoned area of Sherwood, Oregon. The Site was historically part of a large tannery operation that existed from the late 1940s through the early 1990s. Portions of the Site previously were used for landfilling of hide-splits (the non-valued part of the hide) and for processing various tannery wastes. The Site is currently receiving oversight by the Oregon Department of Environmental Quality (DEQ), with Mark Pugh serving as the DEQ project manager (PM). The Site contains wetland areas and is identified as part of the Rock Creek Unit of the Tualatin River National Wildlife Refuge. Rock Creek flows northerly through Tax Lot 2S128C000400 and the northeast tip of Tax Lot 2S129D000600.

WSP recently updated the wetland boundary map, and Division of State Lands (DSL) has provided concurrence. WSP also is currently providing grant-writing assistance and has initiated preliminary design.

SCOPE OF WORK

Our proposed Scope of Work (SOW) is in accordance with our original proposal dated September 21, 2023, and existing contract. A summary of the main tasks is described below.

TASK 1 – GRANT WRITING AND TECHNICAL ASSISTANCE; PLAN DEVELOPMENT

WSP and our supporting team member Haley & Aldrich [H&A] will continue to provide grant writing and technical assistance as needed. WSP will set up a pre-application meeting with DSL and United States Army Corps of Engineers (USACE) to discuss upcoming remediation and restoration activities. WSP will correspond with DEQ and the United States Environmental Protection Agency (EPA) and prepare memoranda, as appropriate.

TASK 2 - PRELIMINARY DESIGN; STAKEHOLDER ENGAGEMENT; DEQ CORRESPONDENCE

WSP will complete a 30% design remediation and cleanup plan based on the Analysis of Brownfields Alternatives (ABCA) and discussions with DSL, USACE, and DEQ (Task 1 above). WSP will prepare a Project Permitting Plan identifying all project permits, including City permits, land use review, and expected timelines. WSP will confirm with each agency on the requirements through pre-application meetings and consultations. WSP will provide a geotechnical memorandum based on existing geotechnical data regarding the feasibility of the proposed development. The memorandum will discuss likely foundation types and methods for subgrade preparation and identify any data gaps requiring further subsurface investigation in support of final design (to be completed as part of Task 4 below).

WSP will support the City in public engagement. This will include preparing materials for and attending public meetings to be held at appropriate milestones of the cleanup project. WSP also will prepare a presentation/work session for City elected officials where overall project and grant strategy will be discussed.

TASK 3 - LAND USE PLANNING FOR PROPERTY LINE ADJUSTMENT; SURVEYING

WSP and the project team will refine the planning documents (from Task 2 above) to address City and agency comments, including permit related feedback. Plan documents will be advanced to 60% design. Plan documents will include:

- Site Plan
- Lot Consolidation Plan for the three taxlots
- Cleanup Plan & Details (Remedial Action Plan)
- Mass Grading Plan
- Erosion Control Plans
- Site Utility Plans to serve the proposed Public Works Facility
- Public roadway
- Storm Drainage
- Restoration Plans

TASK 4 - FINAL DESIGN; REMEDIAL ACTION PLAN; PERMITS; BID DOCUMENTS

WSP and the project team will prepare final stamped construction drawings for both the remedial design cleanup and the mass grading, which will include site utility stub outs for future Public Works Facility development. 1200-C and CWS ESCP permit plans and project permit drawings will be prepared for the application submittals. The project team will also prepare project bid documents, specifications, and final cost estimates.

TASK 5 - CONSTRUCTION MANAGEMENT; REMEDIATION PLAN MANAGEMENT

WSP and the project team will act as the owner's representative during all phases of construction. Our anticipated SOW includes assisting the selected contractor in general management and environmental documentation, closure/confirmation (leave surface) sampling, remediation construction management and field documentation, 1200-C inspections, archaeological monitoring, subgrade excavation monitoring and special inspection as required, and communications with DEQ and other regulatory agencies.

TASK 6 - SITE MONITORING; CLOSEOUT REPORT

WSP will monitor all aspects of the Site, as appropriate, through the completion of the project. This includes preparing progress reports to DEQ and preparing a request for a no-further-action (NFA) finding after cleanup requirements have been fulfilled.

BUDGET AND SCHEDULE

The SOW will be completed for an estimated fee (time and materials) pursuant to our original proposal of September 21, 2023, and estimated fee of \$780,900. Of the original proposed amount, \$100,000 was previously authorized and appropriated to Tasks 1 and 2 (effective date of October 18, 2023). WSP's budget request herein is therefore for the remaining estimated balance of **\$680,900**, as detailed below. Amounts in the table below are based on the detailed cost breakdown spreadsheet (attached). Individual task amounts are expected to vary, but the total authorized amount will not be exceeded.

A description of the scope and associated estimated costs is provided in the table below.

Task	Description	Amount
Task 1	Follow-on Grant Writing and Technical Assistance; Plan Development	\$ 43,538.00
Task 2	Preliminary Design; Ongoing Stakeholder Engagement; DEQ Correspondence	\$171,871.00
Task 3	Land Use Planning for Property Line Adjustment; Surveying	\$ 63,915.00
Task 4	Final Design; Remedial Action Plan; Permits; Bid Documents	\$189,710.00
Task 5	Construction Management; Remediation Plan Management	\$158,224.00
Task 6	Site Monitoring; Closeout Report	\$ 53,642.00
Total (Tasks 1 through 6)		\$680,900.00

WSP anticipates the SOW covered by this proposal to extend through October 2027. No work will be performed outside this SOW without written authorization. If special circumstances or delays (not attributed to WSP or its subcontractors) are encountered, the City will be notified immediately; any perceived change orders will be communicated as quickly as practicable.

The estimated average monthly expenditures over the next 26 months (through April 2026 and prior to initiation of construction) are expected to be on the order of about \$10,000 to \$30,000 per month (higher expenditure months will be when subcontractor PACE is performing survey work).

ASSUMPTIONS

- The City will obtain/authorize required property access.
- City will provide a venue (i.e., City Hall) for in-person public outreach events.
- Permitting fees will be paid directly by the City.
- Staff identified on the attached spreadsheet are for tentative planning purposes, and subject to change. If a key staff member becomes unavailable to work on a particular task, WSP will consult with the City regarding a mutually acceptable replacement.
- Per the City's RFP #23-05, the proposed labor rates in the attached spreadsheet are valid for a period of two years and may be renegotiated (i.e. to reflect changes to the CPI) after that time.

LIMITATIONS

1. This proposal was prepared exclusively for the City by WSP. The quality of information, conclusions, and estimates contained herein is consistent with the level of effort involved in WSP services and based on: i) information available at the time of preparation, ii) data supplied by outside sources, and iii) the assumptions, conditions, and qualifications set forth in this proposal.



2. Our reports will be prepared for the exclusive use of the City and will be intended to document conditions at the Site at the time(s) of the Site visit(s). Any use which a third party might make of the reports, or any reliance on or decisions that may be made based on it, will be the responsibility of the third party. Should additional parties require reliance on our reports, written authorization from WSP will be required. With respect to third parties, WSP will have no liability or responsibility for losses of any kind whatsoever, including direct or consequential financial effects on transactions or property values, or requirements for follow-up actions and costs.
3. In evaluating and preparing documents pertaining to the Site, WSP will be relying in good faith on information provided by other individuals. WSP will assume that the information provided is factual and accurate. In addition, the findings in our reports will be based, to a large degree, upon information provided by the current owner/occupant. WSP accepts no responsibility for any deficiency, misstatement, or inaccuracy contained in reports as a result of omissions, misinterpretations, or fraudulent acts of persons interviewed or contacted.

WSP will make no other representations whatsoever, including those concerning the legal significance of its findings. With respect to regulatory compliance issues, regulatory statutes are subject to interpretation and change. Such interpretations and regulatory changes should be reviewed with legal counsel.

This proposal is intended to be used by the City for the former Frontier Leather Tannery property, located in Sherwood, Oregon, only, subject to the terms and conditions of its contract with WSP. Any other use of, or reliance on, this report by any third party is at that party's sole risk.

CLOSING

We appreciate the opportunity to work with you on this project. Please feel free to contact John Kuiper at 503-704-7793 if you have any questions or require additional information.

WSP USA Environment & Infrastructure Inc.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'John Kuiper', is written over a light blue horizontal line.

John Kuiper, RG
Principal Geologist; Vice president

A handwritten signature in blue ink, appearing to read 'Christy Duitman', is written over a light blue horizontal line.

Christy Duitman, RG
Vice President

Attachment: Estimated Fee Table

Estimated Cost - Sherwood Tannery Site

				Task 1 - Follow-on Grant Writing and Technical Assistance; Plan Development		Task 2 - Preliminary Design; Ongoing Stakeholder Engagement; DEQ Correspondence		Task 3 - Land Use Planning for Property Line Adjustment; Surveying.		Task 4 - Final Design; Remedial Action Plan; Permits; Bid Documents		Task 5 - Construction Management; Remediation Plan Management.		Task 6 - Site Monitoring; Closeout Report	
DIRECT LABOR				HOURS	TOTAL \$	HOURS	TOTAL \$	HOURS	TOTAL \$	HOURS	TOTAL \$	HOURS	TOTAL \$	HOURS	TOTAL \$
Principal Geologist	Christy Duitman	626	\$195.00		\$0.00	2.00	\$390.00		\$0.00	5.00	\$975.00		\$0.00	2.00	\$390.00
CIH	Mike Smith	627	\$195.00		\$0.00		\$0.00		\$0.00	4.00	\$780.00		\$0.00		\$0.00
Sr. Geotechnical Engineer	Jason Cox	627	\$195.00		\$0.00	10.00	\$1,950.00		\$0.00	12.00	\$2,340.00		\$0.00		\$0.00
Sr. Associate - Stormwater Engineer	Dan Schall	626	\$195.00	5.00	\$975.00	50.00	\$9,750.00	40.00	\$7,800.00	150.00	\$29,250.00	100.00	\$19,500.00	40.00	\$7,800.00
Principal - Engineer & Water Rights Examiner	Seth Jelen	625	\$195.00		\$0.00		\$0.00		\$0.00	20.00	\$3,900.00		\$0.00		\$0.00
Sr. Wetland Scientist (PWS)	Dan Gunderson (PWS)	625	\$195.00		\$0.00	20.00	\$3,900.00	20.00	\$3,900.00	20.00	\$3,900.00	25.00	\$4,875.00		\$0.00
Principal Geologist & Project Manager	John Kuiper	626	\$195.00	35.00	\$6,825.00	30.00	\$5,850.00	30.00	\$5,850.00	80.00	\$15,600.00	40.00	\$7,800.00	120.00	\$23,400.00
Grant Specialist	Alfonzo Hernandez	629	\$195.00	5.00	\$975.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
Associate - GIS Analyst	Patrick McCarthy	619	\$167.19		\$0.00	35.00	\$5,851.65	20.00	\$3,343.80	75.00	\$12,539.25		\$0.00	10.00	\$1,671.90
Industrial Hygienist	Lynda Winter	618	\$167.19		\$0.00		\$0.00		\$0.00	5.00	\$835.95		\$0.00		\$0.00
Senior 1 - Civil Engineer	Tyler Marley	619	\$186.26		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
Senior 1 - Wetland Scientist	Ingrid Larsson	616	\$167.19		\$0.00	30.00	\$5,015.70	15.00	\$2,507.85	100.00	\$16,719.00	75.00	\$12,539.25	25.00	\$4,179.75
Senior 1 - Chemist	Brian Johnson	617	\$167.19		\$0.00		\$0.00		\$0.00	10.00	\$1,671.90		\$0.00		\$0.00
Technical Professional 3 - GIS & Drafting	Marie Bevier	617	\$133.14		\$0.00	10.00	\$1,331.40		\$0.00	20.00	\$2,662.80		\$0.00		\$0.00
Technical Professional 3 - Civil	Stephane Descombes	616	\$167.00	5.00	\$835.00	5.00	\$835.00	20.00	\$3,340.00	30.00	\$5,010.00	10.00	\$1,670.00	10.00	\$1,670.00
Senior Scientist	Matthew Brown	616	\$122.70		\$0.00		\$0.00	30.00	\$3,681.00	50.00	\$6,135.00	100.00	\$12,270.00	10.00	\$1,227.00
Technical Professional 2 - Civil	Heather Grosak	622	\$167.19		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00		\$0.00
Technical Professional 2 - Environmental	Joanne Chen	614	\$97.76		\$0.00	40.00	\$3,910.40		\$0.00	40.00	\$3,910.40		\$0.00		\$0.00
Technical Professional 1 - Environmental	Grace Graner	612	\$97.94		\$0.00		\$0.00		\$0.00		\$0.00	150.00	\$14,691.00		\$0.00
Technical Professional 1 - Environmental	Dan Duran	612	\$85.12		\$0.00		\$0.00		\$0.00		\$0.00	180.00	\$15,321.60		\$0.00
Technician - Environmental	Bryan Jensen	614	\$97.76		\$0.00		\$0.00	15.00	\$1,466.40		\$0.00	100.00	\$9,776.00		\$0.00
Administration - Procurement	Jason Gardner	519	\$103.21		\$0.00		\$0.00		\$0.00		\$0.00	65.00	\$6,708.65		\$0.00
Administration - Word Processor	Rosalinda Gonzales	809	\$95.64	5.00	\$478.20	5.00	\$478.20	3.00	\$286.92	5.00	\$478.20	5.00	\$478.20		\$0.00
Administration - Word Processor	Alanna Yellowbear	809	\$95.64	4.00	\$382.56	5.00	\$478.20	3.00	\$286.92	30.00	\$2,869.20	5.00	\$478.20	20.00	\$1,912.80
Subtotal Labor				59.00	\$10,470.78	242.00	\$39,740.55	196.00	\$32,462.89	656.00	\$109,576.70	885.00	\$111,957.90	237.00	\$42,251.45
Office Overhead Charge (included in above rates)		0% of Labor													
Labor Total					\$10,470.78		\$39,740.55		\$32,462.89		\$109,576.70		\$111,957.90		\$42,251.45

EXPENSES																
	UNITS	UNIT COST	QUAN.	TOTAL \$	QUAN.	TOTAL \$	QUAN.	TOTAL \$	QUAN.	TOTAL \$	QUAN.	TOTAL \$	QUAN.	TOTAL \$	QUAN.	TOTAL \$
Car rental	day rental	\$60.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
Mileage	each	\$6.25	50.00	\$312.50	150.00	\$937.50	100.00	\$625.00	198.00	\$1,237.50	800.00	\$5,000.00	200.00	\$1,250.00		\$0.00
EDR	Per Copy	\$400.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		\$0.00
Photocopies	Per Copy	\$1.50	20.00	\$30.00	50.00	\$75.00	20.00	\$30.00	100.00	\$150.00	20.00	\$30.00	20.00	\$30.00		\$0.00
Driller / Excavator	Cost Plus	\$15,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	1.00	\$15,000.00	0.00	\$0.00		\$0.00
Analytical Laboratory	Cost Plus	\$4,000.00	0.00	\$0.00	1.00	\$4,000.00	0.00	\$0.00	1.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00		\$0.00
VOCs (groundwater)	Cost Plus	\$160.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	5.00	\$800.00	8.00	\$1,280.00	0.00	\$0.00		\$0.00
TPH-Dx (soil and groundwater)	Cost Plus	\$70.00	0.00	\$0.00	20.00	\$1,400.00	0.00	\$0.00	5.00	\$350.00	8.00	\$560.00	0.00	\$0.00		\$0.00
TPH-Gx (soil and groundwater)	Cost Plus	\$55.00	0.00	\$0.00	20.00	\$1,100.00	0.00	\$0.00	5.00	\$275.00	8.00	\$440.00	0.00	\$0.00		\$0.00
Metals (RCRA 8) (soil and groundwater)	Cost Plus	\$95.00	0.00	\$0.00	100.00	\$9,500.00	0.00	\$0.00	5.00	\$475.00	100.00	\$9,500.00	0.00	\$0.00		\$0.00
Subconsultant (Haley & Aldrich)	Cost Plus	\$1.00	30000.00	\$30,000.00	29500.00	\$29,500.00	0.00	\$0.00	4000.00	\$4,000.00	0.00	\$0.00	5000.00	\$5,000.00		\$0.00
Subconsultant (Kittelson & Associates)	Cost Plus	\$1.00	0.00	\$0.00	20000.00	\$20,000.00	2500.00	\$2,500.00	5000.00	\$5,000.00	2500.00	\$2,500.00	0.00	\$0.00		\$0.00
Subconsultant (PACE)	Cost Plus	\$1.00	0.00	\$0.00	54300.00	\$54,300.00	26000.00	\$26,000.00	42000.00	\$42,000.00	23000.00	\$23,000.00	5000.00	\$5,000.00		\$0.00
Equipment Purchase & Rentals	Cost Plus	\$100.00	0.00	\$0.00	1.00	\$100.00	0.00	\$0.00	5.00	\$500.00	30.00	\$3,000.00	0.00	\$0.00		\$0.00
Environmental Supplies (Misc.)	Cost Plus	\$25.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	5.00	\$125.00	30.00	\$750.00	0.00	\$0.00		\$0.00
Investigation Derived Waste (IDW) disposal	Cost Plus	\$250.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00		\$0.00
Postage / UPS/Courier	Cost Plus	\$50.00	0.00	\$0.00	1.00	\$50.00	0.00	\$0.00	1.00	\$50.00	10.00	\$500.00	4.00	\$200.00		\$0.00
Subtotal Expenses				\$30,061.25		\$120,118.75		\$28,592.50		\$72,848.75		\$42,060.00		\$10,355.00		\$0.00
Mark up - subcontractors, vendors, supplies		10%		\$3,006.13		\$12,011.88		\$2,859.25		\$7,284.88		\$4,206.00		\$1,035.50		\$0.00
Expenses Total				\$33,067.38		\$132,130.63		\$31,451.75		\$80,133.63		\$46,266.00		\$11,390.50		\$0.00

Totals	Task 1 - Follow-on Grant Writing and Technical Assistance; Plan Development	Task 2 - Preliminary Design; Ongoing Stakeholder Engagement; DEQ Correspondence	Task 3 - Land Use Planning for Property Line Adjustment; Surveying.	Task 4 - Final Design; Remedial Action Plan; Permits; Bid Documents	Task 5 - Construction Management; Remediation Plan Management.	Task 6 - Site Monitoring; Closeout Report
	\$43,538.14	\$171,971.18	\$63,914.64	\$189,710.33	\$156,223.90	\$53,641.95

\$43,538 Task 1 - Follow-on Grant Writing and Technical Assistance; Plan Development
 \$171,871 Task 2 - Preliminary Design; Ongoing Stakeholder Engagement; DEQ Correspondence
 \$63,915 Task 3 - Land Use Planning for Property Line Adjustment; Surveying.
 \$0 Task 4 - Final Design; Remedial Action Plan; Permits; Bid Documents
 \$0 Task 5 - Construction Management; Remediation Plan Management.
 \$53,642 Task 6 - Site Monitoring; Closeout Report

Total Estimate:

\$680,900.13