TASK ORDER No. 11
Tribal Participation Plan (TPP) and Research and Survey Plan

This Task Order pertains to Master Services Agreements by and between Seven County Infrastructure Coalition, ("COALITION"), and HDR Engineering, Inc. ("HDR"), dated as of November 9, 2018 ("the Agreement"), and amended on December 10, 2018, March 5, 2019, July 1, 2019, May 11, 2020, October 28, 2020, December 7, 2021 and March 1, 2021. HDR shall perform services on the project described below as provided herein and in the Agreements. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

I. Task Order No. 11 Objectives:

The objective of Task Order No. 11 is to assist the Seven County Infrastructure Coalition (Coalition) with its cultural resources management responsibilities by fulfilling the terms of the programmatic agreement (PA) among the Surface Transportation Board et al. regarding the Coalition’s Construction and Operation of the Proposed Uinta Basin Railway Project (the Project). The subtasks associated with Task Order No. 11 are:

1. Project Management.
2. Prepare a Tribal Participation Plan.
3. Prepare a Research and Survey Plan.

To assist the project proponent in creating a Tribal Participation Plan and Research and Survey Plan, in partial fulfillment of the terms of the PA, HDR and its subconsultant SWCA, will complete the subtasks described in Exhibit A and summarized below. It is assumed that the Whitmore Park proposed route will be the selected preferred alternative.

II. Task Order No. 11 Duration:

All activities under Task Order 11 shall be performed beginning upon execution of this Task Order and be completed by July 30, 2021. Any work required after July 30, 2021 due to circumstances beyond HDR's control, will be accomplished under separate task orders and contracts. A draft version of the Tribal Participation Plan shall be completed by April 23, 2021.

III. Task Order No. 11 Activities:

HDR shall perform the following activities, identified as Subtask 1.0 to Subtask 3.0, under Task Order No. 11. The scope of work for Subtask 2.0 and Subtask 3.0 is fully described in the attached SWCA scope of work (SOW) – see Exhibit A.

Subtask 1.0  Project Management

Objective: HDR will provide contract administration and team management, coordination, and direction for the duration of the Task Order. Activities will include the following:

- Administration of project costs and schedule control.
- Contract compliance activities including status reporting and invoicing.
- Internal weekly HDR team/discipline coordination.
- SCIC weekly management meetings/calls.
Seven County Infrastructure Coalition
Uinta Basin Railway

Deliverables:
- One (1) electronic copy of monthly invoices and progress reports.

Subtask 1.0 Tribal Participation Plan

Objective: SWCA will prepare a Tribal Participation Plan that will describe the scope of consultation and consultation procedures with the Ute Indian Tribe of the Uinta and Ouray Reservation (the Tribe). The plan will include Tribal confidentiality requirements; how consultation will take place and under what circumstances (e.g., modifications to the PA or APE); consultation procedures for the development of the research and survey plan; methods for gaining permission to enter Ute Tribal lands (Tribal lands) for the purposes of cultural resources and paleontological field surveys; Tribal participation in field surveys and reporting requirements for Tribe-only field surveys; reporting and report distribution requirements relating to properties of cultural and religious significance (Traditional Cultural Properties [TCPs]); procedures for Tribal input on evaluations of TCPs and concurrence on the effects of the Project on such properties; procedures for Tribal comment on technical reports identifying and evaluating historic properties and assessment of effects on those properties; means for participation in the development of the historic properties treatment plan (HPTP) and the opportunity for comment and concurrence; and participation in the development, review, and delivery of on-site cultural sensitivity training. The plan will also include parameters for in-person meetings and teleconferences as well as the Coalition’s financial responsibility to the Tribe for participation in consultation.

Assumptions:
- Ute Traditional Cultural Specialists (TCSs) will be present during cultural resources surveys on Tribal lands and the Tribe will request to participate in some surveys outside of Tribal lands. Note: No field survey will be conducted under this Task Order.
- The Tribe will choose to participate in approximately 50 percent of the cultural resources survey for the Project.
- No more than two TCSs will participate in the cultural resources survey at a time, and they will be compensated on a biweekly basis by HDR.
- The Tribe may choose to investigate TCPs outside of the Project APE to assess potential indirect effects that may impact the use of TCPs.
- No more than 20 hours of meetings will be required for consultation, attended by no more than two SWCA professionals. All meetings will be virtual.

Deliverables:
- Draft Tribal Participation Plan – shall be completed and submitted to SCIC and OEA no later than 30 days following the signing of the Programmatic Agreement, or by April 23, 2021.
- Final Tribal Participation Plan.

Subtask 3.0 Research and Survey Plan

Objective: SWCA will assist in finalizing the APE and prepare a Research and Survey Plan that will meet the requirements of 36 Code of Federal Regulations 800.4(b) and will follow the Secretary’s Standards and Guidelines for Identification. The plan will include the following components:
Plan Components:

- An outline of updated file search methods and results, file search results maps, and GIS files.
- Research sources utilized in the file search (including General Land Office (GLO) plat maps, historical topographic maps, regional and local histories, ethnographic information, previous studies, and GIS data).
- Survey expectations based on the file search.
- Survey and recording methods for archaeological resources, potential burials with Tribal notification procedures, and above-ground (architectural) resources.
- Approaches for analyzing listed, determined-eligible, and potentially eligible historic properties included in the OEA technical memorandum (Tabachnick 2020).
- An approach for identifying and analyzing rural historic districts, rural historic landscapes, and TCPs.
- An approach for coordinating with the Tribe to develop methods for identifying TCPs and other important cultural or religious resources.
- Field survey crew composition.
- An outline of coordination plans with OEA regarding monitoring of fieldwork and Tribal monitoring.
- Identification of necessary access permits and other requirements for surveys on Tribal trust lands.
- HDR (or its subcontractor) will identify and coordinate access to private lands during the research and survey planning period.

Assumptions:

1. Up to two rounds of comments from the Tribe, OEA, and consulting parties will be received.
2. The Research and Survey Plan will be issued to the Utah SHPO, agencies, the Tribe, and other consulting parties concurrently.

Deliverables:

- Draft Research and Survey Plan.
- Final Research and Survey Plan.

IV. Period of Service:

The activities in this Task Order shall be completed by July 30, 2021, following the COALITION issuing written Notice to Proceed to HDR for this Task Order. HDR assumes the COALITION will issue written Notice to Proceed for Task Order No. 11 and the subsequent amendment to the Master Service Agreement by April 5, 2021.

V. Engineer's Fee and Method of Payment:

HDR will perform the work in this Task Order for a lump sum of $97,000.00 inclusive of labor, travel, subconsultants, and expenses. Payment shall be according to the Terms and Conditions of the Master Agreement for Professional Services between COALITION and HDR dated November 9, 2018 and as amended on December 10, 2019, March 5, 2019, July 1, 2019, May 11, 2020, October 28, 2020, December 7, 2020 and March 1, 2021.
IN WITNESS WHEREOF, the parties hereto have executed this Task Order No. 11 as of April 1, 2021.

SEVEN COUNTY INFRASTRUCTURE COALITION
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