

Engineering Contract Modification

Modification No.: Two (2)

Date: September 17, 2021

Project: Connection from Uintah County to I-70 Transportation Corridor

REASON FOR MODIFICATION:

The original contract for the project was to complete Phase 1 of the Federal Application and Supporting Analysis for the Connection to I-70 Transportation Corridor project.

This contract modification (No. 1) is to complete Phase 2 of the Federal Application and Supporting Analysis for the Connection to I-70 Transportation Corridor project, also known as the Eastern Utah Regional Connection (EURC). Phase 2 is to provide the supporting environmental analysis to assist the BLM in the preparation of the EIS and to obtain a Record of Decision (ROD). This additional work was included in the original SOQ to be added to the contract upon completion of Phase 1. The detailed scope of this additional work is attached to this Contract Modification. The billing for this additional work will be under the same terms (Hourly) as the original contract at the firms current hourly billing rates.

The completion date for this work will extend the original date to December 31, 2023.

The original engineering contract was for the following work:

Phase 1 of the Federal Application and Supporting Analysis for the Connection to I-70 Transportation Corridor project. \$ 965,000.00

CONTRACT MODIFICATION AMOUNT:

The amount of this contract modification is \$ 0.00

Current Contract Amount \$ 965,000.00

Contract Modification No. 1 \$ 1,805,000.00

Revised Contract Amount \$ 2,770,000.00

CONTRACT MODIFICATION APPROVAL:

Seven County Infrastructure Coalition:
(Owner)

CIVCO Engineering, Inc.:
(Engineer)

By: _____

By: _____

Attest:

Attest:

By: _____

By: _____

Phase 2 – Scope of Work

TASK 1. PROJECT MANAGEMENT

CIVCO Engineering, Inc. (Engineer) will administer the Project. Under this task, the Engineer will supervise and coordinate Engineer's staff, including subconsultants; provide accounting and managing the contract budget; provide monthly invoices and progress reporting; and establish and execute quality assurance/quality control procedures.

TASK 2. BLM APPLICATION AND COORDINATION SUPPORT

Respond to BLM Questions on the BLM Application SF299 and preliminary Plan of Development (POD)

The Engineer will coordinate with the Seven County Infrastructure Coalition (Coalition) to prepare responses to BLM questions and requests for additional information related to the Coalition's BLM Application SF299 and preliminary Plan of Development. If required by the BLM to satisfy the BLM's questions/information requests, the Engineer will prepare a revised BLM Application SF299 and preliminary Plan of Development and cover letter for the Coalition to submit to the BLM. The Engineer will prepare a NEPA-level Plan of Development for the project based on feedback from the BLM.

Prepare updated Draft Memorandum of Understanding

The Engineer will prepare updated Draft Memorandum of Understanding (MOU) based on the prior MOW, between the Coalition and BLM to serve as an umbrella agreement that sets forth the general terms and conditions and time line under which the parties will coordinate and cooperate. This formal agreement between the Coalition and BLM that will not be legally binding but carries a degree of seriousness and mutual respect. The Engineer will provide a draft MOU to the Coalition for review and comment then will revise the MOU to address Coalition comments before providing a copy to the Coalition to submit to the BLM. Efforts to draft the MOU will include research and coordination to determine conditions and timeline parameters.

TASK 3. STRATEGIC COMMUNICATION

Applicant-Initiated Community Outreach Meetings

The Engineer will prepare for, coordinate, and participate in meetings with the Coalition, the BLM, and stakeholders from Grand County, Uintah County, and state government. In close coordination with the Coalition, the Engineer will develop and execute a public/stakeholder involvement plan that builds on the stakeholder engagement and public outreach efforts completed in the spring of 2018. The Engineer will vet the plan with the Coalition or its consultant prior to executing it. The public involvement plan will include making presentations to the Coalition's governing board and to the board member assigned to the project. This task includes preparation of meeting and presentation materials for meetings with stakeholders and the public.

Identify Potential Cooperating Agencies

To facilitate efficiency by the BLM, the Engineer will prepare a list of potential Cooperating Agencies and the legal authorities and responsibilities of each.

Identify Potentially Affected Native American Tribes

To facilitate efficiency by the BLM, the Engineer will prepare a list of the Native American tribes whose traditional territories are within or adjacent to the project area and that may be affected by the project or have an interest in the project area (e.g., traditional uses, sacred or otherwise important areas).

Identify and Coordinate with Existing Rights-of-Way Stakeholders

The Engineer will identify and coordinate with parties with existing valid rights-of-ways that conflict with the Project alignment.

Contract with Strategic Communication subconsultant

The Engineer will identify and subcontract with a strategic communication firm to assist in the messaging for this project based on the SCIC vision.

TASK 4: BASE LINE ENVIRONMENTAL SERVICES

Resource surveys would be conducted for the route identified as the proposed route in the February 2019 ROW Application and Preliminary POD and up to 35 miles of route variations, except for efforts for the Biological Resource Field Reconnaissance Survey, where only route variations up to 35 miles in length are included in the cost estimate because the Engineer conducted a biological resource field reconnaissance survey on the proposed route in November 2017. The field reconnaissance surveys will consist of a 300-foot buffer (600-foot-wide corridor) from the centerline of the identified route variations.

Biological Resource Field Reconnaissance Survey

The Engineer will conduct a field reconnaissance survey within a 300 foot buffer (600-foot-wide corridor) of any route variations identified to (1) identify vegetation communities present in the survey area, (2) determine whether these vegetation communities provide habitat for species of concern, (3) document habitats or features potentially supporting species of concern, and (4) record incidental wildlife observations. Results of the field survey will be summarized in a concise survey report. The survey data and survey report will be used to develop the Biological Resources Report. The reconnaissance survey will be conducted using the same methods used for the reconnaissance survey conducted by the Engineer in November 2017.

Plant and Wildlife Surveys

The Engineer will conduct presence/absence surveys along the proposed route and up to 35 miles of route variations for plant and wildlife species of concern that have the potential to be affected by construction activities. Wildlife surveys will include pedestrian surveys for ground-burrowing species (i.e., kit fox, white-tailed prairie dog, and burrowing owl). Prior to completing any survey work, The Engineer will coordinate with the botanist and wildlife biologist at the BLM Moab Field Office to identify and confirm survey requirements. The survey requirements and survey methods will be documented in a survey plan to be reviewed and approved by the BLM prior to initiating the field surveys. The survey report will document survey methods and results and will include species and habitat avoidance and minimization measures, and maps documenting the locations of all species of concern observed. The Engineer will provide the draft survey report to Coalition for review and comment and the revised survey report addressing Coalition comments for submitting to the BLM. The Engineer will revise the survey report to address any BLM comments and provide the final survey report to the Coalition to submit to the BLM. The survey data and survey report will be used to develop the Vegetation and Wildlife Resources Report. Preconstruction raptor nest surveys will be completed as part of the Plant and Wildlife Surveys.

Aquatic Resource Delineations

The Engineer will conduct aquatic resource delineations along the proposed route and route variations to identify wetlands and other water features that are likely to be considered jurisdictional by the U.S. Army Corps of Engineers (USACE). Potential wetland and other Waters of the U.S. will be delineated in accordance with the 1987 USACE Wetland Delineation Manual, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0, September 2008), and A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States (Lichvar and McColley 2008). OHWM data will be collected in accordance with the Updated Datasheet for the Identification for the OHWM in the Arid West Region of the Western United States (Curtis and Lichvar 2010).

Each wetland will be assessed using the Arid West Region Wetland Determination Data Form provided in the regional supplement. Data will be recorded to fill all required fields of the applicable Wetland Determination Data Form. Sample points will be established as needed to characterize existing soil, hydrologic and vegetative conditions of wetlands and adjacent uplands to identify the border separating the two habitats. Photographs of sample points will be taken to document field conditions at each individual sample point. Wetland boundaries will be recorded with a Global Positioning System (GPS) unit.

Other potential Waters of the U.S. (including water bodies and perennial, intermittent and ephemeral streams) will be inspected to determine whether the water features possess attributes that would qualify it as jurisdictional by the USACE. All three jurisdictional parameters of definitive channel morphology (i.e., bed, bank and OHWM) must be present to be considered potentially jurisdictional. If all three jurisdictional parameters are met, OHWM dimensions will be recorded, representative photos will be taken, and GPS points will be collected at the OHWM. The Engineer will provide a draft survey report to the Coalition for review and comment and a revised survey report addressing Coalition comments. The survey data and survey report will be used to develop the Water Resources Report.

The Engineer anticipates project-related impacts to Waters of the U.S. will be minimal and that all Project work in wetlands and Waters of the U.S. will fall under a Nationwide Permit and no Pre-Construction Notification or Individual Permit will be required.

Waters of the U.S. identified are jurisdictional; no Preliminary Jurisdictional determination will be prepared. Delineations will include identifying the OHWM for non-wetland Waters of the U.S., including ephemeral, intermittent and perennial streams.

Cultural Resources

The Engineer will conduct a Class III cultural resources survey (field survey) of the Project area and prepare a written report of findings. The Engineer will use the information gathered during the desktop and reconnaissance survey (conducted during Phase I of the Project) to ensure the field survey scope is appropriate for the Project and meets BLM and Utah State Historic Preservation Office (SHPO) requirements. Prior to completing any survey work for cultural resources, The Engineer will coordinate with the appropriate resource specialists at the BLM Moab Field Office to identify and confirm survey requirements. The survey requirements and survey methods will be documented in a survey plan (or plans as appropriate) to be reviewed and approved by the BLM prior to initiating the field surveys.

The report will include all information necessary to support Coalition's consultation with the BLM and Utah SHPO. The Engineer also will complete any additional documents that are required to accompany document submittals to the Utah SHPO (e.g., project submittal cover

pages). The Engineer will provide both a draft report to Coalition for review and comment and a final report incorporating Coalition comments.

The Class I literature search will be collected at the Utah SHPO.

The Class III inventory corridor would consist of an APE of 200 feet in width (100 feet on either side of the proposed centerline). The proposed survey corridor will be marked/flagged or digital data will be provided for upload to GPS units prior to the survey. Per BLM and SHPO guidelines, the Class III inventory will be completed using parallel pedestrian transects not to exceed 15 meters in separation.

Based on initial work we anticipate approximately twenty-five (25) previously recorded sites will require site revisit documentation and potentially five (5) new archaeological sites will be encountered that will require recordation. If encountered, no artifacts will be collected for specialized studies (e.g., obsidian hydration, metallurgic) during the field inventory. The Engineer anticipates preparation of formal prehistoric and/or historic contexts will not be required.

Paleontological Resources

The Engineer will conduct a paleontological resources survey (field survey) of the proposed route and route variations and prepare a written report of findings. Prior to completing survey work for paleontological resources, the Engineer will coordinate with the appropriate resource specialists at the BLM Moab Field Office to identify survey requirements. Survey work will include geologic map review, museum record search, literature search), the field survey, the resource report, and fossil identification and curation (if any scientifically significant fossils are found). The Engineer will provide a draft survey report to the Coalition for review and comment and a revised survey report addressing Coalition comments. The survey data and survey report will be used to develop the Paleontological Resources Report to be prepared under Task 5.

Based on initial work we anticipate approximately 24 non-significant fossil localities and 12 significant fossil localities will be encountered that will require recordation.

To meet NEPA streamlining requirements, The Engineer will prepare resource reports for known resource issues that may be referenced by the BLM in preparing the NEPA document. For example, the BLM can reference the resource reports as the Affected Environment in the NEPA document to meet page limitations in the NEPA document under the NEPA streamlining initiatives. Also, the resource reports will provide comprehensive environmental resources data inventory (baseline data for analysis) representing the existing condition of the environment (data library, metadata organized to be used easily by the BLM). The scope of resource reports will include the route identified as the proposed route in the February 2019 ROW Application and Preliminary POD and up to 35 miles of route variations.

The Engineer will prepare a resource report for the following resources that will have to be addressed in the NEPA process:

- Wildlife Resources including Special Status Species
- Vegetation including Special Status Species
- Visual Resources
- Water Resources (surface water)
- Cultural Resources
- Paleontological Resources
- Earth Resources (soils, geology)
- Land Use and Recreation

- Special Designations
- Noise and Vibration Resource
- Transportation Resource
- Socioeconomic Resource Report
- Public Health and Safety Report
- Air Quality and Fugitive Dust Report

Each report will provide relevant regional information and baseline data needed to analyze the potential effects of the proposed action on the environment. The resource reports will include the following sections:

- Environmental setting: overview/context of resources in the project area
- Regulatory framework: laws, regulations, and policies pertinent to the resources
- Resource issues associated with the project that will have to be addressed in the NEPA document
- Methodology for conducting the resource studies
- Affected environment: description of the existing condition of the environment (baseline inventory data)
- Preliminary applicant-committed environmental measures to avoid or reduce Project impacts

As part of this task, The Engineer will establish an organized library of the reports, articles, papers, and maps relevant to the Project available to the Project participants. The library will be established as the resource data are compiled for the Resource Reports.

For each resource, a draft resource report will be provided to the Coalition for review and comment.

The visual resource baseline data collection methodology used by Engineer, will be based on the BLM's Visual Resource Management (VRM) system for evaluation of visual resources. The Visual Resources Resource Report will include an existing Visual Conditions Base Map (sensitive viewpoints, VRM Classes) and site photos and Scenic Quality Inventory Forms from fifteen (15) Key Observation Points. The engineer will develop five (5) total photo simulations for the Project.

The engineer will develop a noise analysis at a screening level assessment, that includes an inventory of noise sensitive land uses, within a study area surrounding each alignment. The vibration analysis will rely upon Federal Transit Administration (FTA) guidance and assumes as a total of forty sensitive sites (archaeological sites, petroglyphs etc.). FTA building damage risk criteria will be used to assess impacts to sensitive sites, including cultural resources.

The engineer will provide a transportation resource analysis using the Utah Department of Transportation (UDOT) Utah Statewide Travel Demand Model (USTM) to analyze transportation impacts, including transportation system efficiency, following upon 2015 travel demand modeling.

Socioeconomic resource analysis will be based upon the 2015 socioeconomic report for the project, including best available data specific to the alternative.

Public health and safety analysis will present benefits and impacts to human health and safety, considering topics such as air quality, water quality, hazardous materials, and wildfire.

Air quality analysis will be a qualitative analysis for projects with low potential MSAT effects per FHWA MSAT policy and guidance, and CEQ provisions covering incomplete or unavailable information. Project benefits and impacts of fugitive dust will be provided.

TASK 5: DESIGN REFINEMENTS

The Engineer will revise preliminary design plans and cost estimates for the alignment in the draft POD and up to 35-miles of route variations to reflect additional resource data and review comments from the BLM. This may include revisions to drainage analysis and design for the project road and revisions to the right-of-way to reflect additional data, BLM direction, or stakeholder-driven requirements. The design refinements will finalize the roadway geometry so that right of way plans and instruments can be prepared with final legal descriptions.

The design refinements are anticipated to include the following tasks of work:

- Roadway alignment
- Drainage
- Geotechnical
- Cost Estimates
- Right of Way
- Alternate alignments for BLM
- Additional coordination with BLM

Final deliverables will include the preliminary Geotech report (no core drilling), pavement design, right of way plans, plan and profile sheets (developed using USGS Quad Map information), typical sections (showing roadway details – pavement designs, material thicknesses, etc.).

All project deliverables, design files and associated electronic files, including all associated CAD design drawings in .dwg format, will be transferred to the Coalition through its file sharing site and remain the property of the Coalition.

TASK 6: DRAFT PREPARATION PLAN

To facilitate efficiency by the BLM, Engineer will prepare a draft preparation plan to provide guidance for conducting project activities related to NEPA and other relevant laws, regulations, and policies. The intent is for the BLM to adapt this plan for its own plan.

A preparation plan provides the guidance for conducting project activities related to NEPA and other relevant laws, regulations, and policies. The draft preparation plan would include the following:

- Statement of purpose and need
- Description of the project
- Laws, regulations, and policies pertinent to preparing the Environmental Impact Statement (EIS)
- Major federal, state, county, and local permits pertinent to the action
- Issues potentially associated with the project
- Preliminary, suggested roles and responsibilities of project participants
- Preliminary communication plan (for the project participants)
- Preliminary schedule

The preparation plan will provide text that can be tailored by BLM for use in the NEPA document and can be adapted by the BLM to serve as the basis for the BLM's Preparation Plan.

TASK 7: BLM THIRD-PARTY RFP

Completed by the Coalition.

EURC Phase 2 Budget (Updated September 2021)

BLM Cost Recovery (by Owner)	\$	320,000
Third Party Consultant NEPA (By Owner)	\$	312,424
Program Management (By Owner)	\$	200,000
Engineering and Resource Surveys/Reports (Engineer)	\$	1,805,000
Legal Services	\$	200,000
Contingency (controlled by Owner)	\$	462,576
	\$	<u>3,300,000</u>

Engineer Scope/Budget (February 12, 2020)

	Task Budget	Item Budget	Used	Budget
Task 1 - Project Management	\$ 100,000		\$ 18,650	\$ 81,350
Project Management and Administration		\$ 100,000	\$ 18,650	\$ 81,350
Task 2 - BLM Coordination	\$ 135,000		\$ 73,626	\$ 61,374
Application Follow-up		\$ 25,000	\$ 16,840	\$ 8,160
NEPA Level POD		\$ 30,000	\$ 26,450	\$ 3,550
BLM Coordination and Requests		\$ 70,000	\$ 22,136	\$ 47,864
Draft MOU		\$ 10,000	\$ 8,200	\$ 1,800
Task 3 - Strategic Communication	\$ 250,000		\$ 57,060	\$ 192,940
Coalition Stakeholder/Community Outreach		\$ 80,000	\$ 23,950	\$ 56,050
Cooperating Agencies		\$ 10,000		\$ 10,000
American Indian Tribes		\$ 10,000		\$ 10,000
Existing ROW Stakeholders		\$ 75,000	\$ 23,460	\$ 51,540
Strategic Communication		\$ 75,000	\$ 9,650	\$ 65,350
Task 4 - Base Line Environmental Services	\$ 745,000		\$ 253,130	\$ 491,870
Bio Survey (wildlife, vegetation, water/streams)		\$ 100,000	\$ 38,200	\$ 61,800
Cultural Survey		\$ 100,000	\$ 35,550	\$ 64,450
Wildlife Resources		\$ 40,000	\$ 13,125	\$ 26,875
Vegetation including Special Status Species		\$ 40,000	\$ 6,200	\$ 33,800
Visual Resources		\$ 60,000	\$ 18,600	\$ 41,400
Water Resources		\$ 25,000	\$ 8,140	\$ 16,860
Cultural Resources		\$ 70,000	\$ 21,225	\$ 48,775
Paleontological Resources		\$ 60,000	\$ 19,850	\$ 40,150
Air Quality and Fugitive Dust		\$ 40,000	\$ 12,100	\$ 27,900
Noise and Vibration		\$ 50,000	\$ 16,200	\$ 33,800
Soils		\$ 30,000	\$ 12,790	\$ 17,210
Transportation		\$ 60,000	\$ 28,200	\$ 31,800
Socioeconomic		\$ 40,000	\$ 13,450	\$ 26,550
Public Health and Safety		\$ 30,000	\$ 9,500	\$ 20,500
Task 5 - Design Refinements	\$ 500,000		\$ 17,450	\$ 482,550
Design Refinements		\$ 500,000	\$ 17,450	\$ 482,550
Task 6 - Preparation Plan	\$ 75,000		\$ 5,000	\$ 70,000
Prepare Draft Chapter 1 & 2 of EIS document		\$ 75,000	\$ 5,000	\$ 70,000
Total	\$ 1,805,000	\$ 1,805,000	\$ 424,916	\$ 1,380,084