SEVEN COUNTY INFRASTRUCTURE COALITION
January 21, 2022

Resolution No. 2022-01A

RESOLUTION APPROVING HDR TASK ORDER 11 TRIBAL PARTICIPATION AND RESEARCH AND SURVEY PLAN AND RELATED MATTERS.

WHEREAS, in December 2018, the Coalition Board entered into a Master Service Agreement with HDR Engineering, Inc. with certain task orders related to the Uinta Basin Railway; and

WHEREAS, over the course of the Uinta Basin Railway project, it has been deemed wise and appropriate to clarify and amend the Master Service Agreement with HDR and also related task orders; and

WHEREAS, Task Order 11 under the Master Service Agreement deals with the Tribal Participation and Research and Survey Plan; and

WHEREAS, HDR has completed Task Order 11 and the Coalition desires accept the Tribal Participation plan and close out Task Order 11:

NOW, THEREFORE, be it resolved by the Governing Board of the Seven County Infrastructure Coalition, Utah as follows:

1. The Governing Board hereby accepts the Tribal Participation Plan, approves final payment to HDR on Task Order 11 in the amount of $11,640.00, which when combined with prior approved payments totals an amount of $72,750.00 for the Tribal Participation Plan. The original amount approved for Task Order 11 was $97,000.00. Because $72,750 represents the total amount that will be expended on Task Order 11, there will be a savings on this budgeted item in the amount of $24,250.00.

2. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, clause or provision shall not affect the remaining sections, clauses or provisions of this Resolution.

3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption
APPROVED AND ADOPTED this January 21, 2022.

Motion by Commissioner Lytle and
Seconded by Commissioner Hopes.

SEVEN COUNTY INFRASTRUCTURE COALITION VOTING:

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<thead>
<tr>
<th>County</th>
<th>Yea</th>
<th>No</th>
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<tr>
<td>Carbon County</td>
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<td>Uintah County</td>
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Co-Chair Casey Hopes  
Co-Chair Greg Miles  

ATTEST:

Heather B. Hoyt
APPENDIX A

TASK ORDER No. 11 – Tribal Participation Plan and Research and Survey Plan
Change Order No. 2 – Descope Contract Final Deliverables

I. Change Order No. 2 Objectives

The objectives and overview of Change Order No. 2 are:

(1) The objective of Task Order No. 11 was 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 (STB) and others, regarding the Coalition’s Construction and Operation of the Proposed Uinta Basin Railway Project (the Project). The Consultant’s scope of work (SOW) and contact deliverables under Task Order No. 11 included preparation of a Tribal Participation Plan (TPP) and Research and Survey Plan (RSP). A draft and final version of both documents were specified in the SOW.

(2) The TPP and RSP documents outline procedures and measures that shall be implemented as part of future phases of Project implementation including construction, and they specifically relate to the Ute Indian Tribe of the Uinta and Ouray Reservation (the Tribe). The development of a TPP and RSP were stipulated within the programmatic agreement (PA) (Coalition 2021) that was developed for the Project to meet the requirements of Section 106 of the National Historic Preservation Act (NHPA), found at 36 CFR § 800.14(b).

(3) According to the NHPA, the STB Office of Environmental Analysis (OEA), as the lead federal agency, has oversight responsibility for implementation of the TPP and RSP and retains authority and responsibility for formal Section 106 consultation under the terms of the PA, including government-to-government consultation with the Tribe. The TPP and RSP are intended to supplement, and not replace, the government-to-government relationship between OEA and the Tribe.

(4) The TPP describes the scope of consultation and consultation procedures with the Tribe during future phases of Project implementation, including future cultural resources field investigations. The TPP also defines reporting 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; among others.

(5) The RSP sets forth provisions for the Coalition to conduct cultural resources surveys for the Project area of potential effects (APE) for NHPA Section 106 compliance. The RSP defines survey and recording methods for archaeological resources, potential burials with Tribal notification procedures, and above-ground (architectural) resources; approaches for analyzing listed and potentially eligible historic properties; an approach for 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; among others.

(6) The Programmatic Agreement was made a part of the Coalitions Draft Environmental Impact Statement (EIS) and Final EIS for the Project. On December 15, 2021, a major milestone on the Project was reached when the STB granted final approval for the Construction and Operation of the Proposed Uinta Basin Railway Project.
II. **Change Order No. 2 Duration**

Change Order No. 1 does not require additional time and will end on December 31, 2021.

III. **Change Order No. 2 Activities**

Draft versions of the TPP and RSP were provided to the Coalition for their review. Change Order No. 2 would descope the preparation and submittal of the final versions of the TPP and RSP.

Potential updates and the final version of these documents will be prepared by others, at a later date, as part of the future implementation of the Uinta Basin Railway (design and construction phases). The final versions of the TPP and RSP would fulfill the respective stipulations within the Client’s Programmatic Agreement.

IV. **Consultant Fee and Method of Payment**

The Consultant proposes to remove the work described in this Change Order No. 2 from Task Order No. 11 for the lump sum amount of minus (-) $24,250.00 inclusive of labor, travel, subconsultants, and expenses.

Payment for prior services completed under this Task Order shall be according to the Terms and Conditions of the Master Agreement for Professional Services between OWNER and HDR dated November 9, 2018 and all subsequent amendments thereto.
Change Order No. 2 to Task Order No. 11 issued under the Master Agreement for Professional Services dated November 09, 2018 and subsequent amendments thereto

Project Name: Uinta Basin Railway

Task Order name and number being modified by this Change Order: Tribal Participation Plan and Research and Survey Plan

HDR Engineering, Inc. Project No.:
10303966

Project Owner: (Name, Address)
Seven County Infrastructure Coalition
Michael J. McKee
Executive Director
294 East 100 South
Price, Utah 84501

Owner’s Project No.:

HDR Task Order No. 11

Date of Issuance of Task Order:
April 1, 2021

HDR Engineering, Inc.: (Name, Address)
HDR Engineering, Inc.
Brent W. Jensen
Sr. Vice President, Area Manager
2825 E Cottonwood Parkway, Suite 200
Salt Lake City, UT 84121

Date of Master Services Agreement for Professional Services:

Contract Term/Period:
December 31, 2021

The undersigned parties hereby agree to modify the above-referenced Task Order as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION OF CHANGES</th>
<th>CHANGE IN CONTRACT PRICE</th>
<th>CHANGE IN CONTRACT TIME</th>
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<tbody>
<tr>
<td>1. See partial removal of Scope of Services for Task Order No. 11 attached hereto as Appendix A and incorporated as part of this Change Order and the Master Agreement for Professional Services by this reference, which scope shall amend and supplement, but not replace, the prior Scope of Services for Task Order No. 11 dated April 1, 2021.</td>
<td>$ Minus (-) $ 24,250</td>
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Difference Net $ Minus (-) $ 24,250.00 0

Summary: The undersigned parties agree to modify the price and schedule of the Task Order referred to above as follows in consideration of the above-referenced scope changes:

Task Order Price prior to this Change Order $97,000.00
Net increase/decrease of this Change Order $-24,250.00
Task Order Time prior to this Change Order December 31, 2021
Net Increase of this Change Order 0

Copyright 2015 HDR Engineering, Inc.
Revised Task Order Price with all approved Change Orders

$ 72,750.00

Revised Task Order Time with all approved Change Orders

December 31, 2021

The changes included in this Change Order are to be accomplished in accordance with the terms, stipulations and conditions of the above-referenced Master Services Agreement between the parties, except as otherwise provided in this Change Order or in any appendices hereto.

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<tr>
<th>Accepted for HDR Engineering, Inc. by:</th>
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<td>Brent W. Jensen</td>
<td>January 7, 2022</td>
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<th>Approved for Owner by:</th>
<th>Attest:</th>
<th>Date:</th>
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<td>January , 2022</td>
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