



Public Works Service Operations Department

DATE: June 20, 2022

FROM: Jeff Heintz, Public Works Service Operations Director

ITEM: Approval of Task Order 22-01 to Agreement with Houston Engineering for Solid Waste Operations

REQUEST:

Approval of Task Order 22-01 from Houston Engineering for the Solid Waste operations to provide 2022 BMWF Groundwater Sampling, Analysis, and Reporting.

Please place this item on the June 28, 2022, City Commission meeting agenda.

BACKGROUND INFORMATION:

The ND Department of Environmental Quality issued the City of Bismarck Permit No. 0017 to construct and operate a solid waste facility at its designated location. As part of the approved permit, the NDDEQ requires annual groundwater monitoring and annual reporting of results in accordance with the permit-approved Groundwater Monitoring Plan (GWMP). The total estimated cost of Task Order No. 22-01 for engineering services is \$27,200, and \$42,500 for subcontractor costs for Minnesota Valley Testing Laboratories.

RECOMMENDED CITY COMMISSION ACTION:

Approva Task Order No. 22-01 to the Agreement with Houston Engineering for professional engineering services for Solid Waste operations.

STAFF CONTACT INFORMATION: Jeff Heintz | Service Operations Director, 355-1700 or jheintz@bismarcknd.gov

**TASK ORDER AGREEMENT TO
BISMARCK SOLID WASTE OPERATIONS ENGINEERING SERVICES
AGREEMENT**

This is Task Order No **22-01**,
consisting of **5** pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated February 11, 2021 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order: **July 12, 2022**
- b. Owner: **City of Bismarck**
- c. Engineer: **Houston Engineering Inc.**
- d. Specific Project (title): **2022 BMWF Groundwater Sampling, Analysis, and Reporting**
- e. Specific Project (description): **The North Dakota Department of Environmental Quality (NDDEQ) issued the City of Bismarck's Permit Number 0017 to construct and operate a solid waste facility at its designated location. As part of the approved permit the NDDEQ requires annual groundwater monitoring and annual reporting of results in accordance with the permit approved Groundwater Monitoring Plan (GWMP).**

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are as follows:
 - 1. **Prepare an annual report presenting the groundwater data collected in 2021 including the statistical analysis of the 2021 groundwater quality data relative to the past groundwater quality data. NOTE: Remaining consistent with past practices, the groundwater data collected in 2022 will be submitted in an annual report to be provided in 2023 under a 2023 task order contract;**
 - 2. **In Spring/Summer 2022, obtain groundwater elevation data from the 54 monitoring wells indicated in the attached Table 1 (a general site map is shown on Figure 1);**
 - 3. **In late Fall 2022, obtain groundwater elevation measurements from the 28 monitoring wells indicated in the attached Table 2;**
 - 4. **Measure the percent methane (% CH₄), percent oxygen (% O₂), and percent carbon dioxide (% CO₂) in four on-site buildings, three off-site buildings, two leachate**

sumps, and ten landfill gas monitoring wells on a quarterly basis (March, June, August, and November 2022);

5. In Spring/Summer 2022, collect groundwater samples from the 40 existing monitoring wells indicated in attached Table 1;
6. In late Fall 2022, collect groundwater samples from the 22 existing monitoring wells indicated in attached Table 2;
7. Analyze the groundwater samples collected from the groundwater monitoring wells for the presence and concentration of the Group A, Group B, Group D, Group F, and Group H parameters listed in Table 3; and
8. Take the appropriate Quality Assurance/Quality Control measures relative to the groundwater quality data, to include obtaining trip blanks and collecting field blanks for analysis of Volatile Organic compounds (VOCs), and collecting equipment blanks for analysis of the parameters listed in Group A, Group B, Group D, Group F, and Group H (Table 3).

B. Other Services

As directed during the required permit action coordination meetings with the City of Bismarck and NDDEQ.

- C. All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:

Set forth as Additional Services in Part 2—Additional Services, of Exhibit A, "Engineer's Services for Task Order," modified for this specific Task Order, and attached to and incorporated as part of this Task Order.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

The timeframe and/or due date as set forth in the permit documentation for annual reporting. Monitoring and sampling are through the end of 2022.

6. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

By Standard Hourly rates set forth in Article 2 and described in Exhibit C Article 2 Paragraph C2.02.B of the Agreement.

The total estimated fee for services is \$69,700. This cost estimate includes subcontractor costs for Minnesota Valley Testing Laboratories (MVTL) to perform the sampling and analysis and it is expected that MVTL will invoice the City directly for these services. The portion of the estimated fee for MVTL to perform the sampling and analysis services is \$42,500. The portion of the estimated fee for Engineer services is \$27,200. The Engineer services will be based on the cumulative hours charged during the billing period plus Reimbursable Expenses and Engineer's Consultant's charges. The total estimated fee will not be exceeded without prior written authorization of the Owner.

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Sub-Consultants retained as of the Effective Date of the Task Order:

Minnesota Valley Testing Laboratories, Inc., 2616 E. Broadway Ave, Bismarck, ND 58501

8. Other Modifications to Agreement and Exhibits:

None

9. Attachments:

Figure 1 – Groundwater Unit Designations and Well Locations

Table 1 – Spring Groundwater Monitoring – 2022

Table 2 – Fall Groundwater Monitoring – 2022

Table 3 – Groundwater Monitoring Parameters

10. Other Documents Incorporated by Reference:

Bismarck Solid Waste Operations Engineering Services Agreement- **February 11, 2021**

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is June 28, **2022**.

OWNER: City of Bismarck

ENGINEER: Houston Engineering Inc.

By: _____

By: _____

Name: Mike Schmitz

Name: Sherwin Wanner, PE

Title: Mayor

Title: Project Manager / Bismarck Office
Manager

Engineer License or Firm's
Certificate No. 015C

State of: North Dakota

Date Signed: _____

Date Signed: _____

Attest: _____

Attest: _____

Name: Keith Hunke

Name: Kevin Martin, PE

Title: City Administrator

Title: Principal/Senior Project Manager

Address for giving notices:

Address for giving notices:

Bismarck Department of Public Works
PO Box 5503
601 S. 26th Street

Houston Engineering Inc.
3712 Lockport St.

Bismarck, ND 58506-5503

Bismarck, ND 58503

Task Order Form

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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DESIGNATED REPRESENTATIVE
(Paragraph 8.03.A):

Jeff Heintz

Title: Director of Service Operations

Phone Number: 701-355-1705

Facsimile Number: 701-221-6840

E-Mail

Address: jheintz@bismarcknd.gov

DESIGNATED REPRESENTATIVE
(Paragraph 8.03.A):

Sherwin Wanner, PE

Title: Project Manager

Phone Number: 701-323-0200

Facsimile Number: 701-323-0300

E-Mail

Address: swanner@houstoneng.com

Task Order Form

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