

RESOLUTION #08/09-05
City of Dayton, Oregon

Title: ***A Resolution Approving an Amendment to a Sole Source Personal Services Agreement with Westech Engineering, Inc, for a Wastewater Facilities Master Plan Update***

WHEREAS, the City of Dayton's Sewer Facilities Plan is 31 years old and has never been updated; and

WHEREAS, the City has been awarded a Community Development Block Grant (CDBG) in the amount of \$107,500 to offset some of the expenses to develop an updated Plan;

WHEREAS, the City desires to use Westech Engineering, Inc., to produce this Plan for a variety of reasons that were set forth in Resolution #07/08-11, Sole Source Personal Services Agreement with Westech Engineering, Inc, for a Wastewater Facilities Master Plan Update, which was adopted on November 5, 2007; and

WHEREAS, the City has since been informed that certain amendments to meet federal grant requirements are necessary;

CITY COUNCIL OF DAYTON, OREGON, HEREBY RESOLVES:

- 1) **THAT** the attached Amendment No. 1 to Sole Source Westech Engineering Inc is deemed to be an engineering firm qualified to undertake the Plan update, and the City wishes to award a sole source Personal Services Agreement based upon the following findings:
 - a. The City has already entered into a personal services agreement with Westech Engineering, Inc., to act as the City Engineer. Over the past year, in that role, Westech, with the assistance of Kurt Riemer, Public Works Director, has been working diligently to map, evaluate, and even begin upgrades to the system, some of which are required in our NPDES Discharge Permit.
 - b. They have a knowledge and familiarity with our sewer system, and particularly with its current problems and limitations, that would not be there with another firm. If another firm were to undertake the plan, there would be additional costs involved for the City to assist them to get up to speed on the system, including staff time, and the City Engineer's time. In effect, the City would be paying twice for those services since we have already paid the City staff and City Engineer to survey, map and assess the system over the past year.
 - c. In addition, Westech Engineering, Inc was not involved in the original design and installation of the system and can look at it with a more critical

eye. They also separate out their public sector work from any private sector work. It has been very apparent over the past year that Denny Muchmore, our assigned City Engineer, is very much attuned to protecting the city, assuring that development pays their fair share of the costs of improvements, and working to get infrastructure improvements that reduce our future maintenance costs. Both of these attributes will result in an improved Wastewater Facilities Plan.

- d. The knowledge that Westech Engineering Inc has developed over the past year will also facilitate the timeline for the Plan update. The Scope of Work estimates the 50% draft to be available by June 30, 2008 and the 90% final draft by January, 2009. This is well within our timeframe in the CDBG grant of April, 2009.
- 2) **THAT** Westech Engineering Inc will be awarded the Personal Services Contract at a fixed cost not to exceed \$99,934 as set forth in the attached Wastewater Facilities Plan - Engineering Services Proposal, PR 07-2330(attached hereto as Exhibit A and by this reference made a part hereof);
- 3) **THAT** this resolution shall become effective immediately upon adoption.

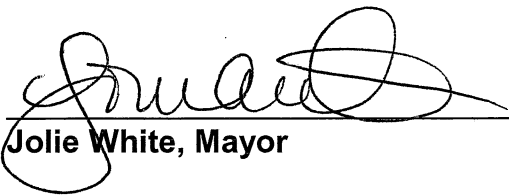
ADOPTED this 7th day of **July, 2008**.

In Favor: Dickson, Evers, Hensley, White

Opposed: None

Absent: Blackburn, Hutchins, Webb

Abstained: None




Jolie White, Mayor

7/8/2008

Date Signed

ATTEST:



Peggy Selberg
City Recorder

7/7/08

Date of Enactment

Attachment - Exhibit A

WKS4\RESOLUTIONS\08-09\R08-09.05.ADOPTED



WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS & PLANNERS

RECEIVED
MAY 30 2008 12 2008

EXHIBIT A

City of Dayton

Ms. Sue Hollis
Dayton City Manager
PO Box 339
Dayton, OR 97114-0339

RE: Wastewater Facilities Plan – Engineering Services Proposal
PR 08-2374

Dear Sue:

This letter proposal addresses the contract revisions required by the funding agencies for the engineering services needed to prepare a new Wastewater Facilities Plan (see attached 5/13/08 email from Renata Wakeley, MWVCOG). The City's current Wastewater Facility Plan was prepared in 1976, and is out of date and no longer contains much useful information. The remainder of this letter proposal is divided into the following sections:

- Background Information/Project Understanding.
- Special Considerations.
- Project Approach, Work Plan & Fee Schedule (attached Exhibit A).
- OCDBG Contract Provisions & Certification Regarding Lobbying (attached Exhibit B).

Short discussions on these matters follow.

BACKGROUND INFORMATION/PROJECT UNDERSTANDING.

The City of Dayton owns, operates and maintains the sanitary sewer utility serving the community. The wastewater collection system is a conventional gravity collection system that conveys wastewater to four major pump stations, three of which discharge to the Main Pump Station adjacent to the Yamhill River. The Main Pump Station conveys sewage to the Wastewater Treatment Plant (WWTP), where treatment is provided by facultative lagoons, with the treated effluent discharged to the Yamhill River.

Two of the pump stations appear to be part of the original 1965 sewer system (High School PS & Hwy 221 PS). The other two are of a more recent vintage. As noted above, three of the pump stations lift wastewater into a higher gravity sewer, from where it flows to the Main Pump Station at the east end of Ferry Street. The Main Pump Station conveys wastewater through a force main (across the pedestrian bridge over the Yamhill River) to the City's WWTP located on the east side of the Yamhill River. The WWTP is a three-cell facultative lagoon facility with a polishing pond, and is designed as a summer holding-winter discharge facility. During the winter discharge period (November 1- April 30) treated wastewater is disinfected using chlorine and discharged by gravity to the Yamhill River.

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The City's original collection system and WWTP were constructed in 1965. The original sewers were constructed of concrete pipe. Since 1965, many additions to the collection system using a variety of pipe materials have been constructed. For the past 20 years, nearly all of the additions to the collection system have been constructed of PVC pipe. In 1981/82, a major upgrade to the WWTP was completed. This project included the construction of the presently used WWTP and an upgrade to the Main Pump Station and force main.

Requirements for what a Facilities Plan must include have grown since 1976 when the City's previous document was prepared. The DEQ and funding agencies now require that Facilities Plan meet a "Nine Step Scope of Work". Additionally, the document must include an environmental section in order to potentially qualify for many loan and grant programs.

The City needs to make major improvements to the wastewater utility to protect water quality in and around the City. The City wants to have a new Wastewater Facilities Plan prepared, and has obtained funding through a Community Development Block Grant (CDBG) administered by the Oregon Economic and Community Development Department (OECDD). Some of the reasons that preparation of a new facilities plan at this time makes sense include the following:

- The existing Sewerage System Facilities Plan is now 31 years old. The typical life and planning horizon for a master planning document is 20 years. As such the existing document is well beyond the end of its useful life.
- The existing population of the City is now about 2,305. The design year population for the 1982 WWTP upgrade was 2,295. The community is slightly beyond the design year population of the existing WWTP. Planning for the growth being experienced by the City and anticipated future growth is prudent.
- Construction, operation and replacement costs for wastewater system components have increased very significantly since 1982 when the WWTP was upgraded. It is appropriate to have a more current master planning document that lists recommended improvements together with the estimated costs of construction. The recommended projects and their associated costs can then be included in a capital improvement plan that serves as a basis to help determine the appropriate system development charges (SDC) for the utility. Note that the preparation of a new Facilities Plan will include a listing of recommended projects together with planning level cost estimates. However, a comprehensive SDC study is not part of the Facilities Plan.
- Preparation of a new Facilities Plan will enable the community to provide input as to its vision for the wastewater utility for the next 20 plus years. This is especially true in Dayton's case because of the City's potential need to acquire additional land adjacent to the WWTP. Once completed, the Facilities Plan will provide a "blueprint" of where the City is

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headed and outline key assumptions for the continued collection, treatment and disposal of wastewater in the community.

- The Facilities Plan will allow the City to review its key assumptions regarding growth within the community. Many years ago, the City (through their sewerage ordinances) made a conscious decision that commercial and industrial growth in the community should be limited to essentially "dry" industries. Preparation of the Facilities Plan will allow a venue to revisit this basic decision. We anticipate that policies in this regard will remain the same.
- User fees for water and wastewater utility systems have increased with more stringent environmental conditions and rising construction and operation costs. The Facilities Plan will provide a recommended project listing with estimated construction costs. This cost data may be of use to the City to help determine if the present user fee system is appropriate.
- The original collection system is over 40 years old. During the planning period of the Facilities Plan, it will require increasing levels of maintenance and corrective work, especially to limit infiltration and inflow (I/I) into the system. This fact will be incorporated into the Facilities Plan.
- The WWTP will require expansion early during the next planning period. The Facilities Plan will examine different alternatives to treat and dispose of both the treated wastewater and accumulated biosolids. To the extent possible, the Facilities Plan should look into the future and try to account for environmental requirements that may impact the City's WWTP and its operation.

Preparation of a new Facilities Plan and implementation of recommended improvement plan will help the City satisfy the requirements of the DEQ and the NPDES permit, as well as requirements of the funding agency (OECCDD).

SPECIAL CONSIDERATIONS.

The Facilities Planning process must satisfy the requirements of the DEQ who, in addition to the City, will approve the document. Additionally, the document should be prepared to meet the requirements of the major funding agencies that may assist the City with the planned subsequent improvement projects. As such the basic format of the Facilities Plan will be tailored to address agency requirements. There are, however, several key items, which we believe, warrant special consideration during the preparation of the Facilities Plan. These items include:

1. **Population.** The design year for the Facilities Plan will be about 24 years (DEQ wants a 20-year horizon beyond implementation of the proposed near term improvements). The DEQ will require the City to utilize the State Coordinated Population value for the city.

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On other recent facilities planning projects in the Willamette Valley, we've found that this number is lower than some cities believe is appropriate. Because the future population determines to a large degree the future flows and loadings, it is critical to agree upon an acceptable future population value.

2. **Future Discharge Requirements.** Oregon is required, under the Clean Water Act, to identify waterbodies that are threatened or that don't meet basic water quality standards. These rivers, streams, lakes and bays are listed on the state's "303(d) list" as water quality limited for the specific parameters that exceed state standards. (ie: temperature, turbidity, bacteria, etc.). The Yamhill River is currently listed as water quality limited for a number of parameters, including bacteria (fall/winter/spring), dissolved oxygen (1/1 thru 5/15), iron & manganese (year round), pH (5/1 thru 10/31), phosphorus (5/1 thru 10/31) and temperature (year round). Only those existing or future parameters for which the receiving stream is water quality limited during the City's discharge season will directly affect the WWTP operations.

The DEQ is in the process of preparing updated Total Maximum Daily Loads (TMDLs) for the Yamhill River Basin, which are expected to issued in 2008. Once the updated TMDLs are issued, the DEQ will implement them as the plan for bringing the Yamhill River back into compliance with water quality standards. The TMDL will be set for each pollutant that currently exceeds standards. Every permit that includes a discharge into a 303(d) water quality limited water is required to adhere to the TMDL, considering that the TMDL is the overall limit that applies to all the dischargers in the area. Essentially, each discharger gets "a share" of the total discharge allowed under the TMDL for each specific pollutant/parameter. The applicability of this is that it is unlikely that Dayton will receive a mass load increase for any of the major pollutants regulated under the City's NPDES permit.

Also, DEQ is now requiring some WWTPs to prepare Temperature Management Plans. If the updated TMDLs lists the lower Yamhill River as water quality limited for temperature (during the City's discharge period), this requirement may apply to Dayton. It should be noted that the mainstem of the Willamette is also water quality limited for oxygen during the winter months, which will affect Dayton due it proximity to the confluence of the Yamhill and Willamette rivers. The Facilities Plan should look forward to the extent feasible and try to anticipate future problems related to effluent temperature, dissolved oxygen and other potential rules affecting discharge parameters.

3. **Infiltration/Inflow.** As stated above, the City's collection system is aging. As such L/I flows are likely to increase as the system continues to age. The Facilities Plan must evaluate the collection system and L/I sources. Analysis to determine whether it is most

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cost effective to transport and treat the [] versus collection system reconstruction should be a part of the Facilities Plan.

4. **River Outfall.** Since the Yamhill River is the only significant receiving water body in the area of the City's WWTP, it is expected to remain the point of discharge for the City's winter discharge. However, it is likely that improvements to the existing single port outfall pipe will be required to meet current and future standards. An updated mixing zone analysis will likely be required to evaluate the impacts of the pending TMDLs and associated water quality standards.
5. **Land Acquisition.** The City presently owns its WWTP site, but does not own or control any land that can be used expansion or for summer effluent land application purposes. The WWTP improvement alternative selected will determine the extent of the additional land that will be required. It will be important to identify the land and easement requirements as early in the planning process as possible so that the discussions to acquire the land and easements in the most cost effective and efficient manner.

PROJECT APPROACH, WORK PLAN, FEE SCHEDULE. (attached Exhibit A)

OCDBG CONTRACT PROVISIONS. (attached Exhibit B)

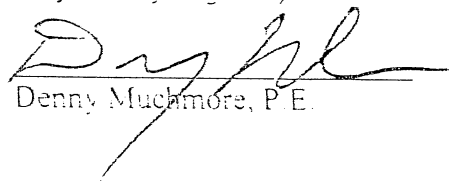
Please find attached two copies of our standard service agreement for your review and execution. If acceptable, please sign and date both copies and return one copy to our office. The second copy is for the City's files.

Thank you for the opportunity to prepare this engineering services proposal. Westech Engineering enjoys working with the City and its staff. We look forward to once again serving the City.

If you have any questions or need additional information regarding this matter, please contact us at (503) 585-2474.

Sincerely,

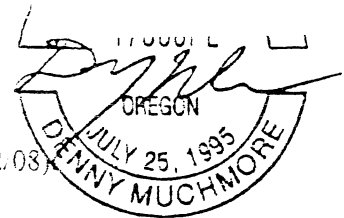
WESTECH ENGINEERING, INC.
(Dayton City Engineer)



Denny Muchmore, P.E.

dmm
encl
cc:

Mr. Kurt Riemer, Dayton Public Works

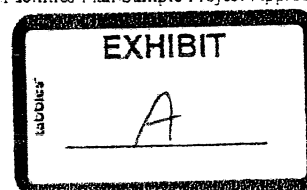


PROJECT APPROACH AND WORK PLAN (Westech Engineering, Inc., 5/12/08)

1. The Facilities Plan must satisfy the requirements City and the DEQ.
2. The Facilities Plan needs to conform to the requirements of the "Nine Point Scope of Work" as described in the "Guidelines for the Preparation of Facilities Plans and Environmental Reports for Community Wastewater Projects" and dated December 2005.
3. The Facilities Plan should include an infiltration and inflow (I/I) evaluation to address I/I within the collection system.
4. The Facilities Plan is to include a preliminary mixing zone analysis to document dilution and toxicity impacts downstream from the outfall.
5. The Facilities Plan needs to reflect the needs and desires of the community. Input from the community at large as well as City staff is needed to truly reflect the community's needs as well as develop a sense of ownership for the document.

The Facilities Plan needs to conform to the requirements of the "Nine Point Scope of Work" and as required by the DEQ. To help keep focus on this requirement, the December 2005 version of the "Nine Point Scope of Work" is listed below for reference.

1. A statement of purpose, background, and need for the wastewater facilities planning being undertaken. Also, demonstration of consistency with the applicable city and/or county comprehensive land use plan.
2. A definition of the planning study area. The study area should include the entire service area, such as an urban growth boundary or service district boundary.
3. A technical description and evaluation of all wastewater collection, treatment and disposal facilities in the study area, including common sewerage systems not owned or operated by the city or service district (That is, satellite collection systems. However, a separate plan may be submitted for the satellite collection system). This section should identify all known problems in the system along with the data, research and analysis techniques used to identify the extent, location and type of problem. This inventory of problems may include many items that are unrelated to the proposed project. Completing this inventory may require studies and tests and may take a considerable period of time to complete depending upon the type of problems identified, and the operation and maintenance records available.
 - With respect to pump stations and treatment works, descriptions and evaluations should be sufficiently detailed to meet current ODEQ



guidelines for design reports. Contact the ODEQ Regional Staff for assistance or to obtain these guidelines.

- With respect to effluent discharges to surface waters, a computer model is often necessary to document dilution and toxicity impacts downstream from the outfall. Supporting information and analysis on the receiving stream should be included to insure that the selected alternative can be permitted. A complete analysis with diagrams and selected photographs may be warranted.
 - Accurate flow data must be collected and included in sufficient detail to support an informed choice of alternatives, and to provide enough data for the development of a discharge permit. A discussion of overflows must be detailed. Flow meters should be calibrated and all flows to and from the plant and from overflow points should be monitored for a minimum of one year.
4. A projection of the future wastewater flows and waste loads is required. The planning period is normally twenty (20) years from completion of construction. While alternate flow projection methods may be proposed, the facilities plan must include a probability analysis of peak flows based on ODEQ flow-projection guidelines. Adequate justification must be provided if alternate flow projections are used as the basis of design. Population projections need to be consistent with applicable city and/or county comprehensive plans; if such plans are out of date they may need to be amended to incorporate the new information.
5. A discussion of the regulatory requirements that must be met by all viable alternatives is necessary. These include regulations pertaining to surface and storm water discharges, erosion control, effluent reuse, groundwater, sludge management, and wetland or waterway impacts. The facilities plan must include a discussion of the water quality status of the receiving stream (i.e. 303d list) and impact the discharge has on each parameter for which the stream is water quality limited. It must also include a discussion of the permit effluent limits and the Total Maximum Daily Load (TMDL), if one is completed or proposed. A summary of all effluent quality monitoring data should be included as an appendix. Specific regulations are cited below under "Water Quality Regulations for Facilities Planning." Also, this discussion needs to include a determination of whether each alternative is permitted by the local comprehensive plan and development regulations (zoning) and what, if any conditions or limitations are required.
6. A general description of all viable alternatives and a description of the alternative selection process are key to the planning process. The facilities plan must include a justification and methodology for selecting the recommended alternative. There should be enough detail and clearly stated conclusions in addressing each alternative to make it clear why each is or is not viable. A description of the

recommended alternative in detail is necessary. Effectiveness and reliability in meeting the regulatory requirements discussed in step five above needs to be documented. A detailed technical description and cost estimate needs to be included. If the recommended alternative is a significant project which is not included in the list of public facility projects in the applicable city and/or county comprehensive plan, an amendment to the comprehensive plan may be necessary. This requirement applies to urban growth boundaries or unincorporated communities with a population greater than 2,500.

When RD and OECDD-CDGB funding is involved, detailed cost estimates of the most viable alternatives must be provided. Also, the environmental impacts and any remediation required for these impacts for each viable alternative must be summarized in the Facilities Plan.

7. Technical descriptions in facilities plans should meet ODEQ guidelines for pre-design engineering reports. Adequate details about individual components and processes must be presented for all proposed facilities. The level of detail must be sufficient for an engineer who was not involved in the report to produce plans and specifications for the construction of the same facility that was envisioned by the report writers, without changes to process siting or arrangement. Any major decisions on equipment, layout, sizing, or process that are being deferred to a separate pre-design report or which are being postponed until the preliminary design phase should be identified.
8. Analysis of financing options for the preferred alternative and competitive alternatives, and a viable financing plan for construction, long-term operations and maintenance, and replacement is a necessity. Operational financing plans should include a projection of sewer use charges for residential, commercial and industrial users of the system. ODEQ relies on this information to verify adequacy of the financing plan. A guideline for the financing analysis is included in Appendix B. All projects with estimated costs in excess of ten (10) million dollars will be required to perform a value engineering (VE) study during or after engineering design but prior to construction.
9. Documentation of environmental concerns involves the identification of any factors of special significance at the construction site (particularly if it is undisturbed), including historic, cultural, archeological, socio-economic or biological factors. If the site is of special significance, the responsible agency should be identified, and any avoidance, mitigation or protection actions that have been planned or implemented should be discussed. This information is required to assure compliance with goals five, seven and eleven of Oregon's Statewide Planning Goals and Guidelines of the DLCDC, and is required to assure compliance with the National Environmental Policy Act (NEPA). An in-depth outline of an environmental review that will meet the requirements of all financing agencies is presented in Appendix C [of the above reference DEQ Guidance document].

To achieve the objectives as listed above and fulfill the requirements of the "Nine Point Scope of Work", a work plan similar to that described below is anticipated. It should be noted that page 11 & page 14 of the above reference DEQ Guidance document requires that "*Projects funded through the CWSRF Program alone only require an Environmental Review chapter incorporated with the Facilities Plan document*", while "*CDBG funded projects should follow the format/outline in appendix C of the DEQ guidance document*", and "*Potential CDBG projects must ensure that the environmental report covers all aspects contained in the current grant management handbook.*"

WORK PLAN

The proposed work plan as shown below is intended to meet the City's needs and DEQ's requirements. The following tasks are proposed.

1. Initial Kick-off Meeting. Coordinate a kick-off meeting with City staff, planner as well as other interested representatives of the City to review the project's objectives and desired scope of work. Obtain concurrence by all affected parties regarding project objectives, milestones, schedule, etc. The study area boundary and zoning designations shall be confirmed. Arrangements shall be made to obtain as much of the existing information base as possible. Existing information to be obtained for review includes, but is not limited to the following.
 - Prior studies or master plans affecting the study area.
 - As-built drawings of the existing collection system & pump stations.
 - An overall collection system map in its most current form.
 - Known plans for future developments including collection system additions, pump station(s) improvements, etc.
 - Any known anticipated ODOT or County improvement plans.
 - City development projections for the study area.
 - Comprehensive Plan designations for land within the study area, as well as anticipated future City zoning designations.
 - Correspondence with DEQ during the past two years pertaining to NPDES permit violations, MAO negotiations, etc.
 - Copies of the Discharge Monitoring Reports (DMR's) for the treatment plant.
 - A listing of any mechanical improvements done at the WWTP and pump stations during the past five years.

2. Review Existing Information. Review the existing information related to the sewer utility including that listed above. Become familiar with the collection, treatment and disposal systems as well as the key concerns of regulatory agencies.

3. Preliminary Field Investigations. Perform preliminary field investigations, including the following.
 - a. Inspection of the both the wastewater treatment plant and pump stations to assess their overall condition including the mechanical, electrical and disinfection systems.

It should be noted that detailed topographic or geotechnical surveys of the WWTP site, the outfall or adjacent lands are typically not included as part of the study scope of work. Wetland surveys/preliminary determinations are not included, except as required for address specific concerns under the DEQ facility planning guidelines. Detailed wetland delineations are also not included in the scope of the facility plan. Soil analyses will be limited to those necessary for preliminary evaluation of soils for additional lagoon/wetland construction and effluent land application. Right-of-way or easement acquisition or archeological surveys are also typically beyond the scope of this project.

4. Environmental Report. An Environmental Report is required to meet the requirements of DEQ's and other funding programs. As a minimum the Environmental Report should include: "a summary of findings" of the environmental conditions; an analysis of a "no action" alternative, in addition to the other alternatives considered; a description of any additional studies that were performed and any mitigation measures needed to minimize the impacts of the proposed project on the natural and human environment. The Environmental Report shall examine land use and the impact of the proposed project, flood plains, wetlands, cultural resources, biological resources, water quality issues and Socio-Economic issues.
5. Periodic Meetings with the City & DEQ. To ensure orderly completion of the study, coordinate periodic meetings with the City and the DEQ. Anticipate two or three meetings with DEQ during the course of the study. Additional discussions shall be held with City staff as required to obtain input and make appropriate decisions in a timely and efficient manner. Two presentations to the City Council or Public Works Committee are proposed. The first meeting shall present the 50% Draft Document. The second meeting will be to present the agency draft document.
6. Population Projections. Determination of the projected population in the design year is a key component in projecting the future needs of the collection, treatment and disposal facilities. Work with City staff, the comprehensive plan and the required state coordinated population number to determine the design year population.
7. Digital Collection System Map. Update as required the existing digital map of the wastewater collection system. The map scale shall be 1"=200'. The map shall show the general location of the sewer mains, manholes, stream crossings, etc.

The map shall be prepared using existing information on the collection system provided by the City and field proofing.

8. Lagoon Leakage Testing. The existing lagoons need to be leak tested. It is anticipated that a leakage test of each lagoon will be conducted next summer during a period of little rainfall and no discharge from the WWTP. Assist the City with setting up the leakage testing for all lagoons. This information shall be incorporated into the Facilities Plan. Establish the protocol for the testing and provide training for the City's operator(s) to collect the raw field data. Upon completion of the testing, determine the leakage rate from each of the lagoons and advise the City of the test results.
9. Wet Weather Collection System Analysis. Like most conventional collection systems in the Willamette Valley, high I/I flows are a problem during the winter months. An analysis of the collection systems is required to help identify those portion(s) of the collection systems that are contributing the most I/I. The identification of "bottlenecks" or overflows within the collection system is also needed. It is anticipated that three main techniques to help determine the extent of the I/I and where it originates. These techniques are spot checking manholes during major storm events, flow mapping of the sewer system at strategic manholes during a major storm event and evaluations of the daily pump station log data during both dry and wet weather periods. Following completion of the collection system evaluations, use this information to help determine the nature, source and locations of collection system faults.
10. Projection of Future Flows and Loadings. The flow and loading conditions for each of the WWTPs shall be projected per DEQ guidelines.
11. Identification of Alternatives. Identification of collection, conveyance, treatment and disposal alternatives. Options for the collection, treatment and disposal of wastewater shall be identified and discussed with City staff. The alternatives identified will depend in part upon the results of the lagoon leakage testing and wet weather flow analysis. As a minimum the following options shall be evaluated.
 - No action (as required by DEQ for Facilities Plans)
 - Conventional gravity collection systems to the WWTP without I/I reduction.
 - Conventional gravity collection systems to the WWTP with I/I reduction.
 - Modifications to the existing WWTP to provide increased capacity to accommodate anticipated growth.
 - Effluent disposal alternatives. The two primary options will likely continue to be a seasonal discharge to the river and summer land application if required.
 - Land application of biosolids.

12. Prepare the 50% Draft Facilities Plan. Prepare draft facility plan document. Preparation of the draft document shall include the following work items, and discussion of the following issues for each alternative and for the preferred alternative as indicated below.
- a. A general discussion of the regulatory requirements the identified alternatives must conform to shall be included. These regulations shall also be discussed in conjunction with the particular alternatives being evaluated as outlined below.
 - b. Obtain and review the most recent development projections for the study area. The flow projection methodology shall be consistent with DEQ flow projection guidelines and shall be based on allowable density of land under current City zoning, comprehensive plan designation, anticipated growth patterns and areas.
 - c. Develop and discuss the collection, conveyance and/or treatment option in conceptual form for each alternative.
 - d. Calculate the total number of existing and projected Equivalent Dwelling Units (EDUs) in the study area and identify the number of residential, commercial, and industrial services.
 - e. Develop preliminary design and construction cost estimates for each identified alternative.
 - f. Operational advantages and disadvantages of each process shall be discussed.
 - g. Prepare a preliminary financial analysis in conformance with the "Nine Point Scope of Work", including the following for as a minimum for each identified alternative:
 - 1) Estimated annual budget for Operation, Maintenance (OM) costs, and capitol long-term system Replacement (R) funds (OMR).
 - 2) Prepare a table that compares the monthly OMR costs per EDU for each alternative.
13. Present the 50% Draft Facilities Plan to the City. The results of the work to date draft Facilities Plan shall be presented orally to the City Council or Public Works Committee for comment. The major alternatives and preliminary analysis shall be presented to the City at approximately 50% completion for comments from the City. Six (6) copies of the 50% Draft Facilities Plan shall be printed for review by the City and presented to the City prior to the meeting.

14. Prepare the Draft Facilities Plan. Based upon comments from the presentation of the preliminary draft, the Draft Facilities Plan shall be prepared. This effort shall include the following:
- a. Detailed information for the recommended alternative(s) shall be prepared in a format consistent with DEQ requirements. It is anticipated that this will include preliminary conceptual layouts and preliminary alignments and sizing of facilities, but that the selection of specific equipment and/or detailed flow schematics will be deferred until the pre-design stage of the project. Other items to be deferred to a separate pre-design report or preliminary design shall be identified as required by DEQ.
 - b. Rank the alternatives based on criteria outlined above and based on comments from public meetings and preliminary review by City. Develop and discuss the collection, conveyance and/or treatment options for each alternative.
 - c. Prepare a preliminary financial analysis including the following for the recommended alternative.
 - 1) Calculate the total number of EDUs in the system and identify the number of which are residential, commercial and industrial. The total number of connections shall be listed.
 - 2) Prepare an estimated annual budget for Operation, Maintenance costs and capital long-term system replacement funds for the preferred alternatives.
 - 3) Prepare a table that compares the monthly OMR costs per EDU for each preferred alternative.
 - 4) Show the current rates and any existing debt service per year. If there is debt, the date by which it will be paid off shall be listed.
 - 5) Calculate the monthly rate per EDU for the chosen alternative using the estimated OMR budget, assuming the project is funded entirely with a loan.
 - 6) Review the existing rate structure for the sanitary sewer utility and make recommendations for any changes to the rate structure as appropriate.
 - 7) Prepare an analysis of the financing options for the preferred alternative, including, but not limited to local resources, Federal Rural Development, DEQ's Clean Water State Revolving Fund, Water/Wastewater Financing Program, Special Public Works

Financing Program, and Community Development Block Grant Program.

- d. An analysis which includes a discussion of the projected impacts of the preferred alternative, including historic and cultural resources, archeological, socio-economic or biological factors, as well as a discussion of wetlands, floodplains, agricultural lands, wild and scenic rivers, and fish and wildlife. Under DEQ guidelines, this environmental review is considered to be part of the overall facilities planning process.
 - e. The Draft Facilities Plan shall include the notification(s) as required by OECD with respect to the "source of funds" for the project. These notification(s) shall be included prominently in the front of report(s) and or stand alone drawing set(s).
15. Present the Draft Facilities Plan. The draft Facilities Plan (ready for submission to the regulatory and funding agencies for review and approval) shall be presented to the City Council. The meeting shall include the presentation of the recommended alternatives with costs, rate structure, financing options and input from agencies. It is anticipated that this meeting will occur at about the 90% point in the planning process after meeting and discussing the 50% draft document with the DEQ and agencies, but prior to submitting the Facilities Plan to the DEQ and agencies for final review. Ten (10) copies of the Draft Facilities Plan shall be printed for review by the City and presented to the City prior to the meeting.
16. Prepare the Final Draft Facilities Plan. The final draft of the Facilities Plan shall be prepared and shall include the following tasks:
- a. Incorporate comments from meeting and present a final draft to the City and the public. Make final revisions incorporating comments and concerns of reviewing parties.
 - b. Submit final draft to DEQ, the City and OECD for review.
 - c. Incorporate final comments into document. Provide the City with ten (10) copies of the final document.

PROJECT BUDGET.

Westech Engineering proposes to provide the services as outlined above in the Work Plan for the lump sum fee of \$99,934 (see attached resource allocation spreadsheet dated 5/12/08), subject to the limitation that subcontractor costs in excess of \$16,000 for Task 4 (Environmental Report) are excluded from this lump sum fee. Because the scope of the services required for the Environmental Report is not clearly known at this time and because most of it will be performed by our subconsultant (Environmental Science and Assessment), we are not able to provide a definitive lump sum fee for these services. The scope of work required for the environmental review and report will be based on the level of environmental impact associated with the recommended alternatives, which cannot be defined at this time. Based on past sewer facility planning experience, the cost of these services could easily be as high as \$30,000 to \$35,000, depending on the location and configuration of the recommended alternatives and the presence/absence of environmentally sensitive lands affected by the recommended alternatives. Once the facility planning process is under way and the scope of the environmental review can be defined, we will provide the City with a more detailed description of ES&A's services for review. We suggest that any work in excess of the budgeted amount be performed on a time and material basis.

Should the City desire services beyond those as outlined in the work scope herein, we will be happy to provide these services at either our regular hourly rates or for a mutually agreed upon lump sum fee.

Work Plan and Budget (not to exceed)

Client: City of Dayton J.O. 2609
 Project: WW Facilities Plan P.M. DM
 Date: 5/12/2008

Task	Description of Task	Labor				Subcontractors	Description	Cost
		PM	PE	CAD	ADMIN			
1	Kick Off Mtg & Follow Up	8	8					
2	Review Existing Information	8	48	8	8	travel	\$30,000	
3	Preliminary Field Investigations	32	32	8	4	travel	\$90,000	
4	Environmental Report	16	32	8		travel	\$400,000	
5	Periwork Meetings with City and DEQ	24	32		4	travel & gear	\$400,000	
6	Population Projections	4	16					
7	Digital Collection System Map	2	16	24				
8	Lagoon Leakage Testing and Analysis	4	16	16				
9	Wet Weather Collection System Analysis	24	32	20				
10	Projection of Future Flows and Loadings	8	32					
11	Identification of Alternatives	8	40		8	travel	\$90,000	
12	Prepare the 50% Draft Plan	24	100		24	printing	\$400,000	
13	Present the 50% Draft Plan to the City	8	12			travel	\$30,000	
14	Prepare the Draft Facilities Plan	24	48		24	printing	\$400,000	
15	Present the Draft Facilities Plan to the City	8	8			travel	\$50,000	
16	Prepare the Final Draft Facilities Plan	24	32		16	printing	\$800,000	
							Total Subcontractors	\$16,000,000
							Total Reimbursables	\$2,490,000
							Total Labor	\$81,444

Budget (not to exceed)		Total Hours
Labor	\$81,444	88
Reimb. Exp.	\$0	\$50,000
Subcontractors	\$2,490,000	\$4,400
Total Budget	\$99,934	\$0

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1. Source of Funds

Work under this contract will be funded in part with federal grant funds from the Oregon Community Development Block Grant program.

2. Conflict of Interest of Members, Officers, or Employees of the Grant Recipient, Members of Local Governing Body, or other Public Officials

No member, officer, or employee of the city or county recipient of the Community Development Block Grant, or its designees or agents, no member of the governing body of the locality in which the grant project is situated, and no public official of such locality or localities who exercises any functions or responsibilities with respect to the project during his or her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under the grant.

3. Prohibition on the Use of Federal Funds for Lobbying

The following certification must be signed by all contractors and subcontractors:

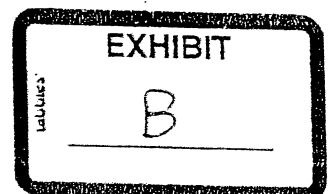
CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of he undersigned, to any person for influencing or attempting to influence an officer of employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member or Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title

1/2



31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



Signed (Contractor)

SEC-TRAS, WESTECH ENGINEERING

Title/Firm

5/30/08

Date

Denny Muchmore

From: Renata Wakeley [renatac@mwwcog.org]
 Sent: Tuesday, May 13, 2008 2:23 PM
 To: Denny Muchmore
 Subject: RE: Fwd: FW: Dayton WW Fac Plan, updated work scope

Attachments: Exhibit_5E.doc



Exhibit_5E.doc (23 KB)

SUE, FYI Denny

Sorry. Westech will be the ones to sign the Certification Regarding Lobbying.

>>> "Denny Muchmore" <DennyM@westech-eng.com> 5/13/2008 1:42 PM >>>

Renata,
 There was no attachment hooked to the email I received. Thanks.
 Denny Muchmore, PE
 Westech Engineering, Inc.

-----Original Message-----

From: Renata Wakeley [mailto:renatac@mwwcog.org]
 Sent: Tuesday, May 13, 2008 1:23 PM
 To: SueHollis@ci.dayton.or.us; Denny Muchmore
 Subject: Re: Fwd: FW: Dayton WW Fac Plan, updated work scope

Sue- If you have no additional questions or concerns, the contract as submitted by Denny is ready to move forward.

Denny- Please add the attached Exhibit 5E to the contract prior to signatures by the City of Dayton. In addition, please revise the Work Plan and Budget table to include "Not to Exceed" in front of "Budget" and all "Labor" cost totals.

Let me know if you have questions or concerns.
 Renata

>>> "Michelle BILBERRY" <Michelle.Bilberry@state.or.us> 5/13/2008 8:52

AM >>>
 Hi Renata,
 I have reviewed the attachment and the scope of work is approved; Please get confirmation from the City that they will add match funds if necessary to complete the plan, as stated below.

As a reminder, the addendum between the City and the Engineer must include Exhibit 5E - federal clauses and "not to exceed" language.

The timing should not be an issue, the current contract expires 3-10-09.

Please send me an executed copy for my files.

Thanks,
 Michelle

>>> "Renata Wakeley" [mailto:renatac@mwwcog.org] 5/13/08 8:01 PM >>>

Michelle,

Would appreciate if you could provide evidence of review and approval of the email below and attachments.

Thanks,
 Renata

>>> "Denny Muchmore" <DennyM@westech-eng.com> 5/12/2008 3:30 PM >>>

Renata,

Per your request, a revised copy of the work scope (stamped) is attached that includes the cost information tailored to the budget of \$99,934.

Two issues should be noted as outlined below.

First, the cost of the environmental review work that will be required for the facility plan to meet DEQ standards cannot be accurately determined at this time, and the budget above is subject to a maximum of \$16,000 for environmental review work by our environmental subconsultants (see last page of work scope). In the original budget and proposal submitted, we had suggested that the City budget up to \$40,000 for the environmental portion of the work. It is our understanding that if environmental review work is required in excess of the budgeted amount herein, that the City will be responsible for those costs (outside of the grant funding). Until the recommended alternatives are developed, the scope of environmental review is unknown.

You and Sue should also be aware that the delay in authorization to proceed with this project means that the original schedule can no longer be met (ie. the original schedule called for the final facilities plan to be submitted by 4/30/09 based on a start date in mid to late 2007).

Since the scope of work and DEQ standards require that the collection system and overflow points be evaluated through at least one full wet season cycle to document I/I and overflow issues that may need to be addressed, the facility planning field work and data collection will be ongoing through the 2008/09 winter/spring season.

Denny Muchmore, PE

Westech Engineering, Inc.

3841 Fairview Industrial Drive SE, Suite 100 Salem, OR 97302

(503) 585-2474 ph (503) 585-3986 fax

dmuchmore@westech-eng.com



WESTECH ENGINEERING, INC.
CONSULTING ENGINEERS & PLANNERS

CLIENT SERVICE AGREEMENT

Date: May 30, 2008
Job Name: Wastewater Facilities Plan
Job No.: 2609.3010.0
Client: City of Dayton
Address: 416 Ferry Street / PO Box 339, Dayton, OR 97114-0339
Phone: (503) 864-2221 **Fax:** (503) 864-2956

SERVICE TO BE RENDERED: Engineering services for preparation of Wastewater System Facilities Plan as outlined in Westech's letter proposal (and Exhibits A & B) dated May 30, 2008 (PR 08-2374).

PERIOD OF SERVICE:

- Services will commence upon return of signed copy of this Agreement.
- Services will commence immediately but may be suspended if signed copy of this Agreement is not returned within 10 calendar days.
- Services will commence:
- Basic Services will be completed within _____ calendar days after the commencement thereof, subject to delays beyond the control of Westech Engineering, Inc.

RETAINER FEE:

- Client will pay retainer fee of \$ _____ upon execution of the agreement. Retainer will be applied to the final invoice on the project and any unused balance will be refunded.

COMPENSATION: Client will pay Westech Engineering, Inc. for Basic Services

- A lump sum amount of \$99,934 for all services subject to limitation for environmental report per Exhibit B.
- On the basis of current billing rates plus expenses.

BILLING:

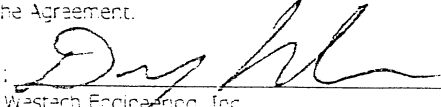
- Monthly
- Upon completion of Basic Services

DESIGNATED REPRESENTATIVES: The following persons are authorized to represent the parties to this Agreement in all transactions pertaining to Westech Engineering, Inc. services.

Client Rep.:	Sue Hollis	Title: City Manager	Phone: (503) 864-2221
Westech Rep.:	Denny Muchmore	Title: Project Manager	Phone: (503) 585-2474

PLEASE READ, SIGN AND RETURN ONE COPY TO WESTECH ENGINEERING, INC.

Payment will be due in full within 30 days after the date of each billing. If payment is not made within this time, the Client will pay a finance charge of 1-1/2% per month on the unpaid balance. In addition, if the Consultant retains an attorney to assist in the collection of any billing, the Client shall pay immediately upon demand the Consultant's reasonable attorney fees and collection costs that may be incurred. And if a suit of action is filed thereon, the Client shall pay the attorney fees and collection costs set by any trial or appellate court. This Agreement may be terminated by either party by seven (7) days written notice in the event of failure to perform in accordance with the terms of this Agreement by the other party, through no fault of the terminating party. In the event this Agreement is terminated or work is suspended, the Client will promptly pay for all services performed to the termination date plus expenses attributable to termination. **The Client agrees to limit the liability of the consultant for any alleged professional acts, errors or omissions to the amount of Consultant's fee or \$50,000, whichever is less.** The Consultant has no liability whatsoever for work not designed or constructed under the Consultant's supervision, or for work not done in accordance with the contract documents prepared by the Consultant. All the terms, conditions and provisions hereof shall insure to the benefit of and be binding upon the parties hereto and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the parties to the Agreement.

BY:  5/30/08 BY: _____
 Westech Engineering, Inc. (Date) Client Signature (Date)
 Denny Muchmore, PE

Print Name _____

