

**MODIFICATION NO. 1 TO ON-CALL AGREEMENT FOR
ENVIRONMENTAL PROFESSIONAL ENGINEERING SERVICES YEARLY CONTRACT
(ORIGINAL RFQ NO. 2017-307)
FOR THE RESOURCE RECOVERY PARK**

THIS MODIFICATION NO. 1 is made and entered into this ____ day of _____, 2017, by and between the City of Lee's Summit, Missouri, a Missouri Constitutional Charter City (hereinafter "City"), and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers (hereinafter "Engineer").

WITNESSETH:

WHEREAS, City and Engineer entered into an On Call Agreement for Environmental Professional Engineering Services Yearly Contract (RFQ No. 2017-307) ("Base Agreement"); and

WHEREAS, City and Engineer desire to amend the provisions of the Base Agreement as provided herein; and

WHEREAS, City and Engineer desire to modify Article I of the Base Agreement to specify and authorize the performance of certain On-Call Services.

NOW THEREFORE, in consideration of the mutual covenants and considerations herein contained, **IT IS HEREBY AGREED** by the parties to amend the Base Agreement as follows:

**ARTICLE I
SCOPE OF ON-CALL SERVICES TO BE PROVIDED BY ENGINEER**

Article I of the Base Agreement is hereby amended to specify and authorize the performance of the following On-Call Services:

Task 1: Landfill Airspace Volume Calculations

Engineer will provide services associated with the preparation of the 2018 annual volume calculations for the Lee's Summit Resource Recovery Park (LSRRP) sanitary landfill. Services will include subcontracting with a topographic mapping firm to prepare the appropriate map of the disposal and borrow areas at the site. The City or its representatives will provide ground control as necessary. The aerial survey will be conducted around the first of March.

Engineer will prepare a final report that summarizes the project. The summary will include appropriate drawings depicting existing topography remaining landfill airspace, and remaining borrow soil. Other information will include available soil quantities, refuse placed, waste-to-soil ratio, compaction factor, fill rate, and remaining life of the landfill. The City or their Contractor will provide tonnage reports for the period of time being reviewed and other waste estimates and operational information, as necessary.

Task 2: Closure and Post-Closure Plan and Cost Estimate Updates

Engineer will prepare the 2017 update to the closure and post-closure plans for the LSRRP sanitary landfill. These updates will include appropriate modifications to the LSRRP sanitary landfill closure and post-closure plans and update the cost estimates in July 2017 as required by 10 CSR 80-2.030(f)(B) 2.D. of the Missouri Solid Waste Management Law.

Task 3: Progress and Regulatory Meetings

Engineer will attend meetings at City request that may not be specifically related to other scope items.

Task 4: Closure Coordination

Engineer will assist the City with preparing for closure of the landfill as requested. Assistance may include development of schedules, long-term evaluations of facility operations, or other tasks requested by the City.

Task 5: Engineering Contract Support

Engineer will assist the City by providing review and other information necessary to execute the third-party contract for services.

Task 6: Little Blue Valley Sewer District (LBVSD) Permit Renewal

The current permit allows discharge of leachate, landfill gas condensate, scale house sanitary wastewater, compost contact water, and contact water from the public disposal area to the LBVSD and expires March 18, 2018. The renewal application is due no later than December 18, 2017. Based on conversations with Ms. Lisa O'Dell with LBVSD and the recent addition of a flow meter to the northern portion of the RRP, SCS recommends the renewal application be completed in July or August 2017 to effect changes to the permit necessitated by the new flow meter. SCS will prepare the permit renewal application in accordance with LBVSD requirements and available information.

Task 7: Flow Meter Maintenance

Engineer will contract with George Butler Associates, Inc. to calibrate, clean, and service as necessary two Teledyne Isco 2160 Laserflow surface velocity meters at the site on a quarterly basis. A report will be provided to summarize the quarterly activities completed.

Task 8: Tier 2 Testing and Reporting

Tier 2 testing is required every five years to measure the concentration of non-methane organic compounds (NMOCs) being generated by the landfill waste mass. When the annual emission of NMOCs exceeds the regulatory threshold, the RRP will be required to install and operate an active gas collection and control system in accordance with New Source Performance Standards (NSPS). The regulatory threshold is currently 50 megagrams per year (mg/yr) but will decrease to 34 Mg/yr following issuance of the new landfill rules in Missouri. SCS will utilize Geoprobe® direct push technology to advance probes into the waste mass and collect samples of the gas into Summa canisters in accordance with approved methods. A qualified analytical laboratory will determine gas concentrations which will be used to calculate the emissions and determine if the RRP has exceeded the NSPS threshold for gas collection and control. A report will be prepared and submitted to the MDNR and EPA prior to the November 8, 2017 deadline.

Task 9: Leachate and Landfill Gas System Upgrades

Engineer will assist the City with evaluating modifications to the leachate and landfill gas control system as requested. Assistance may include development of leachate minimization techniques, potential landfill gas utilization, alternative leachate treatment or disposal options, or other long-term care options related to the landfill or facility.

Task 10: On-Call Services

Engineer will provide complete service as required for minor projects and reports pertaining to the LSRRP sanitary landfill operation as needed during the contract period. This work may include providing assistance for meetings with MDNR, the City Council, or the public.

Optional Task A: Title V Draft Permit Review

As MDNR finalizes review of the air construction permit and Title V renewal applications submitted in December 2014, Engineer will review the draft permits and provide comments. Engineer may also be asked to provide more information to MDNR for their review of the submitted permit applications.

**ARTICLE IV
PAYMENTS TO THE ENGINEER**

Article IV-A. of the Base Agreement is hereby amended to incorporate the following:

The cost of all On-Call Services added under Article I of this Modification No. 1 shall be billed hourly at the rates set forth in Exhibit A to the Base Agreement. Expenses incurred to provide such On-Call Services shall also be billed as set forth in Exhibit A. The total fees (hourly fees and expenses) for the On-Call Services added under Article 1 of this Modification No. 1 shall not exceed the total sum of eighty-five thousand dollars (\$85,000.00). The total fees (hourly fees and expenses) for each task shall not exceed the amount identified in the table below:

FY 2018 Task		Budget
1	Airspace Analysis	\$ 20,000.00
2	Closure/Post-Closure Cost Updates	\$ 3,689.00
3	Progress and Regulatory Meetings	\$ 6,500.00
4	Closure Coordination	\$ 3,500.00
5	Engineering Contract Support	\$ 5,000.00
6	LBVSD Permit Renewal	\$ 3,950.00
7	Flow Meter Maintenance	\$ 7,000.00
8	Tier 2 Testing and Reporting	\$ 20,000.00
9	Leachate and Landfill Gas System Upgrades	\$ 5,361.00
10	On Call	\$ 10,000.00
Contract Total		\$ 85,000.00
Optional Task A	Title V Draft Permit Review	\$ 3,000.00

**ARTICLE VIII
ALL OTHER TERMS REMAIN IN EFFECT**

The parties agree that all other terms and conditions of the Base Agreement not amended by this Modification No. 1 shall remain in full force and effect.

THIS MODIFICATION NO. 1 shall be binding on the parties thereto only after it has been duly executed and approved by City and Engineer.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the ____ day of _____ 2017.

CITY OF LEE'S SUMMIT

Stephen A. Arbo, City Manager

APPROVED AS TO FORM:

Nancy K. Yendes, Chief Council of Infrastructure and Planning,
Office of City Attorney

SCS ENGINEERS:

BY: Anastasia Welch

TITLE: Vice President

ATTEST:
