

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LAURA QUALEY, ECONOMIC DEVELOPMENT SPECIALIST

**SUBJECT: WHKS PROFESSIONAL SERVICE AGREEMENT FOR HARDWOOD
ESTATES**

DATE: FEBRUARY 7, 2023

BACKGROUND

The EDA recently purchased 40+ acres of land, Hardwood Estates, for a future housing development. On February 2, 2023, the EDA Board approved the Professional Services Agreement quote from WHKS outlining the Scope of Services for preliminary site preparation for a conceptual subdivision layout, grading plan, determination of rock removal and probable cost of development. In addition, a preliminary concept for routing storm water will also be included.

The full scope of services of the agreement are included in your agenda packet for your review and the estimated fee associated with the services is \$15,000.

REQUESTED COUNCIL ACTION

The EDA is respectfully requesting a motion to approve the Professional Service Agreement with WHKS for the Hardwood Estates.

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, by and between **City of Cannon Falls** hereinafter referred to as the "Client" and WHKS & Co., hereinafter referred to as "WHKS", is made as follows:

WHEREAS, the Client has a need for certain professional services relating to the project described as **Mulvihill Subdivision Preliminary Analysis**.

WHEREAS, WHKS proposes to furnish the professional services required by the Client for said project,

NOW THEREFORE, the Client hereby agrees to retain and compensate WHKS to perform the professional services in accordance with the terms and conditions of this Agreement and the attached Standard Terms and Conditions.

Scope of Services

WHKS shall perform the following described services for the Client:

Preliminary Analysis phase engineering services as described on the attached Scope of Services included in Exhibit A.

Basis of Compensation

For the services described above, the Client shall remunerate WHKS as follows:

Items 1-3 – Billed hourly with an estimated fee of \$15,000 including Expenses.

Executed this _____ day of _____

City of Cannon Falls

WHKS & CO.

By: _____

By: _____

Printed Name: _____

Printed Name: William Angerman

Title: _____

Title: Exec. VP, COO

Exhibit A to Professional Services Agreement

A. Project Description

This project consists of a preliminary desk top analysis for the development of the Mulvihill Subdivision. The analysis will include preparation of a conceptual subdivision layout, grading plan, determination of rock removal quantities, and opinion of probable cost of development. In addition, a preliminary concept for how to route off-site storm water from the southeast will be included. We will summarize the findings of the analysis in a Summary Memorandum.

B. Scope of Services Provided Under This Agreement:

1. Project Management and Meetings

- Perform general project administrative duties including supervision and coordination of the project team, review of project costs and billings, prepare invoices using Consultant's standard forms, preparation of status reports, and general administrative activities.
- Advise the Client of the necessity of obtaining Special Engineering Services as described in Paragraph C., and act as the Client's representative in connection with any such services not actually performed by WHKS.
- Attend two (2) meetings for the project.

2. Analysis

- Review previous geotechnical findings as outlined in a report prepared by AET to determine the soil types and presence of solid rock and groundwater.
- Review LIDAR contours to develop a concept of roadway and lot layouts.
- Review previous Hardwood Estates (Mulvihill) General Development Plan. A revised subdivision layout concept will be prepared to minimize the earthwork and rock removal requirements. The goal is to provide a balance for the cut and fill requirements for the subdivision.
- Storm water hydraulic calculations, storm water pond requirements and storm sewer sizing will not be performed in conjunction with this analysis. General assumptions will be made for the storm sewer and drainage pond sizes and costs.
- Prepare Opinion of Probable Cost based on the revised subdivision concept, earthwork, roadway improvements, sanitary sewer, water main, storm sewer and service connection installation and general storm water pond requirements. A cost per lot will be provided based on the revised subdivision concept and probable cost opinion.

3. Summary Memorandum

- Prepare memorandum to summarize the finding of the analysis. Memorandum will include AET's Report, revised subdivision concept, elevations, grading plan, and probable cost opinion.

C. Special Engineering Services:

Special Engineering Services are those services not listed above, but which may be required or advisable to accomplish the Project. Special Engineering Services shall be performed when authorized by the Client for additional fees, to be determined at the time authorized.

Special Engineering Services include:

1. Land surveying and platting
2. Easement research, plats or descriptions
3. Negotiation for easements or land acquisition
4. Special assessment assistance
5. Permits.
6. Funding assistance, including grant and/or loan applications
7. Wetland Delineations or mitigation plans
8. Floodplain and hydraulic/hydrologic modeling
9. Water and/or sanitary sewer rate studies
10. Geotechnical design/recommendations or soil borings
11. Environmental Assessment Worksheet.
12. Cultural resource survey or other studies or documentation that may be required by regulatory agencies that are not specifically listed in the scope of services
13. National Environmental Policy Act (NEPA) compliance, including historical and archeological investigations
14. Attendance at additional meetings (other than those listed above)