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November 8, 2022

Matthew Parent  
Senior Project Manager  
Dakota County  
14955 Galaxie Avenue  
Apple Valley MN, 55124

Re: CP88-20/24; CSAH 88 Reconstruction – Supplemental agreement to professional services contract #C0032384

Dear Matthew:

KLJ Engineering respectfully requests approval of this Supplemental Agreement for Engineering Services (agreement) for the above referenced project. The agreement is needed to address additional project scope items that were not included in our current professional services contract #C0032384. Upon approval, this agreement will allow us to extend the project duration one year allowing continued UPPR railroad coordination and completion of CP88-20 (SAP 019-688-010) to a bid package in Fall 2022 and completion of the CP 88-24 (SAP 019-688-011) to a bid package in Winter of 2022.

During final engineering services, additional effort was required due to unforeseen tasks related to changes in project letting dates, coordination with property owners, township coordination, and railroad and utility coordination. The following are scope changes being requested:

- 12-month extension of project management time from Spring of 2022 to Spring of 2023.
- Project management increases also include additional coordination with the MnDNR and incorporation of 2 constructability review meetings with Dakota County.
- Coordination meeting, exhibits, and plan changes for the Gergen property related to potential relocation
- Asbestos and Regulated material investigation, Phase 1, and Phase 2 for the Gergen parcel for potential house move or relocation.
- Coordination, attendance, and design alternative development for township board meeting related to public feedback on 296<sup>th</sup> Street design.
- Project layout and construction limit updates
- Re-design of plans near 296<sup>th</sup> Street township to 90 percent design level including pond and drainage design
- Extensions for the utility coordination including additional coordination of field relocations, rock cut, etc.
- Updates to the design plans based on coordination with UP Railroad.
- TH 56 Pavement Coring and Analysis (Braun)



We respectfully request Dakota County consider the supplemental agreement for the reasons listed above. Processing this agreement will allow KLJ to continue with the remaining work tasks in accordance with the revised project scope and schedule. If this agreement is acceptable, our total contract amount will increase \$122,065.00 from \$1,051,767.66 to \$1,173,832.66.

Please contact me at 608-445-5741 if you have any questions or need additional information.

Sincerely,

KLJ

A handwritten signature in black ink, appearing to read "P. Glaser", with a stylized flourish at the end.

Paul Glaser, PE  
Minnesota Transportation Leader

Enclosure(s): Scope Fee – Gergen Parcel ARM, Phase 1&2  
Project #: 1903-01978  
cc: N/A

**Table 1 - Scope Additions**

No.	Task	Total
1	<b>Project Management Extension</b> Project duration has extended approximately 12 Months <ul style="list-style-type: none"> <li>• Expended weekly meetings (0.5 hours per week for 2 staff for 52 weeks)</li> <li>• Design Management and coordination extension (2.5 hours per week x 52 weeks)</li> <li>• 12 month extension on Invoicing</li> <li>• Additional DNR Coordination</li> <li>• 2 CR Review Meetings and Comments (Phase 1 and Phase 2)</li> </ul>	<b>\$42,030.00</b>
2	<b>Coordination / Updates for Gergen Property</b> <ul style="list-style-type: none"> <li>• Project requires a relocation and additional coordination / design refinement was required at the location including meetings with the appraiser and review of design options to minimize impacts.</li> <li>• ARM, Phase 1, Phase 2 for Parcel (See detailed scope)</li> </ul>	<b>\$23,100.00</b>
3	<b>Public Engagement Additions</b> <ul style="list-style-type: none"> <li>• Township meeting and exhibits to discuss options for 296th Street</li> <li>• Layout, construction limit update</li> </ul>	<b>\$11,304.00</b>
4	<b>Re-design of 296th Area</b> <ul style="list-style-type: none"> <li>• 296th connection area was developed to 60 percent level but then required redesign based on township feedback including roadway and drainage design</li> </ul>	<b>\$22,248.00</b>
5	<b>Utility / Railroad Coordination</b> <ul style="list-style-type: none"> <li>• Extensions of phase 1 utility coordination time</li> <li>• Rock cut coordination with frontier</li> <li>• Design revisions based on railroad comments</li> </ul>	<b>\$18,108.00</b>
6	<b>TH 56 Pavement Cores</b>	<b>\$5,275.00</b>
	<b>Table 1 - Scope Additions</b>	<b>\$122,065.00</b>

# Scope of Services

## Environmental Services:

29340 Felton Avenue, Randolph Township, Minnesota

September 16, 2022

### I. DESCRIPTION

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KLJ proposes to conduct a Phase I Environmental Site Assessment (ESA), Phase II ESA, and an asbestos and regulated materials assessment for Dakota County at the residential property located at 29340 Felton Avenue, in Randolph, Minnesota (Dakota County Parcel ID 310100042020).

This Scope of Services outlines KLJ's professional services and associated cost. Modifications or additions or any new environmental laws or regulations that significantly change the services to be performed, as defined below, shall be treated as "Changes in Scope of Services."

### II. PURPOSE

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The purpose of the Phase I ESA is to evaluate the potential for on-site contamination from on-and off-site sources [i.e., Recognized Environmental Conditions (RECs)] and for potential landowner liability protections pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Based on the results of the Phase I ESA, a Phase II ESA may be necessary. A Phase II ESA is a subsurface investigation to determine if past uses of the property or surrounding area have resulted in soil, groundwater, or soil vapor impacts at the property. Lastly, the purpose of the asbestos and regulated waste assessment is to identify hazardous or regulated materials that will require special handling or management prior to or during building demolition.

### III. SERVICES TO BE PERFORMED

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The proposed scope of services is outlined in the following sections.

#### A. Phase I Environmental Site Assessment

KLJ will conduct a Phase I ESA in accordance with ASTM E1527-13 and will issue a final report in accordance with ASTM guidance. The Phase I ESA will evaluate current and historical conditions at the subject property and surrounding vicinity that could present potential environmental concerns for the subject property. KLJ will coordinate with a third-party provider to obtain the following reports and information necessary for compliance with ASTM Standard E1527-13. The third part provider will provide the following information:

- Historical Aerial Photographs
- Historical Topographic Maps
- Certified Sanborn Maps
- City Directories
- Radius Map or Database Report

In addition, KLJ will perform the following:

- Perform a site reconnaissance to visually observe the subject property and adjoining properties from public right-of-way to identify environmental concerns.
- Gather photographs during the site reconnaissance, as necessary, which will be included in the final report.
- Review available published geological information, city/county records, and additional historical data readily available to KLJ.
- Interview site representatives and other persons familiar with the subject property

Upon completion of the site visit, KLJ will prepare a Phase I ESA report. The report will include any identified RECs, *de minimis* conditions, and any other environmental concerns for the subject property. The report will summarize KLJ's findings regarding the potential presence of on-site contamination at the subject property, and if requested, make recommendations for further testing and/or evaluation, via a Phase II ESA.

## B. Phase II Environmental Site Assessment

If results of the Phase I ESA identify potential environmental concerns with the subject property, KLJ will conduct a Phase II ESA to further evaluate the environmental concerns.

### 1. Soil Borings

KLJ will subcontract with a qualified drilling company to advance push probe soil borings at the site for soil, groundwater, and soil vapor sample collection. The soil boring activities will consist of the following:

- Complete a public and private utility locate prior to subsurface drilling activities
- Advance a total of four (4) soil borings to a depth of 25 feet below grade for soil and groundwater sample collection.
- Screen soils in 2 to 2.5-foot increments utilizing a photoionization detector (PID) equipped with a 10.6 electron volt (eV) lamp
- Record soil classification and other soil observations on soil boring logs
- Install temporary monitoring wells for the purpose of measuring groundwater levels and collecting samples.
- Advance one boring to a depth of 10 feet below grade for the collection of a soil vapor sample
- Seal borings per Minnesota Department of Health (MDH) regulations

## 2. Soil and Groundwater Sampling

KLJ will collect soil, groundwater, and soil vapor samples in compliance with Minnesota Pollution Control Agency (MPCA) guidelines. The samples will be analyzed under standard 5 to 7-day turnaround timeframe for the following parameters:

### Soil

Up to six soil samples will be collected and submitted for laboratory analysis of:

- Diesel Range Organics (DRO) by the Wisconsin Modified Method,
- Gasoline Range Organics (GRO) by the Wisconsin Modified Method,
- Volatile Organic Compounds (VOCs) by EPA Method 8260,
- Resource Conservation and Recovery Metals (RCRA Metals) by EPA Method 6010/7471,
- Polynuclear Aromatic Hydrocarbons (PAHs) by EPA Method 8270

### Groundwater

Up to four groundwater samples will be collected and submitted for laboratory analysis of:

- DRO by the Wisconsin Modified Method,
- GRO by the Wisconsin Modified Method,
- VOCs by EPA Method 8260,
- RCRA Metals by EPA Method 6010/7471 (dissolved),
- PAHs by EPA Method 8270

### Soil Vapor

One soil vapor sample will be collected and submitted for laboratory analysis of:

- VOCs by TO-15 analysis method

## 3. Report Preparation

Following the field assessment and receipts of the laboratory analysis report, KLJ will prepare a final Phase II ESA report summarizing the results of the investigation. KLJ will provide one electronic copy and one hard copy (if requested) of the final written report to the client. The report will include:

- Scope of work
- Sampling methods and procedures
- Figures identifying boring and sample locations
- Investigation and analytical findings compared to regulatory criteria
- Conclusions and recommendations

## C. Asbestos and Regulated Materials Assessment

A pre-demolition asbestos and regulated materials assessment will be completed for the

residential structure and detached garage to identify asbestos containing materials (ACM) and other regulated materials that may require special management prior to or during demolition.

## 1. Data/Sample Collection

### Suspect Asbestos-Containing Materials Sampling

KLJ will assess all locations that are safely accessible to identify the presence of suspect ACM. Representative samples will be collected from each area that contains accessible suspect ACM in accordance with the U.S. Environmental Protection Agency (USEPA), MPCA, and MDH regulations. Samples of each suspect material will be collected, assessed for friability, and locations documented for inclusion in the final report.

### Suspect Lead-Based Paint Sampling

KLJ will conduct limited lead-based paint sampling from flaking or peeling paint surfaces on the exterior of the site structures. Representative samples will be collected to satisfy Minnesota Rule 7035.0805 subpart 5 and are not intended to satisfy Occupational Health and Safety Administration (OSHA) of Housing and Urban Development (HUD) testing requirements.

### Regulated Materials Inventory

KLJ will perform a room-by-room inventory of regulated materials at the property. This inventory will identify any materials that may require special handling or disposal prior to or during demolition. This inventory will also identify wells, septic systems, aboveground or underground storage tanks, and other environmental items of note.

## 2. Material Analysis

### Suspect Asbestos-Containing Materials

The bulk suspect ACM will be analyzed by a laboratory participating in the American Industrial Hygiene Associated (AIHA) Bulk Asbestos Quality Assurance Program, National Institute of Standards (NIST), and National Voluntary Laboratory Accreditation Program (NVLAP) in accordance with USEPA/MDH regulations. The samples will be analyzed by polarized light microscopy (PLM) to determine the types of asbestos present, as well as the percentage and identification of asbestos and other non-asbestos constituents.

### Suspect Lead-Based Paint

The suspect lead-based paint (LBP) samples will be analyzed by a laboratory participating in the AIHA Laboratory Accreditation Program (LAP) for Environmental Lead and participates in the Environmental Lead Laboratory Analysis Program (ELLAP) in accordance with MDH regulations. The samples will be analyzed by atomic absorption or atomic absorption spectrophotometry to determine the percent of lead by weight.

The collection of up to 60 suspect ACM samples and 3 suspect LBP samples have been assumed in the fee portion of this proposal. Additional samples beyond 60 suspect ACM samples or 3 suspect LBP

samples may need to be collected to perform a complete assessment of the site structures' in compliance with regulations therefore, additional ACM samples will be billed at a rate of \$8.00 per sample and suspect LBP samples will be billed at a rate of \$15.00 per sample for analysis purposes.

### 3. Report Preparation

Following the site assessment and receipts of the laboratory analysis report, KLJ will prepare a final Asbestos and Regulated Materials Assessment report summarizing the results of the assessment. KLJ will provide one electronic copy and one hard copy (if requested) of the final written report to the client. The report will include:

- Scope of work
- Sampling methods and procedures
- Figures identifying ACM or LBP samples
- List of regulated materials
- Investigation and analytical findings
- Identification and quantification of ACM or LBP identified
- Conclusions and recommendations

## IV. ASSUMPTIONS

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KLJ will perform the above-described services under the following assumptions:

### A. Phase I Environmental Site Assessment

- Site access will be facilitated by Dakota County.

### B. Phase II Environmental Site Assessment

- Groundwater depth is assumed to be approximately 20 feet below grade.
- Site access will be facilitated by Dakota County.
- Soil, groundwater, and soil vapor samples will be analyzed under a standard turnaround timeframe. If additional sample collection is required, KLJ will receive authorization from Dakota County and additional work will be charged on a time and materials basis.

### C. Asbestos and Regulated Waste Assessment

- The property structures will be vacant at the time of the assessment and access will be provided by Dakota County
- Destructive sampling methods will be utilized during this asbestos survey and building damage (including roofing materials) will not be replaced or repaired.



- Asbestos sample analysis will be conducted under standard turn-round timeframe
- KLJ anticipates up to 60 suspect ACM samples and 3 suspect LBP samples will be collected for laboratory analysis. Additional samples will be billed at a rate of \$8 per suspect ACM sample and \$15 for suspect LBP samples for additional analysis.

## V. FEE ASSUMPTIONS

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The proposed fee for completion of this Phase I ESA, Phase II ESA, and the Asbestos and Regulated Materials Assessment is **\$21,100**. A breakdown of fees split by task are shown below:

A. Phase I Environmental Site Assessment	
Labor Total	\$2,950
Historical Database Total	\$350
<b>Phase I ESA Total</b>	<b>\$3,300</b>
B. Phase II Environmental Site Assessment	
Labor Total	\$6,650
Driller total (subcontractor)	\$2,650
Field Equipment (PID, filters, and ice)	\$200
Laboratory Total	\$3,100
<b>Phase II ESA Total</b>	<b>\$12,600</b>
C. Asbestos and Regulated Materials Assessment	
Labor Total	\$4,650
Shipping	\$25
Laboratory Total	\$525
<b>Asbestos and Regulated Materials Assessment Total</b>	<b>\$5,200</b>

## VI. DELIVERABLES

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All final reports will be provided to the client in electronic format (.pdf). A hard copy of the report can be provided upon request. Below is a list of all deliverables that will be provided by KLJ:

- Phase I ESA Report
- Phase II ESA Report
- Asbestos and Regulated Materials Assessment Report

## **VII. WORK EXCLUDED FROM THIS KLJ CONTRACT**

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- 1) Legal testimony.
- 2) Environmental Lien, Activity and Use Limitations (AULs), and Chain of Title searches are not included in this Scope of Services, as they are considered User responsibilities. However, if requested, Environmental Lien, AULs, and Chain of Title searches can be added to this Scope of Services for an additional cost.
- 3) Environmental services other than services described herein.
- 4) Asbestos, lead-based paint, or regulated materials specification preparation, removal, or management