



**SPECIAL/REGULAR STUDY SESSION
TUESDAY, NOVEMBER 18, 2014
LOCATION: BAINBRIDGE ISLAND CITY HALL
280 MADISON AVENUE N., BAINBRIDGE ISLAND, WASHINGTON**

AGENDA

- 1. EXECUTIVE SESSION**
6:15 PM Potential Litigation (RCW 42.30.110(1)(i))

- 2. CALL TO ORDER / ROLL CALL**
7:00 PM
Mayor: Anne Blair
Deputy Mayor: Wayne Roth
Councilmembers: Sarah Blossom Roger Townsend
Steven Bonkowski David Ward
Val Tollefson

- 3. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**
7:05 PM

- 4. CITY MANAGER'S REPORT**
7:10 PM – Comprehensive Plan/Navigate Bainbridge Update

- 5. PRESENTATIONS**
7:15 PM
 - A. Subject:** High Performance Organization (HPO) Leadership Philosophy, AB 14-190 – 20 min. **(Pg. 3)**
Discussion Leader: Employee Leadership Team
Discussion Goal: Information.

 - B. Subject:** Sound to Olympic Trail Alignment Presentation and Supplemental Agreement Number 2, AB 14-096 – 30 min. **(Pg. 5)**
Discussion Leader: Public Works
Discussion Goal: Presentation. Consider scheduling on November 22, 2014 consent agenda.

 - C. Subject:** Public Records Act (PRA) and Open Public Meetings Act (OPMA) Training, AB 14-189 – 30 min. **(Pg. 43)**
Discussion Leader: Executive
Discussion Goal: Information.

- 6. STAFF INTENSIVE**
8:35 PM
 - A. Subject:** Public Works Contracts, AB 14-188 – 10 min. **(Pg. 45)**
 1. Dripping Water Creek Culvert Replacement Project Budget Amendment No. 2, AB 14-039 **(Pg. 47)**
Discussion Leader: Public Works
Discussion Goal: Consider scheduling on November 22, 2014 consent agenda.

 - B. Subject:** Ordinance No. 2014-40, Requiring Permits for the Filming and Production of Motion Pictures and Television Programs, AB 14-078 – 10 min. **(Pg. 49)**
Discussion Leader: Executive
Discussion Goal: First reading. Consider scheduling on November 22, 2014 consent agenda.

 - C. Subject:** Police Facility Site Considerations, AB 14-008 – 15 min. **(Pg. 55)**
Discussion Leader: Executive
Discussion Goal: Information.

Times listed on this agenda are approximate. Public Comment may be limited to allow time for Council to deliberate.



Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations, please contact the City Clerk at 206-842-2545 (cityclerk@bainbridgewa.gov) by noon on the day preceding the Meeting.

D. Subject: Bainbridge Performing Arts Lease Amendment for Public Art Site, AB 14-191 – 10 min. **(Pg. 59)**
Discussion Leader: Executive
Discussion Goal: Consider scheduling on November 22, 2014 consent agenda.

- 7. **COUNCIL DISCUSSION**
9:20 PM
- 8. **COMMITTEE REPORTS**
9:25 PM
- 9. **REVIEW UPCOMING COUNCIL MEETING AGENDAS (Pg. 63)**
9:30 PM
- 10. **FOR THE GOOD OF THE ORDER**
9:35 PM
- 11. **ADJOURNMENT**
9:40 PM

Times listed on this agenda are approximate. Public Comment may be limited to allow time for Council to deliberate.



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CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: High Performance Organization (HPO) Leadership Philosophy Presentation	Date: November 18, 2014
Agenda Item: Presentations	Bill No.: 14-190
Proposed By: Amber Richards, Executive Assistant	Referral(s):

BUDGET INFORMATION

Department:	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

City Manager Yes No N/A Legal Yes No N/A Finance Yes No N/A

DESCRIPTION/SUMMARY

History:

In late 2013 and early 2014, City staff went through High Performing Organization (HPO) training, provided by the Commonwealth Center for High Performing Organizations. This training was Council supported. Its purpose was to identify ways to increase staff engagement by fundamentally changing the hierarchical leadership structure of our organization, by allowing staff to practice leadership at all levels.

Since the completion of HPO training in February, staff have been working to incorporate elements of HPO into the organizational culture of the City through the creation of numerous working groups. One such group was conceived for the purpose of developing a leadership philosophy for the City. During the process, the group determined that it was necessary to expand the scope of the project to include revising the City's existing vision, and mission statements. The end goal was to forge a vision, mission, and leadership philosophy that are intertwined as parts of the whole organizational concept. The resulting vision, mission, and leadership philosophy statements were designed collaboratively, through direct staff participation and indirectly through feedback from City staff from each department, and at all levels of the organization. These statements are designed to provide direction for the future of our City, identifies tangible, measurable results, and additionally, speaks to who we are collectively and how we conduct ourselves.

Schedule/Next Activities:

Staff will bring this item forward for Council approval at a future business meeting.

RECOMMENDED ACTION

Motion:

For information only.

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Sound to Olympics Trail Project Design Supplemental Agreement Number 2	Date: November 18, 2014
Agenda Item: Staff Intensive	Bill No.: AB 14-096
Proposed By: Public Works Director Barry Loveless	

BUDGET INFORMATION

Depart/Fund: 2014 CIP \$420,000	Federal Transportation Alternative Program Grant @ \$363,000
Expenditure Req: \$263,488.25	Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Budget Amend. Req? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

REFERRALS/REVIEW

Study Session:	Recommendation:		
City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Legal <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Finance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

DESCRIPTION/SUMMARY

Action Item:

Public Works staff and the Non-Motorized Transportation Advisory Committee (NMTAC) will update the City Council on the recommended alignment for the Sound to Olympics (STO) Trail between Winslow Way and High School Road and a proposed future bridge crossing. City Council will consider placement of the STO Trail Supplemental Agreement Number 2 on the November 22, 2014 special meeting consent agenda.

Background:

The STO Trail project provides for a separated shared-use pathway along SR305 from Winslow Way to High School Road. This project will complete the “first mile” of the Sound to Olympics Trail and study potential branch connections. The new pathway will connect to the Ravine Creek Non-Motorized Bridge and an existing 800-foot section of the STO Trail and continue to High School Road.

City Council approved the original design Agreement at their August 4, 2014 meeting awarding the design to MacLeod Reckord in the amount of \$135,948.02. Supplemental Agreement Number 1 in the amount of \$20,391.38 was awarded at the October 14, 2014 City Council meeting for environmental permitting and geotechnical engineering services. Supplemental Agreement No. 2 is for design and construction documentation on the recommended alignment and is needed to complete design, acquire permits, WSDOT approvals, and construction bid documents. See attached Supplemental Agreement No. 2 for more details.

RECOMMENDED ACTION

Motion:

I move that the City Council consider forwarding Supplemental Agreement Number 2 with MacLeod Reckord in the amount of \$263,488.25 for the STO Trail project design to the November 22, 2014 special meeting consent agenda.



Supplemental Agreement Number <u>2 (two)</u>		Organization and Address City of Bainbridge Island Public Works Department 280 Madison Avenue N Bainbridge Island, WA 98110 Phone: (206) 780-3720	
Original Agreement Number 21400077			
Project Number 00668	Execution Date	Completion Date 3/30/2016	
Project Title Sound to Olympics Trail Phase 2	New Maximum Amount Payable \$ 419,827.65		
Description of Work Provide PS&E and construction administration services for Phase 2 and Phase 4 of the STO Trail.			

The Local Agency of City of Bainbridge Island
desires to supplement the agreement entered into with MacLeod Reckord PLLC
and executed on 8/5/2014 and identified as Agreement No. 21400077

All provisions in the basic agreement remain in effect except as expressly modified by this supplement.

The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:

Provide PS&E and construction administration services for Phase 2 and Phase 4 of the STO Trail.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: Begin work November 20, 2014; Completion Date March 30, 2016

III

Section V, PAYMENT, shall be amended as follows:

increase by \$263,488.25 to a total of \$419,827.65

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.

If you concur with this supplement and agree to the changes as stated above, please sign in the appropriate spaces below and return to this office for final action.

By: Connie Reckord

By: _____

Consultant Signature

Approving Authority Signature

Date

SUPPLEMENTAL AGREEMENT NUMBER 2
SECTION 1
Scope of Work
November 10, 2014

City of Bainbridge Island
SOUND TO OLYMPICS TRAIL PHASE 2

SUPPLEMENT EXHIBIT A-1 AS FOLLOWS:

PROJECT DESCRIPTION

The City of Bainbridge Island (COBI) seeks to develop a project to provide non-motorized improvements on SR305/Olympic Drive, from Winslow Way to High School Road as the second and fourth phases of the Sound to Olympics Trails (STO). The project includes: survey, final design documentation, environmental reporting support, and permit application support.

Funding for design and construction is from a combination of COBI sources and federal transportation grant (PSRC/FHWA).

The Project Area and Part 2 Limit of Field Survey and Mapping is as defined by the limits shown on the attached Exhibit 1.

OUTLINE OF SCOPE OF SERVICES

The MacLeod Reckord team will provide planning, design, and environmental reporting services to complete the design in accordance with the WSDOT LAG Manual for the project. Scope of work shall consist of the following:

- I. Preliminary Design Services (provided in original contract)
- II. Final Design and Environmental Services
 - Task 06 Project Management (Design and Environmental)
 - 07 Supplemental Survey and Mapping
 - 08 Deleted
 - 09 Geotechnical Evaluation & Engineering
 - 10 Environmental & Permit Support Services
 - 11 Deleted
 - 12 50% Design Development
 - 13 90% Construction Documents
 - 14 100% Bid Documents

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PROJECT TEAM ROLES AND RESPONSIBILITIES

MacLeod Reckord (Consultant) will contract with qualified subconsultants, including, but not limited to the firms indicated below. Roles and responsibilities are as follows:

1. **MacLeod Reckord PLLC (Consultant)** – Project management, agency coordination, preliminary and final trail planning, design and documentation, overall document coordination, project oversight and compliance with WSDOT LAG Manual.
2. **KPFF Consulting Engineers (KPFF)** – Civil engineering, utilities, and temporary erosion control measures, and project oversight and compliance with WSDOT LAG Manual.
3. **Environmental Science Associates (ESA)** – Limited discipline reports and/or technical memoranda for ECS, and cultural resource survey.
4. **HWA GeoSciences (HWA)** – Geotechnical evaluation and engineering.
5. **PACE Engineers (PACE)** – Survey and mapping.

GENERAL PROJECT ASSUMPTIONS

1. The following scope is defined for **Part II Final Design and Environmental Services**.
2. Direct correspondence and coordination with WSDOT (Local Programs) will be the responsibility of COBI.
3. No additional traffic or transportation studies are included in this scope, but assumes existing reports and readily available data from COBI and/or WSDOT will be utilized in the design, permitting, and engineering of the project.
4. LEED™ Process is not included at this time, however sustainable building practices will be incorporated into site design as program and budget allow.
5. No provisions are included in this scope for reporting on the presence, or addressing remediation, of contaminated soils or surface water.
6. Construction permits as may be required by COBI or WSDOT are the responsibility of COBI.

DESIGN STANDARDS/CRITERIA

1. All work will comply with City of Bainbridge Island, Kitsap County, WSDOT, and AASHTO guidelines. Conflicting guideline directives will be resolved by COBI and deviations, if required, will be provided by the Consultant.
2. Documentation will be in ACAD 2014, Civil 3D 2014, or as mutually agreed.
3. Specification format for 90%, and 100% submittal is WSDOT Standard Specifications with Special Provisions prepared by the design team and Amendments, General Special Provisions and Division 1 prepared by COBI. Final assembly of comprehensive specification bid package by COBI. Scope for 50% submittal will be outline of Special Provisions and Amendments to the WSDOT Standard Specifications only.
4. City of Bainbridge Island Design and Construction Standards.
5. City of Bainbridge Island Non-Motorized Transportation Plan.
6. Kitsap County *Non-Motorized Facility Plan Draft*, October 17, 2013.
7. WADOE, *2012 Stormwater Management Manual for Western Washington*.
8. WSDOT, *Standard Plans*, current edition
9. WSDOT, *Standard Specifications for Road, Bridge, and Municipal Construction*, English, current edition and Amendments.

SCHEDULE

The scope of work is premised on a Notice-to-Proceed date for Part II Final Design and Environmental Services of approximately November 20, 2014. See draft schedule on the attached Exhibit 2.

DELIVERABLES

Deliverables will be provided as noted herein for Part II Final Design and Environmental Services.

TASKS

PART II – DESIGN AND ENVIRONMENTAL SERVICES

06. Project Management

- 6.1 Coordination and Review:** Coordinate the Consultant design team to ensure that the work is completed on schedule, is technically competent, and meets WSDOT LAG Manual and COBI's requirements. Develop and implement the work plan and provide overall coordination and review of the work. Organize and administer regular internal coordination meetings of the design team to facilitate execution of the work.
- 6.2 Coordination Meetings:** Meet with COBI and their assigns (may include but not be limited to WSDOT, multiple COBI departments, boards, administrators, and council) to discuss and/or present project issues, schedule, progress, and general coordination of effort.
- 6.3 Document Management:** Provide for the management of drawings and documents received and generated over the course of the project, including review, distribution, filing, and storage.
- 6.4 Project Schedule:** Provide a detailed schedule for the Consultant work elements, integrating project deliverables and milestones with schedules identified by COBI. Update schedule once.
- 6.5 Subconsultant Management:** Subconsultant management includes the preparation and execution of subcontracts with each Subconsultant involved in the project. The Consultant shall provide ongoing overview of progress, review of invoices, and overall coordination of Subconsultants involved in the project.
- 6.6 Quality Assurance/Quality Control:** Conduct a quality assurance check of all deliverables prior to submittal to COBI.
- 6.7 Invoicing:** Prepare and submit regular invoicing and monthly progress reports within 30 days of work completed, including Subconsultants.

Deliverables: 1) Contract Documents. 2) Meeting Notes as required. 3) Schedule. 4) Invoicing. 5) Progress Reports.

07. Supplemental Survey and Mapping

- 7.1 **Data Research and Assembly:** Assemble documentation as provided by COBI and/or available to the general public to inform survey and mapping effort.
- 7.2 **Field Survey:** Perform site reconnaissance and perform field survey within the Part 2 Limit of Field Survey and Mapping as shown on Project Area plan (Exhibit 1) and per Survey Request Form (Exhibit 3). Utilize datum as required by COBI and to meet funding requirements. Collect necessary field ties in order to properly determine boundary and right of way associated with the project. Identify and permanently locate and survey recoverable benchmarks as requested. Obtain the services of a private utility locator to mark and identify underground utilities within the Part 2 Limit of Field Survey and Mapping area (Exhibit 1).
- 7.3 **Survey Mapping:** Incorporating data from Part 1 Field Survey and Mapping area map, results of assembled documentation, and field survey, provide a comprehensive topographic, planimetric, and boundary survey suitable for use with ACAD C3D. See Survey Request Form (Exhibit 3). Provide legend, notes, and survey stamp and signature on approved title block.
- 7.4 **Field Staking for Temporary Construction Easements:** No work.
- 7.5 **Supplemental Survey and Mapping:** No work.
- 7.6 **ROW Acquisition Exhibits:** No work.

Assumptions:

- Survey team will be expected to access the project site from the public right-of-way, without need to cross private property. If it is determined necessary to cross onto private property to obtain information, all right of entry will be negotiated and obtained by COBI and provided to the Consultant prior to start of work.
- Boundary survey will be based on best available record information. Proposed fee does not include the cost for title company research or title report analysis. Should these tasks be necessary COBI will provide the title report information for the Consultant to provide a scope and fee for title analysis.
- Scope does not include a record of survey: no property corners will be set and no record of survey will be recorded.
- Below ground utility depths, material, and sizes, except for sewer and storm structure inverts are not part of the field survey scope. COBI data on existing utility information will be used and incorporated into the mapping and utilized for design.
- COBI will make available all utility and record drawings associated within the project area, format preference is ACAD.
- WSDOT right of way drawings will not be required for the survey mapping portion of the work.
- Preparation of documents, exhibits, or descriptions for easements or right of way acquisitions may be done under Management Reserve funds.

Deliverables: 1) Base Survey; 2) ROW Acquisition Exhibits. One (1) full-size paper and electronic copy.

08. Deleted

09. Geotechnical Evaluation & Engineering

- 9.1 **Develop Field Exploration Plan:** Develop a field exploration plan that outlines proposed field exploration program, summarized in a memo to convey critical information to the city, private property owners and WSDOT for permitting and approval processes. The memo includes a narrative explaining proposed field explorations.
- 9.2 **Complete Utility Locates:** Conduct site reconnaissance to evaluate the surficial soils and site topography along the proposed trail alignment. Proposed locations for field exploration will be marked with wooden stakes.
- 9.3 **WSDOT Coordination:** Coordinate with WSDOT for approval of all explorations within the WSDOT right of way. Coordination includes one meeting with WSDOT representatives to discuss the specifics.
- 9.4 **Conduct Subsurface Explorations:** Conduct two days of hand explorations along the alignment, which will consist of hand borings and Dynamic Cone Penetration (DCP) testing. The hand explorations will be completed at approved locations.
- 9.5 **Generate Exploration Logs and Assign Laboratory Testing:** Prepare summary exploration logs and perform laboratory testing to evaluate relevant physical properties of the site soils. Laboratory testing will include moisture contents, grain-size distribution, and Atterberg Limits. All laboratory testing will be performed in general accordance with the corresponding ASTM procedures.
- 9.6 **Evaluate Field and Laboratory Data:** Based on the exploration information and the laboratory test results of selected samples, generate data as needed for design.
- 9.7 **Geotechnical Engineering Analysis:** Develop earthwork operation recommendations, pavement design recommendations and construction sequencing and/or site protection recommendations based on available data.
- 9.8 **Generate Draft Geotechnical Report:** Geotechnical report will contain the results of the geotechnical engineering investigation, including description of surface and subsurface conditions; a site plan showing exploration locations and other pertinent features; summary exploration logs; and laboratory test results. The report will provide a narrative and geotechnical recommendations for each of the above described geotechnical aspects of the project.
- 9.9 **Generate Final Geotechnical Report:** Upon receiving review comments from COBI and the design team, finalize geotechnical report. Final geotechnical report will contain the results of the geotechnical engineering investigation, including description of surface and subsurface conditions; a site plan showing exploration locations and other pertinent features; summary exploration logs; and laboratory test results. The report will provide a narrative and geotechnical recommendations for each of the above described geotechnical aspects of the project.
- 9.10 **Attend Project Coordination Meetings:** HWA will participate in up to 2 project coordination meetings throughout the design process.
- 9.11 **Provide Geotechnical Plan and Specification Review:** HWA will collaborate with design team to verify that the geotechnical engineering requirements are properly incorporated into the plans and specifications.

9.12 Geotechnical Task Management: HWA will prepare monthly invoices, and progress reports if required and correspond with the design team as necessary.

Assumptions:

- The hand exploration locations will be surveyed by team members other than HWA.
- WSDOT and COBI Street use permit fees are not included in this proposal and are assumed to be paid for by COBI directly.
- Design and soil explorations associated with elevated crossing of SR 305 are not included in this scope of work.
- This proposal does not include explorations and design work associated with widening shoulder of SR 305 at the ravine crossing.
- This scope does not include support associated with environmental documentation such as Phase 1 environmental site assessments, soils discipline reports, or soil related environmental technical memos.

Deliverables: 1) Draft geotechnical report of findings; 2) Final geotechnical report of findings and final recommendations; 3) Geotechnical engineering recommendations.

10. Environmental & Permit Support Services

The table below includes environmental and land use permits, reviews, or other environmental approvals that are anticipated for the project. The list of permits is based on the previously prepared alternatives analysis and an initial review of federal, state, and local regulations related to the type of construction. This is not a complete list. This list does not include building permits and other permits or approvals that may be needed depending on the selected final site, local jurisdiction, and design standards.

Sound to Olympics Phase 2 and Phase 4 Project– Anticipated Permits

Lead Agency	Permits/Approvals/Reviews	Application/Documentation	Comments
Corps of Engineers	Section 404/401/10 Nationwide Permit 14	Joint Aquatic Resourced Project Application (JARPA)	Required if wetland fill will occur. Assumes project meets the criteria for NWP 14.
	404(b)(1) Alternatives Analysis	Assumed not required.	Will be required if an Individual Permit is needed. Not anticipated at this time.
	Endangered Species Act Section 7 / Magnusson Stevens Act Review	Biological Evaluation	Required by federal permit nexus.
WSDOT/FHWA	National Historic Preservation Act Section 106 Review	Cultural Resources Report	A Cultural Resources Report is included as part of the WSDOT application package. Additional Cultural Resources work for federal, state, or local permits may be required depending final construction extents and if eligible cultural resources are identified during field exploration.
	ROW Permit		
	Construction Agreement		
	NEPA	WSDOT ECS and required discipline reports/technical memos	Assumes NEPA finding is Documented Categorical Exclusion. Assume need for discipline reports or tech memos for 1) wetlands, 2) fish, wildlife, and vegetation, 3) visual impact analysis, 4) environmental justice, 5) cultural resources (by ESA) and 6) transportation, 7) geotechnical, and 8) contaminated materials (by others)

WDFW	Hydraulic Project Approval	JARPA	Will be required if work below the OHWM of a Water of the State. Not anticipated at this time.
WA Dept of Ecology	CZM Consistency Determination	CZM Form/Checklist	To be included as part of the Section 404/401/10 permit application.
	Section 401/ Water Quality Certification	JARPA	To be included as part of the Section 404/401/10 permit application.
	National Pollution Discharge Elimination System (NPDES) General Construction Permit	Notice of Intent	Need will depend on design and extent of disturbance.
Local Permits City of Bainbridge Island	State Environmental Species Act	Environmental Checklist	This scope assumes that the project will receive a Determination of Non Significance or Mitigated Determination of Non Significance. An EIS is not included.
	Critical Areas Review	Critical Areas Study	
	Shoreline Conditional Use Permit or Substantial Development Permit	JARPA with Shoreline Supplement	Not anticipated at this time.
	Flood Hazard Area Development Permit	Flood Hazard Permit Application	If land-based facilities in floodplain or floodway are required. Not anticipated at this time.
	Road Use-ROW permit	Varies	Depends upon trail routing.

10.1 Wetland and Stream Delineation: No work.

10.1.5 Supplemental Wetland and Stream Delineation: No work.

10.2 Endangered Species Act Coordination: No work.

10.3 Critical Areas Study and Conceptual Mitigation Plan: No work.

10.4 Cultural Resource Survey: Conduct a cultural resources assessment, consisting of a field survey for cultural resources within the project area, completed in support of the National Historic Preservation Act (NHPA) Section 106. After the preferred alternative has been selected and the APE has been defined and agreed upon by WSDOT, DAHP, and Affected Tribes, Consultant will conduct a one-day field visit to survey the preferred alternative's APE and evaluate the presence of aboveground historic-age resources (buildings or features). We assume only one person will be needed and travel time is included. Additional work may be required to complete the Section 106 consultation process if WSDOT determines that cultural resources could be affected by the project. Additional field work is not included in this scope. Prepare a technical memorandum to summarize the results of literature review and field visit. Scope includes one draft and one final technical memo. The final report will be submitted by COBI to WSDOT/ the State Department of Archaeology and Historic Preservation (DAHP). Prepare a Cultural Resources Assessment to assist the Corps of Engineers review the project pursuant to Section 106 of the National Historic Preservation Act.

Deliverables: 1) Draft and Final Cultural Resources Technical Memorandum.

10.5 WSDOT Environmental Classification Summary (ECS): No work.

10.5.1 Wetlands Discipline Report: No work.

10.5.2 Cultural Resources Discipline Report: Prepare a Cultural Resources Discipline Report consistent with Chapter 456 of the WSDOT Environmental Procedures Manual. The report will utilize information from the cultural resource survey task, listed above.

10.5.3. Social and Community Effects Technical Memorandum: Prepare a Social and Community Technical Memorandum consistent with Chapter 458 of WSDOT's Environmental Procedures Manual. Materials previously prepared for Phase 1 of the Olympics to Sound Trail project will be utilized to the extent practicable. New or additional demographic and community data will be collected specific to the potentially affected area for this project. The Social and Community Effects TM will also summarize the communication plan and the completed and planned outreach efforts.

10.5.4 Fish, Wildlife, and Vegetation Technical Memorandum: Prepare a Fish, Wildlife, and Vegetation Technical Memorandum consistent with Chapter 436 of WSDOT's Environmental Procedures Manual. In support of the Fish, Wildlife, and Vegetation Technical Memorandum, Consultant shall review relevant and available existing documentation and data relating to the project site and surrounding area, including but not limited to: Washington Department of Natural Resources Natural Heritage Program data; WDFW Priority Habitats and Species data, sensitive species lists, and fish and wildlife distribution information; COBI critical/sensitive area information; and other technical studies/discipline reports completed for this project (e.g., wetlands report). The technical memorandum will utilize information collected in Wetland and Stream Delineation Task. The report shall describe existing conditions with respect to vegetation, wildlife, fish, and aquatic resources, and shall identify potential project impacts. Mitigation measures shall be recommended where appropriate. No field time is anticipated in this scope or fee.

10.5.5. Visual Impacts Analysis: No work.

Deliverables: 1) Draft and Final Technical Memorandum and Discipline Reports as detailed above.

Assumptions:

- Submittal of the archaeological review, and discipline reports/technical memos for the ECS for WSDOT is based upon the assumption that the alignment will largely be fixed at the 50% design phase. Significant changes in the project alignment would result in the need to revise documents and applications. Should this occur, additional budget would be required for the modifications and resubmittal.
- COBI will be responsible for preparation of SEPA checklist, including reproduction, distribution, and public notification.
- COBI will be responsible for preparation and distribution of JARPA and JARPA exhibits.
- COBI will be responsible for preparation of items above where no work is provided by the Consultant.
- Archaeological field work is proposed at a level we believe to be sufficient to collect a reasonable amount of information. Depending upon site conditions and/or requests from federal regulatory agencies, additional field work beyond that proposed in this scope and budget may be necessary.
- Reports and other draft materials will be submitted for review electronically, either in their native file format or as PDF files.
- COBI will provide a single set of consolidated review comments on all Draft deliverables. Additional review cycles are not included in this scope.

- All deliverables will consist of Draft and Final documents. Additional document versions, in response to agency comments, is not included in this Scope.
- COBI will be the sole SEPA lead agency. COBI shall be responsible for all permit fees or third-party review fees.
- COBI will secure rights-of-entry as necessary to access the project area.
- COBI will be responsible for delivering all permit applications.
- COBI will be responsible for forwarding all permit-related correspondence relating to Consultant's work to Consultant in a timely manner.
- Additional work required to address requests for additional information beyond the submittal of the specified materials are not included in this scope of work.
- Consultant shall submit the number of copies of applications and supporting documentation identified on the application forms, plus two additional copies for the project files. COBI shall be responsible for additional copies.
- If work cannot be designed to meet Determination of Non-significance (DNS) criteria and/or avoid significant impacts an Environmental Assessment or Environmental Impact Statement may be required. This additional work is not included herein.
- Unless specified in this scope, no other project specific discipline reports or technical memorandum are anticipated to be required, but can be completed as additional task(s), if required.

11. Deleted

12. 50% Design Development

12.1 Trail Design: Advance preferred trail alignment, as approved by COBI staff and Council, to 50% design. Documentation includes preliminary plan, profile, cross sections, and details.

12.2 Traffic Control Plans: Specifications will be prepared requiring Contractor to develop and implement traffic control plans.

12.3 TESC Plan: Provide temporary erosion and sedimentation control design at 50% design, including plan and details. Include construction sequence outline and identify critical TESC issues and incorporate into notes on the plan. COBI to provide SWPPP documentation.

12.4 Storm Drainage Design and Draft Report: Provide storm drainage design at 50% design level for the trail corridor including reference to maintenance of selected storm drainage facilities that may be required in WSDOT ROW. Provide plans and details. Storm drainage design will not include replacement of any structures or piping within/under the area of the travel lanes. Draft storm drainage report is included in this task.

12.5 Water and Sanitary Sewer Utilities: No work.

12.6 Structures: No work.

12.7 Planting Design: Provide planting plans and details at 50% design level. Plant palette will be defined, however total individual plant quantities will not be calculated. Planting concept does not include final mitigation planting, but may identify opportunity sites for final mitigation.

12.8 Trail Amenities: Provide 50% design for the following amenities: trail entry plaza at (1) northeast corner of Winslow Way and SR 305 and (2) southeast corner of High School Road and SR 305; viewing/interpretive area at (1) location along the trail; rest areas at (3) locations along the trail; intersection with other neighborhood trails at (3) locations along the

trail. Provide layout, grading, and details at 50% design level. Amenities include paving, benches, trash receptacles, standard signage (no interpretive panels designed), railing or barrier rails. No plan/profile of neighboring trails is included.

- 12.9 Cost Estimates:** Provide preliminary Summary of Quantities and cost estimate at 50% design level for all improvements. Proposal assumes all bid items to be under one schedule at this phase.
- 12.10 Specification Outline:** Provide outline of Special Provisions.
- 12.11 Review/approval:** Attend 1 meeting with COBI, and 1 meeting with COBI and WSDOT during this task for preliminary and final review. Incorporate (1) set of review comments in next task.
- 12.12 WSDOT Design Review and Coordination:** Coordinate with WSDOT review staff (through COBI) prior to 50% submittal to obtain project input and feedback that will assist in WSDOT review and approval process.

Assumptions:

- Shoulder widening adjacent to the SR 305 travel lanes at the existing pedestrian bridge is not in the scope.
- Scope of work at both Winslow Way and High School Road intersections assume no changes to existing above grade or below grade traffic/electrical vaults and cabinets or power or utility poles adjacent to the intersections.
- No conflict with, or revisions to, existing biofiltration swale is anticipated in this scope. Relocation or redesign of biofiltration swale may require additional scope and fee.
- Existing utilities will be avoided and not impacted or relocated by project.
- Maximum retaining wall final height is assumed to be no more than 4 feet measured from top of footing to top of wall. Terraced walls and surcharged wall that require structural calculation not included in the scope or fee.
- Other structures requiring structural design or engineering calculations (taller walls, MSE, boardwalk, bridge, etc) are not included in the scope or fee.
- WSDOT Plan for Approval is not required since the project will not impact existing SR 305 horizontal roadway and channelization geometry. It is understood that the design drawing being advanced for construction of a shared-use path within the SR 305 corridor will be sufficient for WSDOT review and approval as outlined by WSDOT Development Services staff (per telephone conversation with Dale Severson on 11/4/2014).
- All permits and agreements with WSDOT will be administered by COBI.
- Design of fish passable culverts not included with this scope of work.
- Runoff and drainage conveyance from the COBI trail project site will be separated from existing SR 305 roadway runoff as to avoid potential for water quality treatment mitigation due to comingled stormwater runoff.

Deliverables: Preliminary alignment studies; 50% Design Development plans; Draft Storm Drainage Report; Cost Estimate; Specification Outline. All deliverables include one (1) full-size paper and electronic copy.

13. 90% Construction Documents

- 13.1 Trail Design:** Advance trail plan, profile, and details to 90% design, incorporating final decisions on alignment and review comments.

- 13.2 **Traffic Control Plans:** Specification will be updated as applicable as it pertains to Contractor developed traffic control plans.
- 13.3 **TESC Plan:** Advance temporary erosion and sedimentation control design, incorporating review comments and adjusting to plan revisions. COBI to provide final SWPPP.
- 13.4 **Storm Drainage Design and Final Report:** Advance storm drainage design, incorporating review comments. Provide final storm drainage report.
- 13.5 **Water and Sanitary Sewer Utilities:** No work.
- 13.6 **Structures including Final Calculations:** No work.
- 13.7 **Planting Design:** Advance planting design finalizing quantities and details, and incorporating review comments.
- 13.8 **Trail Amenities:** Advance trail amenities design, incorporating review comments.
- 13.9 **Cost Estimates:** Finalize Summary of Quantities and advance cost estimate, incorporating review comments. Proposal assumes up to 3 schedules at this phase.
- 13.10 **Specifications:** Prepare Special Provisions for Divisions 2 through 9 and submit final 90% draft to COBI for review. Coordinate with COBI on Amendments and Division 1. Provide final Word document of Special Provisions only to COBI for inclusion in their final document.
- 13.11 **Checklists and Submittals:** No work.
- 13.12 **Review/approval:** Attend up to 1 meeting with COBI, and up to 1 meeting with COBI and WSDOT during this task for final review. Incorporate (1) set of review comments in next task.
- 13.13 **WSDOT Coordination:** Incorporate comments from WSDOT as required and resubmit with 90% submittal.

Assumptions:

- Summary of Quantities assumes no more than 3 schedules for the documents to differentiate items for grants and/or identify additive alternates.

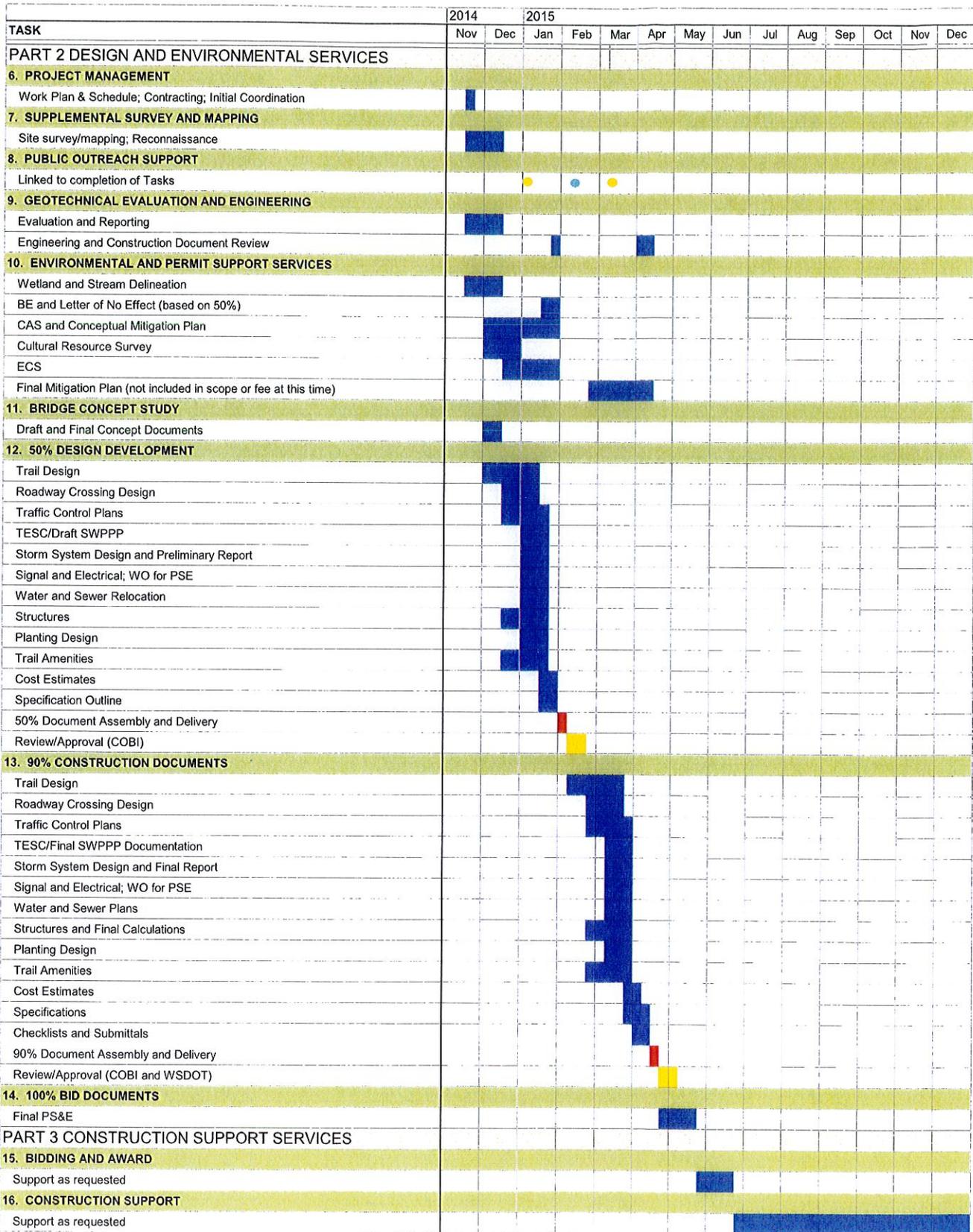
Deliverables: 90% Construction Documents; Final Storm Drainage Report; Cost Estimate; Special Provisions. All deliverables include one (1) full-size paper and electronic copy.

14. 100% Bid Documents

- 14.1 **Final Draft PS&E:** Finalize all PS&E incorporating COBI and WSDOT review comments. No separate submittal at 90%, all comments from COBI and WSDOT assumed to be addressed at one time.

Deliverables: 100% Bid Documents. Deliverables include one (1) full-size paper and electronic copy.

EXHIBIT 2
City of Bainbridge Island Sound to Olympics Trail Phase 2
 Draft Project Schedule
 27-Oct-14



- Task Duration
- NMTAC Focus Group (open to public)
- NMTAC Sponsored Public Meeting

MacLeod Reckord, PLLC

Landscape Architecture ■ Planning ■ Urban Design
83 Columbia Street, Suite 306
Seattle, Washington 98104
P 206-323-7919
F 206-323-9242

EXHIBIT 3

SURVEY REQUEST FORM

June 2014

Edited for Sound to Olympics Trail

The following is a summary of our request for field survey and mapping information. Note the format and drafting standards identified below. We will assume all information can be provided unless otherwise stated prior to contract signing.

Format and Standards

Delivery of computer compilation of the survey information shall be on CD/DVD, or downloadable from ftp, in AutoCAD Civil 3d .dwg version 2013 or compatible per project standard. Use color-dependent (.ctb) plot file table unless otherwise noted in project standards. Include plot style table and font/shape files on CD/ftp.

If the client standards require using ".stb" plot style format comply with those standards.

Note the following format requirements:

- Drawing to be completed using an AutoCAD Civil 3d drawing template based on the National CAD Standard version 3.1. Do not use style "standard" or have Civil 3d objects on layer "0".
- Coordinate system to be NAVD88 (vertical datum).
- All non Civil 3d blocks to be created in layer 0 and inserted on appropriate layer.
- All non Civil 3d objects drawn with "color" set to "bylayer" including data point and block components.
- All xrefs inserted at 0,0,0 full scale, no rotation, World UCS
- Drawing units set to "decimal US foot"; min. precision, 0.00; insertion scale, feet; angle type, decimal or surveyor's; angle precision, 00D00'00".
- Topographic surveys to include an existing ground surface object
- Non surveyed topographic contours to be at 1 foot intervals drawn at true elevation
- Drawing linetype scale set to 1.00
- Civil 3D drawings with all data included

Datum and Control Points

- All critical survey control points shall be located outside of the proposed limit of work to avoid need to reset control after grading operations
- Datum as required by the agency contracting for design services, with conversion factors given for other datum as may be required by various permit review agencies

continued



The survey information requested and plot format is summarized below. Use a separate layer for each of the requested items:

Topographic Information

Data point elevation
Data point description
Data point shot number
Spot elevations
Benchmarks

Boundary Information

Surveyed centerline
Rights-of-way, ties to centerline

Planimetric Information

Trees, with DBH information for "significant trees" as defined by Code
Shrubs/brush
Roads/alleys/driveways
Buildings, including above ground overhangs
Structures, including pavement (pads), stairways, sidewalks, ramps, curbs, gutters
Signs
Barricades/fences (centerline of post)
Lakes/streams/wetlands
 At current water level
 As delineated by others
 OHW, 100-year flood, flood hazard limits, as contract requires
Drainage structures (CB's, culverts, vaults, etc, with rim and invert elevation)
Utilities (Water, Sewer, Electrical, Gas, Cable, Fiber Optic)
 Horizontal Alignment only
 Depth/Height as contract requires
Irrigation (including location of heads, valve boxes, controllers, etc.)

Sheet Size

Sheet size to match project standards

Exhibit E-1
Consultant Fee Determination - Summary Sheet
11/10/2014

Sound to Olympics Trail Phase 2
MacLeod Reckord

Direct Salary Cost

Item	Classification	Hours	Rate	Cost	
1. Task 6	Project Management				
	Principal in Charge	4	45.00	180.00	
	Project Manager	48	41.00	1,968.00	
	Project Designer	4	32.00	128.00	
	Designer	-	24.00	0.00	
	Drafter	8	27.00	216.00	
	Graphics	2	26.00	52.00	
	Admin	8	30.00	240.00	Subtotal:
2. Task 7	Supplemental Survey and Mapping				
	Principal in Charge	-	45.00	0.00	
	Project Manager	7	41.00	287.00	
	Project Designer	1	32.00	32.00	
	Designer	-	24.00	0.00	
	Drafter	4	27.00	108.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal:
3. Task 8	Public Outreach Support				
	Principal in Charge	-	45.00	0.00	
	Project Manager	-	41.00	0.00	
	Project Designer	-	32.00	0.00	
	Designer	-	24.00	0.00	
	Drafter	-	27.00	0.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal:
4. Task 9	Geotechnical Evaluation & Engineering				
	Principal in Charge	-	45.00	0.00	
	Project Manager	6	41.00	246.00	
	Project Designer	2	32.00	64.00	
	Designer	-	24.00	0.00	
	Drafter	1	27.00	27.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal:
5. Task 10	Environmental & Permit Support Services				
	Principal in Charge	-	45.00	0.00	
	Project Manager	7	41.00	287.00	
	Project Designer	3	32.00	96.00	
	Designer	-	24.00	0.00	
	Drafter	-	27.00	0.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal:
6. Task 11	Bridge Concept Study				
	Principal in Charge	-	45.00	0.00	
	Project Manager	-	41.00	0.00	
	Project Designer	-	32.00	0.00	
	Designer	-	24.00	0.00	
	Drafter	-	27.00	0.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal:

7. Task 12	50% Design Development				
	Principal in Charge	12	45.00	540.00	
	Project Manager	183	41.00	7,503.00	
	Project Designer	142	32.00	4,544.00	
	Designer	40	24.00	960.00	
	Drafter	148	27.00	3,996.00	
	Graphics	12	26.00	312.00	
	Admin	8	30.00	240.00	Subtotal: 18,095.00
8. Task 13	90% Construction Documents				
	Principal in Charge	10	45.00	450.00	
	Project Manager	203	41.00	8,323.00	
	Project Designer	146	32.00	4,672.00	
	Designer	40	24.00	960.00	
	Drafter	174	27.00	4,698.00	
	Graphics	12	26.00	312.00	
	Admin	24	30.00	720.00	Subtotal: 20,135.00
9. Task 14	100% Bid Documents				
	Principal in Charge	1	45.00	45.00	
	Project Manager	32	41.00	1,312.00	
	Project Designer	16	32.00	512.00	
	Designer	8	24.00	192.00	
	Drafter	32	27.00	864.00	
	Graphics	-	26.00	0.00	
	Admin	4	30.00	120.00	Subtotal: 3,045.00
10. Task 15	Bidding and Award				
	Principal in Charge	-	45.00	0.00	
	Project Manager	-	41.00	0.00	
	Project Designer	-	32.00	0.00	
	Designer	-	24.00	0.00	
	Drafter	-	27.00	0.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal: 0.00
11. Task 16	Construction Support				
	Principal in Charge	-	45.00	0.00	
	Project Manager	-	41.00	0.00	
	Project Designer	-	32.00	0.00	
	Designer	-	24.00	0.00	
	Drafter	-	27.00	0.00	
	Graphics	-	26.00	0.00	
	Admin	-	30.00	0.00	Subtotal: 0.00

TOTAL DSC: 45,206.00

Overhead (OH cost - including salary additives):

OH Rate X DSC of 203.91% X 45,206.00 92,179.55

Fixed Fee (FF):

FF Rate X DSC of 30% X 45,206.00 13,561.80

Subtotal MacLeod Reckord 150,947.35

Reimbursables (mileage, courier, copies) 750.00

Subconsultant Costs (Exhibit G) 111,790.90

GRAND TOTAL: \$263,488.25

Prepared by: Connie Reckord

11/10/2014

November 10, 2014		MacLeod Reckord							
Task	SCOPE OF WORK	Principal in Charge	Project Manager	Project Designer	Designer	Drafter/ ACAD	Graphics	Admin.	SUBTOTAL
6.0	PROJECT MANAGEMENT	\$45.00	\$41.00	\$32.00	\$24.00	\$27.00	\$26.00	\$30.00	
6.1	Coordination and Review		12						\$492
6.0	Coordination Meetings		16						\$656
6.3	Document Management		4	4		8	2		\$560
6.4	Project Schedule		4						\$164
6.5	Subconsultant Management		8						\$328
6.6	Quality Assurance/Quality Control	4							\$180
6.7	Invoicing		4					8	\$404
	Subtotal:	4	48	4	0	8	2	8	\$2,784
7.0	SUPPLEMENTAL SURVEY & MAPPING								
7.1	Data Research and Assembly		1	1		2			\$127
7.2	Field Survey		2						\$82
7.3	Survey Mapping		4			2			\$218
	Subtotal:	0	7	1	0	4	0	0	\$427
8.0	PUBLIC OUTREACH SUPPORT								
8.1	Public Outreach Meetings								\$0
	Subtotal:	0	0	0	0	0	0	0	\$0
9.0	GEOTECHNICAL EVALUATION & ENGINEERING								
9.1	Develop Field Exploration Plan								\$0
9.2	Complete Utility Locates								\$0
9.3	WSDOT Coordination		2			1			\$109
9.4	Conduct Subsurface Explorations								\$0
9.5	Generate Exploration Logs & Assign Laboratory Testing								\$0
9.6	Evaluate Field and Laboratory Data								\$0
9.7	Geotechnical Engineering Analysis								\$0
9.80	Generate Draft Geotechnical Report		1						\$41
9.90	Generate Final Geotechnical Report		1						\$41
9.10	Attend Project Coordination Meetings								\$0
9.11	Provide Geotechnical Plan & Specification Review		2	2					\$146
9.12	Geotechnical Task Management								\$0
	Subtotal:	0	6	2	0	1	0	0	\$337
10.0	ENVIRONMENTAL & PERMIT SUPPORT SERVICES								
10.1	Wetland and Stream Delineation		3	3					\$219
	10.1.5 Supplemental Wetland and Stream Delineation								\$0
10.2	Endangered Species Act Coordination								\$0
10.3	Critical Areas Study and Conceptual Mitigation Plan		1						\$41
10.4	Cultural Resource Survey		1						\$41
10.5	WSDOT Environmental Classification Summary (ECS)		2						\$82
	10.5.1 Wetlands Discipline report								\$0
	10.5.2 Cultural Resources Discipline Report								\$0
	10.5.3 Social and Community Effects Technical Memorandum								\$0
	10.5.4 Fish, Wildlife, and Vegetation Technical Memorandum								\$0
	10.5.5 Visual Impacts Analysis								\$0
10.6	Final Mitigation Plan								\$0
10.7	Construction Permits								\$0
10.8	Supporting Consultation and Documentation								\$0
10.9	JARPA by COBI								\$0
	Subtotal:	0	7	3	0	0	0	0	\$383
11.0	BRIDGE ABUTMENT & TRAIL CONCEPT STUDY								
11.1	Bridge Abutment Concept Study								\$0
11.2	Trail Concept Study								\$0
	Subtotal:	0	0	0	0	0	0	0	\$0
12	50% DESIGN DEVELOPMENT								
12.1	Trail Design	8	80	40	24	80	12	6	\$8,148
12.2	Traffic Control Plans		1						\$41
12.3	TESC		4	4		4			\$400
12.4	Storm Drainage Design and Draft Report		16	12		8			\$1,256
12.5	Water and Sanitary Sewer Utilities								\$0
12.6	Structures	1	16	12		16			\$1,517
12.7	Planting Design	1	16	16		16			\$1,645
12.8	Trail Amenities	1	16	16		16			\$1,645
12.9	Cost Estimates	1	8	16	16	8			\$1,485
12.10	Specification Outline		4	4				2	\$352
12.11	Review/Approval		6	6					\$438
12.12	WSDOT Design Review and Coordination		16	16					\$1,168
	Subtotal:	12	183	142	40	148	12	8	\$18,095

		MacLeod Rackord							
Task	SCOPE OF WORK	Principal in Charge	Project Manager	Project Designer	Designer	Drafter/ ACAD	Graphics	Admin.	SUBTOTAL
13	90% CONSTRUCTION DOCUMENTS	\$45.00	\$41.00	\$32.00	\$24.00	\$27.00	\$26.00	\$30.00	
13.1	Trail Design	4	80	40	24	100	12	8	\$8,568
13.2	Traffic Control Plans		1						\$41
13.3	TESC		2	2		2			\$200
13.4	Storm Drainage Design and Final Report		16	12		8			\$1,256
13.5	Water and Sanitary Sewer Utilities								\$0
13.6	Structures	1	16	12		16			\$1,517
13.7	Planting Design	1	16	16		16			\$1,645
13.8	Trail Amenities	1	16	24		24			\$2,117
13.9	Cost Estimates	1	8	16	16	8			\$1,485
13.10	Specifications	2	32	8				16	\$2,138
13.11	Checklists and Submittals								\$0
13.12	Review/Approval		8	8					\$584
13.13	WSDOT Coordination		8	8					\$584
	Subtotal:	10	203	146	40	174	12	24	\$20,135
14	100% BID DOCUMENTS								
14.1	Final Draft PS&E	1	32	16	8	32		4	\$3,045
14.2	Incorporate WSDOT Final Review Comments								\$0
	Subtotal:	1	32	16	8	32	0	4	\$3,045
15	BIDDING & AWARD								
	Subtotal:	0	0	0	0	0	0	0	\$0
16	CONSTRUCTION SUPPORT								
	Subtotal:	0	0	0	0	0	0	0	\$0
	Subtotal	27	486	314	88	367	26	44	\$45,206
									Reimbursables:
									SUBTOTAL: \$45,206

Exhibit G-1
Subconsultant Fee Determination - Summary Shee
5-Nov-14
Sound To Olympics Trail Phase 2 & 4
KPFF - Civil

Direct Salary Cost

Item	Classification	Hours	Rate	Cost	
11. Task 11	Bridge Concept Study				
	PIC Civil	-	64.00	0.00	
	Sr. Civil Engineer	-	50.00	0.00	
	Civil Engineer	-	37.00	0.00	
	Civil CAD	-	35.00	0.00	
	Admin	-	25.00	0.00	Subtotal: 0.00
12. Task 12	50% Design Development				
	PIC Civil	2	64.00	128.00	
	Sr. Civil Engineer	21	50.00	1,050.00	
	Civil Engineer	102	37.00	3,774.00	
	Civil CAD	56	35.00	1,960.00	
	Admin	4	25.00	100.00	Subtotal: 7,012.00
13. Task 13	90% Construction Documents				
	PIC Civil	2	64.00	128.00	
	Sr. Civil Engineer	37	50.00	1,850.00	
	Civil Engineer	120	37.00	4,440.00	
	Civil CAD	76	35.00	2,660.00	
	Admin	2	25.00	50.00	Subtotal: 9,128.00
14. Task 14	100% Bid Documents				
	PIC Civil	-	64.00	0.00	
	Sr. Civil Engineer	1	50.00	50.00	
	Civil Engineer	12	37.00	444.00	
	Civil CAD	8	35.00	280.00	
	Admin	-	25.00	0.00	Subtotal: 774.00

TOTAL DSC: 16,914.00

Overhead (OH cost - including salary additives):

OH Rate X DSC of 136.59% X 16,914.00 23,102.83

Fixed Fee (FF):

FF Rate X DSC of 30% X 16,914.00 5,074.20

Subtotal MacLeod Reckord 45,091.03

Reimbursables (mileage, courier, copies) 0.00

GRAND TOTAL: \$45,091.03

Prepared by: Zach Gray

11/4/2014

November 10, 2014		KPFF - Civil					
Task	SCOPE OF WORK	PIC Civil	Sr. Civil Engineer	Civil Engineer	Civil CAD	Admin	SUBTOTAL
11	BRIDGE CONCEPT STUDY	\$64.00	\$50.00	\$37.00	\$35.00	\$25.00	
11.2	Bridge Concept Study						\$0
							\$0
							\$0
	Subtotal:	0	0	0	0	0	\$0
12	50% DESIGN DEVELOPMENT						
12.1	Trail Design						\$0
12.2	Traffic Control Plans						\$0
12.3	TESC (5 Sheets + 2 Detail Sheets)		1	8	8		\$626
12.4a	Storm Drainage Plans (8 Plan Sheets + 4 Detail Sheets)	1	12	60	40		\$4,284
12.4b	Storm Drainage Draft Report	1	2	32	8	4	\$1,728
12.5	Water and Sanitary Sewer Utilities Protection						\$0
12.6	Structures						\$0
12.7	Planting Design						\$0
12.8	Trail Amenities						\$0
12.9	Cost Estimates		1	2			\$124
12.10	Specification Outline		1				\$50
12.11	Review/Approval						\$0
12.12	WSDOT Coordination		4				\$200
	Subtotal:	2	21	102	56	4	\$7,012
13	90% CONSTRUCTION DOCUMENTS						
13.1	Trail Design						\$0
13.2	Traffic Control Plans						\$0
13.3	TESC (5 Sheets + 2 Detail Sheets)		2	12	12		\$964
13.4	Storm Drainage Plans (8 Plan Sheets + 4 Detail Sheets)	1	16	80	60		\$5,924
13.4	Storm Drainage Final Report	1	1	24	4	2	\$1,192
13.5	Water and Sanitary Sewer Utilities Protection						\$0
13.6	Structures including final calculations						\$0
13.7	Planting Design						\$0
13.8	Trail Amenities						\$0
13.9	Cost Estimates		2	4			\$248
13.10	Specifications		8				\$400
13.11	Checklists and Submittals						\$0
13.12	Review/Approval						\$0
13.13	WSDOT Coordination		8				\$400
	Subtotal:	2	37	120	76	2	\$9,128
14	100% BID DOCUMENTS						
14.1	Final Draft PS & E		1	12	8		\$774
14.2	Incorporate WSDOT Final Review Comments						\$0
							\$0
	Subtotal:	0	1	12	8	0	\$774
	Subtotal	4	59	234	140	6	\$16,914
							\$16,914

Exhibit G-1
Subconsultant Fee Determination - Summary Sheet
10-Nov-14

Sound To Olympics Trail Phase 2
ESA

Direct Salary Cost

PART 2

10. Task 10 Environmental and Permit Support Services				
Senior Scientist	53	42.62	2,258.86	
Senior Project Manager	4	45.45	181.80	
Project Scientist	40	27.15	1,086.00	
Landscape Architect	-	30.60	0.00	
Archaeologist	2	32.97	65.94	
Sr. Environmental Field 1	16	22.00	352.00	
CAD Operator	-	25.82	0.00	
Sr. Project Admin I	20	25.66	513.20	
Graphics	8	26.44	211.52	
				Subtotal: 4,669.32
				PART 2 - TOTAL DSC: 4,669.32

TOTAL DSC:	4,669.32
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Overhead (OH cost - including salary additives):				
OH Rate X DSC of	216.31%	X	4,669.32	10,100.21
Fixed Fee (FF):				
FF Rate X DSC of	30%	X	4,669.32	1,400.80
Labor Subtotal: ESA				16,170.32
Reimbursables (mileage, courier, copies)				199.55
			GRAND TOTAL:	\$16,369.87

Prepared by: Pete Lawson with CR edits

11/10/2014

November 10, 2014		ESA									
Task	SCOPE OF WORK	Senior Scientist	Senior Project Manager	Project Scientist	Landscape Architect	Archaeologist	Sr. Environmental Field Tech	CAD Operator	Sr. Project Admin	Graphics	SUBTOTAL
		\$42.62	\$45.45	\$27.15	\$30.60	\$32.97	\$22.00	\$25.82	\$25.66	\$26.44	

PART 2

10.0	ENVIRONMENTAL 7 PERMIT SUPPORT										
10.1	Wetland and Stream Delineation										0.00
10.2	SEPA Checklist										0.00
10.3	Endangered Species Act Coordination										0.00
10.4	Critical Areas Study and Conceptual Mitigation Plan										0.00
10.5	Cultural Resource Survey	1				2	16		2	2	564.76
10.6	WSDOT Environmental Classification Summary										0.00
	10.6.1 Wetlands Discipline Report										0.00
	10.6.2 Cultural Resources Discipline Report			20					2	2	647.20
	10.6.3. Social and Community Effects Technical Memo	40	2						2	2	1,899.90
	10.6.4 Fish, Wildlife, and Vegetation Technical Memo		2	20					2	2	738.10
	10.6.5 Visual Impacts Analysis										0.00
10.9	Project Management										
	10.91 Coordination Meetings	6									255.72
	10.92 Invoicing	6							12		563.64
PART 2 DIRECT LABOR TOTAL		53	4	40	0	2	16	0	20	8	4,669.32

Exhibit G-1

Project Cost Estimate
 Geotechnical Engineering Services
 Sound to Olympics Trail
 Bainbridge Island, Washington



2014-153-21
 10-Nov-14

DJH

Scope of Work: See Scope Document.

ESTIMATED HWA LABOR:

WORK TASK DESCRIPTION	PERSONNEL & 2014 DIRECT RATES								TOTAL HOURS	TOTAL AMOUNT
	Principal	Geotech Engr VI	Geotech Engr IV	Geotech Engr I	Geologist V	Geologist I	CAD	Clerical		
	\$72.00	\$48.08	\$45.67	\$25.48	\$31.39	\$23.32	\$22.07	\$20.82		
9.1 Develop Field Exploration Plan Memo			2	6			4		12	\$333
9.2 Complete Utility Locates			5	5					10	\$356
9.3 WSDOT Coordination			6			4			10	\$367
9.4 Conduct Subsurface Explorations				20	20				40	\$1,137
9.5 Generate Boring Logs and Assign Laboratory Testing			3	4					7	\$239
9.6 Evaluate Field and Laboratory Data			2	4					6	\$193
9.7 Geotechnical Engineering Analysis		3	10	18					31	\$1,060
9.8 Generate Draft Geotechnical Report	1	3	8	18	4		4	1	39	\$1,275
9.9 Generate Final Geotechnical Report	1	1	2	4			1	1	10	\$356
9.10 Attend Project Coordination Meetings			8	8					16	\$569
9.11 Provide Geotechnical Plan and Specification Review			4	4					8	\$285
9.12 Project and Contract Management			20						20	\$913
TOTAL LABOR:	2	7	70	91	24	4	9	2	209	\$7,083

LABORATORY TESTING ESTIMATE:

TEST	Est. No. Tests	Unit Test Cost	Total Cost
Atterberg Limits	6	\$140	\$840
Grain Size Analysis	8	\$90	\$720
Grain Size Analysis with Hydrometer	4	\$220	\$880
Moisture Content	12	\$18	\$216
LABORATORY TOTAL:			\$2,656

Direct Shears?

ESTIMATED DIRECT EXPENSES:

Mileage @ \$0.56/mile	\$252
Ferry Fees	\$240
Laboratory Testing	\$2,656
Traffic Control Rental	\$100

TOTAL DIRECT EXPENSES: \$3,248

ESTIMATED LABOR EXPENSE:

Direct Salary	\$7,083
Overhead @ 175.00 of Direct Salary	\$12,395
Fixed Fee @ 30 % of Direct Salary	\$2,125

TOTAL LABOR EXPENSE: \$21,603

PROJECT TOTALS AND SUMMARY:

Total Labor	\$21,603
Direct Expenses	\$3,248

ESTIMATED PROJECT TOTAL: \$24,851

Exhibit G-1
Subconsultant Fee Determination - Summary Sheet
(Mandatory when Subconsultants are utilized)

Project: Sound to Olympics Trail Phase 2-PART 2 Surveying

Sub Consultant: PACE Engineers Inc.

Direct Salary Cost (DSC):

<u>Classification</u>	<u>Man Hours</u>	<u>Rate</u>	=	<u>Cost</u>
<u>Sr. Principal Surveyor</u>	<u>16</u> x	<u>50.96</u>	\$	<u>815.36</u>
<u>Principal Surveyor</u>	<u>6</u> x	<u>45.19</u>	\$	<u>271.14</u>
<u>Sr. Project Surveyor</u>	<u>14</u> x	<u>40.63</u>	\$	<u>568.82</u>
<u>Project Surveyor</u>	<u>40</u> x	<u>35.26</u>	\$	<u>1,410.40</u>
<u>Survey Tech II</u>	<u>48</u> x	<u>30.24</u>	\$	<u>1,451.52</u>
<u>Survey Tech I</u>	<u>40</u> x	<u>29.59</u>	\$	<u>1,183.60</u>
<u>Sr. Party Chief</u>	<u>60</u> x	<u>32.33</u>	\$	<u>1,939.80</u>
<u>GIS Analyst II</u>	<u>2</u> x	<u>31.01</u>	\$	<u>62.02</u>
<u>Project Administrator</u>	<u>8</u> x	<u>30.29</u>	\$	<u>242.32</u>
<u>Office Tech III</u>	<u>4</u> x	<u>20.82</u>	\$	<u>83.28</u>
Total DSC				8,028

Overhead (OH Cost – Including Salary Additives):

OH Rate x DSC of 182.40% x \$ 8,028 14,643

Fixed Fee (FF):

FF Rate x DSC of 30.00% x \$ 8,028 2,408

Reimbursables:

Itemized 400

Subconsultant Total 25,479

Grand Total 25,479

Prepared By: DRF

Date: November 10, 2014



Memorandum

June 3, 2014

TO: Stacie Kelsey, Local Programs

FROM: Martha Roach, Agreement Compliance Audit Manager *MR*

SUBJECT: PACE Engineers, Inc. Indirect Cost Rate
for fiscal year end December 31, 2013

We have accepted the Indirect Cost Rate proposed by PACE Engineers for fye 12-31-13 based on our risk assessment.

We did not complete a review of this firm's Indirect Cost Rate schedule, and this rate is still subject to audit.

Based on our risk assessment we are issuing this memo establishing PACE's Indirect Cost Rate for fiscal year ending December 31, 2013, at 182.40% of direct labor.

Costs billed to agreements will still be subject to audit of actual costs, based on the terms and conditions of the respective agreement.

This was not a cognizant review. Any other entity contracting with the firm is responsible for determining the acceptability of the Indirect Cost Rate.

PACE will need to have an in depth review next year (fye 2014), and should provide a FAR compliant Indirect Cost Rate for that purpose.

If you have any questions, feel free to call me at (360) 705-7006 or via email at roachma@wsdot.wa.gov.

Cc: Steve McKerney
File

PACE Engineers, Inc.
Overhead Schedule
Fiscal Year Ended December 31, 2013

Description	Statement Amount	PACE Adj.	WSDOT Adj.	Ref.	Proposed	%
Direct Labor Base	3,748,364.65	(\$45,715.95)		M	\$3,702,648.70	
Direct Contract Labor	38,184.97				\$38,184.97	
	<u>\$3,786,549.62</u>				<u>\$3,740,833.67</u>	
Fringe Benefits						
Payroll Taxes	753,985.98	(\$19,901.31)		O	\$734,084.67	19.62%
PTO	537,188.58				\$537,188.58	14.36%
Other PA	3,413.34				\$3,413.34	0.09%
Holiday Pay	143,863.33				\$143,863.33	3.85%
Employee Group Insurance	732,190.10				\$732,190.10	19.57%
401(k) Plan Employer Contribution	111,384.39				\$111,384.39	2.98%
Employee Benefits	47,561.11	(34,045.24)		E	\$13,515.87	0.36%
Total Fringe Benefits	<u>\$2,329,586.83</u>	<u>(\$53,946.55)</u>			<u>\$2,275,640.28</u>	<u>60.83%</u>
General Overhead						
Indirect Salaries - GO	597,396.84	(\$2,428.54)		M	\$594,968.30	15.90%
Indirect Salaries - Marketing	1,165,923.31	(\$53,718.30)		O	\$1,112,205.01	29.73%
Indirect Salaries - Admin	648,035.99	(\$2,535.01)		M	\$645,500.98	17.26%
Bonus & Incentive Pay	131,668.21				\$131,668.21	3.52%
Auto Allowance	3,600.00	(3,600.00)		A	\$0.00	0.00%
Other Taxes	6,358.46				\$6,358.46	0.17%
Excise Taxes	184,670.39				\$184,670.39	4.94%
Personal Property Tax	-				\$0.00	0.00%
Keyman's Life Insurance	6,554.94	(6,554.94)		B	\$0.00	0.00%
Admin Fees - Cafeteria Plan	1,777.40				\$1,777.40	0.05%
Legal & Accounting Fees	191,324.56	(94,445.26)		C	\$96,879.30	2.59%
Other Professional Services	3,387.54				\$3,387.54	0.09%
Indirect Contract Labor	-				\$0.00	0.00%
Interest & Bank Fees	7,803.48	(4,659.79)		D	\$3,143.69	0.08%
Rent, Utilities & Maintenance	800,731.91				\$800,731.91	21.41%
Office Supplies	48,260.94				\$48,260.94	1.29%
Office Relocation Expenses	-				\$0.00	0.00%
Computer Expense	139,607.00				\$139,607.00	3.73%
Equipment Maintenance	66,622.14				\$66,622.14	1.78%
Telephone Expense	100,105.91				\$100,105.91	2.68%
Auto Expense	86,713.03	(29,079.88)		F,P	\$57,633.15	1.54%
Security Service	5,740.00				\$5,740.00	0.15%
Professional Activities	11,291.00	(35.00)		H	\$11,256.00	0.30%
Professional Licenses	4,117.53				\$4,117.53	0.11%
Employee Education	11,126.66	(2,139.98)		R	\$8,986.68	0.24%
Employee Recruiting	11,897.67	(4,750.00)		Q	\$7,147.67	0.19%
Dues & Subscriptions	33,801.54	(100.00)		G	\$33,701.54	0.90%
Travel Expenses	62,051.93	(9,711.02)		H	\$52,340.91	1.40%
Postage & Freight	15,165.28				\$15,165.28	0.41%
Business Development	133,908.40	(133,908.40)		H,I	\$0.00	0.00%
Meals & Entertainment	47,140.01	(47,140.01)		H,I	\$0.00	0.00%

PACE Engineers, Inc.
Overhead Schedule
Fiscal Year Ended December 31, 2013

Description	Statement Amount	PACE Adj.	WSDOT Adj.	Ref.	Proposed	%
Business Insurance	174,977.60				\$174,977.60	4.68%
Contributions	2,639.12	(2,639.12)		J	\$0.00	0.00%
Bad Debt Expense	81,602.41	(81,602.41)		K	\$0.00	0.00%
Field Expenses	19,575.19				\$19,575.19	0.52%
Library & References	10,508.48				\$10,508.48	0.28%
Misc. Office Expenses					\$0.00	0.00%
Coffee, Pop Expenses	16,200.87	(16,200.87)		L	\$0.00	0.00%
Depreciation	214,835.70	(4,114.37)		P	\$210,721.33	5.63%
Total General Overhead Expenses	<u>\$5,047,121.44</u>	<u>(\$499,362.90)</u>			<u>\$4,547,758.54</u>	<u>121.57%</u>
Total Overhead Expenses	<u>\$7,376,708.27</u>	<u>(\$553,309.45)</u>			<u>\$6,823,398.82</u>	<u>182.40%</u>
Overhead Rate	194.81%				<u>182.40%</u>	

References

Penhallegon Adjustments

- A Auto allowance unallowable per 48 CFR 31.201-4.
- B Officer's life insurance unallowable per 48 CFR 31.205-19(e)(2)(v).
- C Legal fees related to collections unallowable per 48 CFR 31.205-3. Federal income tax preparation fees are unallowable per 48 CFR 31.205-41(b)(1), 48 CFR 31.201-6(a), and WSDOT Overhead Policy.
- D Interest, fines & penalties expense unallowable per 48 CFR 31.205-20, 31.205-15.
- E Excess holiday party and summer picnic expenses over \$35 per employee unallowable per 48 CFR 31.205-14 and WSDOT Overhead Policy.
- F Personal use of company car unallowable per 48 CFR 31.205-6(m)(2), 31.205-46(d).
- G Lobby expenses included in associated dues unallowable per 48 CFR 31.205-22.
- H Travel expenses in excess of amounts allowed by federal travel regulation unallowable per 48 CFR 31.205-46(a)(2).
- I Advertising, gifts, and entertainment costs unallowable per 48 CFR 31.205-1, 31.205-13(b), 31.205-51, and 31.205-14.
- J Contributions unallowable per 48 CFR 31.205-8.
- K Bad debt expense unallowable per 48 CFR 31.205-3.
- L Pop, Coffee & Tea expenses unallowable per 48 CFR 31.205-14 and WSDOT Overhead Policy.
- M Overtime Premium is unallowable per 48 CFR 22.103-1, 22.103-4(g), and WSDOT Policy
- O Marketing labor and associated fringe unallowable per 48 CFR 301.201-6 and AASHTO Guide.
- P Costs associated with undocumented company owned vehicles assigned to employee's unallowable per 48 CFR 31.201-6.
- Q Referral bonuses unallowable per 48 CFR 31.205-6(f).

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Public Records Act (PRA) and Open Public Meetings Act (OPMA) Training	Date: November 13, 2014
Agenda Item: Presentation	Bill No.: 14-189
Proposed By: Lisa Marshall, City Attorney	Referral(s):

BUDGET INFORMATION

Department: Executive	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

City Manager Yes No N/A Legal Yes No N/A Finance Yes No N/A

DESCRIPTION/SUMMARY

Background:

The Public Records Act (PRA), RCW 42.56, was amended effective July 1, 2014 to require that every local elected official and every local government PRO must receive records training. This training must be completed no later than 90 days after these elected officials and PROs take their oath of office or assume their duties. They must also receive “refresher” training at intervals of no more than four years. This PRA presentation satisfies the “refresher” requirement; a presentation on the OPMA will be provided as well.

RECOMMENDED ACTION:

Presentation only.

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Public Works Contracts	Date: November 18, 2014
Agenda Item: Staff Intensive	Bill No.: 14-188
Proposed By: Public Works Director Barry Loveless	Referral(s):

BUDGET INFORMATION

Department:	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

Study Session:	Recommendation:		
City Manager <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Legal <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	

DESCRIPTION/SUMMARY

Action Item:

Consider forwarding the following Public Works Contracts to the November 22, 2014 Special Meeting Consent Agenda: 1) Dripping Water Creek Culvert Replacement Project Budget Amendment No. 2.

RECOMMENDED ACTION

Motion:

I move that the City Council forward the following Public Works Contracts to the November 22, 2014 Special Meeting Consent Agenda: 1) Dripping Water Creek Culvert Replacement Project Budget Amendment No. 2.

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Dripping Water Creek Culvert Replacement Project Budget Amendment Number 2	Date: November 18, 2014
Agenda Item: Staff Intensive	Bill No.: AB 14-039
Proposed By: Public Works Director Barry Loveless	

BUDGET INFORMATION

Depart/Fund: 2014 CIP – Dripping Water Creek Culvert & Annual Drainage Program		
Expenditure Req: \$28,900.00	Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

Study Session:	Recommendation:		
City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Legal <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Finance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

DESCRIPTION/SUMMARY

Action Item:

Consider placement of the Dripping Water Creek Culvert Replacement project Budget Amendment Number 2 to the November 22, 2014 special meeting consent agenda.

Background:

The Dripping Water Creek project replaces an undersized deteriorated 24" concrete pipe with a 40'-6" X 16'-8" X 7'-6" aluminum box culvert. The project was approved by City Council at their March 10, 2014 City Council meeting in the amount of \$192,790.00 and Budget Amendment Number 1 was approved at the July 15, 2014 City Council meeting in the amount of \$10,000.00.

Amendment Number 2 in the amount of \$28,900.00 is due to the requirement to import additional backfill materials after discovering that the existing soils could not be utilized as structural backfill and the need to import additional stream bed gravels as well as changes to the water-main relocation as required by the Kitsap Public Utility District.

RECOMMENDED ACTION

Motion:

I move that the City Council consider forwarding the Dripping Water Creek project Budget Amendment Number 2 in the amount of \$28,900.00 from the Annual Drainage Program fund to the November 22, 2014 special meeting consent agenda.

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Ordinance 2014-40 Requiring Permits for the Filming and Production of Motion Pictures and Television Programs	Date: November 13, 2014
Agenda Item: Staff Intensive	Bill No.: 14-078
Proposed By: Lisa Marshall, City Attorney	Referral(s):

BUDGET INFORMATION

Department: Executive	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Legal <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
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DESCRIPTION/SUMMARY

Action Item:

Consideration of Ordinance 2014-40 requiring permits for the filming and production of motion pictures and television programs in the City of Bainbridge Island.

History:

Bainbridge Island's scenic beauty makes it an attractive location for the filming of television commercials, television programs, and movies. Requiring permits for filming for commercial purposes will allow the City Manager the opportunity to place conditions on filming and production to insure that such filming and production activities do not interfere with the public health and safety.

Discussion:

This ordinance requires a permit from the City prior to filming or producing television shows, commercials, or movies for commercial purposes. The ordinance does not apply to filming for personal or private use, filming by a studio for which the City has issued a business license, filming for use in a civil or criminal proceeding, filming for news purposes, and filming for non-profit purposes. The ordinance defines "non-profit" as an organization governed by 501(c) of the Internal Revenue Code. (Section 501(c)(3) includes charitable, religious, educational, scientific, public safety, amateur sports, and fraternal societies; Section 501(c)(4) exempts political organizations from taxation; Section 501(c)(5) exempts labor organizations and agricultural organizations; and Section 501(c)(6) exempts chambers of commerce and other similar business organizations.)

Upon reviewing the application for filming, the City Manager is authorized to impose conditions not limited to requiring indemnification and defense of the City and requiring insurance in an amount deemed reasonably necessary by the City Manager to protect the City and naming the City as an additional insured. The applicant is required to pay the City's costs associated with police or public works activity that may be necessitated by filming or film production. The City Manager is authorized to fix the term of the permit, and make extensions thereto.

Currently, the Bainbridge Island School District does not allow filming for television or motion pictures on school district property and this Ordinance will not conflict with or change in any way that policy.

RECOMMENDED ACTION:

Motion:

I move that the City Council consider forwarding Ordinance No. 2014-40 Requiring Permits for the Filming and Production of Motion Pictures and Television Programs to the November 22, 2014 special meeting consent agenda.

ORDINANCE NO. 2014-40

AN ORDINANCE of the City of Bainbridge Island, Washington, Requiring Permits for the Filming and Production of Motion Pictures and Television Programs in the City of Bainbridge Island.

WHEREAS, the City of Bainbridge Island is a scenic community containing a number of locations suitable for filming, videotaping, or otherwise producing motion pictures, television programs, and other video; and

WHEREAS, the Bainbridge Island City Council wishes to encourage the motion picture and television industry to use locations within the City, while ensuring that the public health and safety, public property, and public services are not unreasonably interfered with; and

WHEREAS, the City Manager has recommended that the City Council adopt a permit system in order to accomplish these purposes; now, therefore,

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 12.42 of the Bainbridge Island Municipal Code, Film Production Permits, is hereby adopted to read as follows:

Chapter 12.42

FILM PRODUCTION PERMITS

Sections:

- 12.42.010 Purpose and Intent
- 12.42.020 Definitions.
- 12.42.030 Permit Required.
- 12.42.040 Exceptions.
- 12.42.050 Application for Permit - Fees.
- 12.42.060 Issuance of Permit.
- 12.42.070 Term of Permit - Extensions.
- 12.42.080 Reimbursement of City Costs.
- 12.42.090 Suspension or Revocation of Permits.
- 12.42.100 Appeals.

12.42.010 Purpose and Intent.

It is the purpose and intent of the City of Bainbridge Island to encourage the motion picture and television production industry to utilize the scenic beauty and variety of locations in the City as locations for filming, videotaping, or otherwise recording motion pictures, television programs, and other video for commercial purposes, provided that

such activities do not unreasonably interfere with the public health and safety, unreasonably endanger any public property, or unreasonably interfere with the provision of public services. It is the purpose and intent of this chapter to provide the means by which such activities may be reasonably regulated to preserve the public health and safety, to provide for the protection of public property, to not unduly restrict such activities, and to maintain harmonious relations between the community and those engaged in such activities.

12.42.020 Definitions.

For the purpose of this chapter, the following terms have the meanings set forth herein:

“City Manager” means the City Manager of the City of Bainbridge Island, or his or her designee.

“News purposes” is the filming, videotaping, photographing, or otherwise preserving for newspapers, television news broadcasting, or internet or other electronic transmission by reporters, photographers, or camerapersons in the employ of a newspaper, news service, television station, or similar entity, of news events concerning persons, scenes or occurrences which are in the news and are of general interest.

“Nonprofit purposes” is the filming, videotaping, photographing or otherwise preserving for motion picture or television production or for internet or other electronic transmission conducted by an organization which qualifies as a tax exempt nonprofit organization under Section 501(c) of the United States Internal Revenue Code.

12.42.030 Permit Required.

Except as otherwise provided in this chapter, it shall be unlawful for any person to engage in the business or activity of filming, videotaping, photographing, or otherwise producing motion pictures, television programming, or other video for internet or other electronic transmission at any place within the City of Bainbridge Island unless such person has first been issued a film production permit by the City Manager.

12.42.040 Exceptions.

The provisions of this chapter shall not apply to the filming, videotaping, photographing or production of motion pictures, television programming, or other video for internet or other electronic transmission:

- A. Solely for personal or private use;
- B. At or in an established motion picture, television, or photography studio for which the City has issued a business license;
- C. For use in a criminal or civil proceeding;

- D. For news purposes; or
- E. For nonprofit purposes.

12.42.050 Application for permit - Fee.

An application for a film production permit shall be submitted to the City Manager on a form which the City Manager shall prescribe. The application shall be accompanied by a nonrefundable application fee established by resolution of the Bainbridge Island City Council. The application shall contain, at a minimum, the following information:

- A. The full legal name of the applicant;
- B. The business name of the applicant (if different);
- C. The business address and telephone number of the applicant;
- D. The proposed location(s) at which the applicant wishes to film, videotape, photograph or otherwise produce the motion picture, television programming, or other video;
- E. The date(s) and time(s) of the proposed activity;
- F. A description, including the number and type, of all motor vehicles the applicant will use in conducting the activity;
- G. A list of any and all public facilities which the applicant desires to use in conjunction with the proposed activity;
- H. The name of a person or persons who will be in charge at each location where the proposed activity will occur; and
- I. Such other information as the City Manager deems necessary to evaluate the application and appropriately condition the permit.

12.42.060 Issuance of Permit.

The permit shall be issued upon a determination by the City Manager that the activities described in the application will not unreasonably interfere with the public health and safety, unreasonably endanger any public property, or unreasonably interfere with the provision of public services. The City Manager may impose such conditions as are necessary to make such a determination, including, but not limited to, conditions requiring indemnification and defense of the City against claims and conditions requiring insurance in an amount deemed reasonably necessary by the City Manager to protect the City and naming the City as an additional insured.

12.42.070 Term of Permit - Extensions.

The term of the permit shall be for such period of time as is necessary to complete the activities described in the application without unreasonably interfering with the public health and safety, unreasonably endangering any public property, or unreasonably interfering with the provision of public services. The City Manager shall set a specific expiration date for the permit based upon the factors described in the preceding sentence. If the activities described in the application are not completed by the expiration date of the permit, the City Manager may extend the term of the permit upon request.

12.42.080 Reimbursement of City Costs.

In addition to the application fee, the permit holder shall be required to reimburse the City for any extraordinary costs incurred by the City in connection with the permit, including but not limited to, the cost of police and public works staff time, the cost of litter or refuse disposal, and other extraordinary costs.

12.42.090 Suspension or Revocation of Permit.

If the permit holder violates any provision of this chapter; violates any condition of approval for the permit; conducts its activities in a manner that poses a threat to the public health or safety, or public property; that unreasonably interferes with the provision of public services; or engages in activities not authorized by the permit; the City Manager may suspend or revoke the permit if the permit holder fails to bring its activities into compliance after notification by the City Manager.

12.42.100 Appeals.

Any decision of the City Manager to grant, deny, condition, suspend, or revoke any permit under this chapter may be appealed by any aggrieved person in the same manner and according to the same procedures that apply to business licensing decisions under BIMC 5.04.220.

Section 3. If any one or more section, subsections or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 4. This ordinance shall take effect on and be in force five (5) days from and after its passage, approval and publication as required by law.

PASSED by the City Council this ____ day of _____, 2014.

APPROVED by the Mayor this ____ day of _____, 2014.

Anne S. Blair, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoﬀ, CMC, City Clerk

FILED WITH THE CITY CLERK: November 13, 2014

PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NUMBER: 2014-40

DRAFT

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Police Facility Site Considerations	Date: November 18, 2014
Agenda Item: Staff Intensive	Bill No.: 14-008
Proposed By: City Manager Doug Schulze	Referral(s):

BUDGET INFORMATION

Department: Executive	Fund:	Munis Contract #
Expenditure Req: n/a	Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Legal <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Finance <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
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DESCRIPTION/SUMMARY

Background:

This item continues the City's work to plan for replacement of the existing Police Station.

The following memo provides additional detail on the four preferred sites identified at the City Council meeting on November 4, 2014.

The City's website includes a project page for the Police Facility Assessment that provides detailed information on this project to date, with links to related reports and presentations:

<http://www.bainbridgewa.gov/528/Police-Facility-Planning>).

RECOMMENDED ACTION

Information only.

City of Bainbridge Island
EXECUTIVE DEPARTMENT



MEMORANDUM

TO: City Council
Doug Schulze, City Manager

FROM: Morgan Smith, Deputy City Manager

DATE: November 12, 2014

RE: Update on Planning for Police Facilities

Comparative Information on Preferred Sites

At the City Council meeting on November 4, Council requested a comparison of the four sites that are currently under consideration as potential locations for a new Police facility:

- Parcels north of City Hall (290 N. Madison and 328 N. Madison)
- City-owned gravel lot southeast of City Hall Town Square
- “Coultas” property (New Brooklyn Rd. near Highway 305)
- “Visconsi” property (High School Rd. near Highway 305)

The following table provides some information on the location and size of preferred sites under consideration, along with an estimated value.

At this time, the City has not received information from the Visconsi development on options for that location, so there is no detail available for that site alternative.

Property Name	Location	Acreage	Estimated Value¹	Comparable Sales Info?
North of City Hall	290 N. Madison & 328 N. Madison	0.75 acres	\$2.5 - \$3.0 million	
Southeast of City Hall	Current gravel parking lot south of City Hall Town Square	0.65 acres	Property is already owned by City	
Coultas	New Brooklyn Rd. & Highway 305 (adjacent to BIFD Station #21)	1.89 acres	\$1.4 million	Adjacent 2.1 acre parcel sold for \$1,268,666 (Nov. 2013)
Visconsi	High School Road & Highway 305	TBD	TBD	

¹ Where shown, estimated values are intended to be approximate. In the event of City property acquisition, an appraisal would be obtained to determine actual value and purchase price.

CITY OF BAINBRIDGE ISLAND CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Amendment to Bainbridge Performing Arts Lease		Date: November 12, 2014
Agenda Item: Staff Intensive		Bill No.: 14-191
Proposed By: Lisa Marshall, City Attorney	Referral(s):	

BUDGET INFORMATION

Department: Executive	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS/REVIEW

City Manager <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Legal <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Finance <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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DESCRIPTION/SUMMARY

Action Item:

Authorize the City Manager to execute the First Amendment to the Ground Lease with Bainbridge Performing Arts (BPA) for the location of the Pod on BPA property.

History:

In 2008, the City and the Bainbridge Island Arts and Humanities Committee commissioned a piece of public art commonly known as “the Pod” In 2010, the City installed the Pod in the plaza at Lower Madison Ave. After installation, the finish on the piece failed and the piece was removed to allow restoration. The City is preparing to reinstall Pod and the Public Art Committee (PAC) has recommended that the piece be located at a different site. The Bainbridge Performing Arts (BPA) is located on City-owned property, to the east of City Hall. Both PAC and BPA have expressed support for relocating Pod to the BPA property. This site is a central, highly visible setting, and Pod would visually complement the existing public art pieces located on the adjacent Commons and City Hall sites.

Discussion:

As a preliminary step to the installation of Pod at the BPA site, it is recommended that the City revise the lease agreement with BPA to formalize the location of the City-owned Pod on BPA property, and to identify the City as the party responsible for maintenance and insurance of the Pod.

RECOMMENDED ACTION:

Motion:

I move to authorize the City Manager to Approve the First Amendment to the Ground Lease between the City and Bainbridge Performing Arts in substantially the same form as shown on Attachment A.

**FIRST AMENDMENT TO GROUND LEASE
Between the City of Bainbridge Island and Bainbridge Performing Arts**

WHEREAS, the City of Bainbridge Island (“City”) and Bainbridge Performing Arts (“BPA”) entered into a Ground Lease on June 24th 1991 for the lease of City property to the BPA; and

WHEREAS, the parties wish to amend the Ground Lease to reflect the location of public art belonging to the City onto the leased premises (“the Real Property”);

NOW THEREFORE, the parties agree as follows:

1. Amendment: a new paragraph 16.1 “Location of Public Art on Real Property” is added to read as follows:

16.1 Location of Public Art on Real Property

The City and BPA agree that a piece of public art commissioned by the City and the Bainbridge Island Arts and Humanities Council in 2008 referred to by the parties as the “Pod” is owned and insured by the City and shall be located on the Real Property. The parties agree further that the City shall be responsible for ordinary maintenance and repair of the Pod, except such repairs as may have been necessitated by the intentional or negligent acts of BPA, its agents, representatives or employees.

DATED AND EFFECTIVE as of this _____ day of _____, 2014

CITY: THE CITY OF BAINBRIDGE ISLAND, a
municipal corporation

by: _____
Douglas Schulze, City Manager

BPA: BAINBRIDGE PERFORMING ARTS, a
nonprofit corporation

by: _____

Approved as to form:

By _____
City Attorney



**SPECIAL CITY COUNCIL MEETING
SATURDAY, NOVEMBER 22, 2014
9:00 AM – 1:00 PM**

**LOCATION: 131 PARFITT WAY, 2ND FLOOR
(ABOVE PEGASUS COFFEEHOUSE)
BAINBRIDGE ISLAND, WASHINGTON**

AGENDA

1. CALL TO ORDER / ROLL CALL

9:00 AM

Mayor: Anne Blair

Deputy Mayor: Wayne Roth

Councilmembers: Sarah Blossom
Steven Bonkowski
Val Tollefson

Roger Townsend
David Ward

2. ACCEPTANCE OR MODIFICATION OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

9:05 AM

3. CONSENT AGENDA

- | | |
|--|-------------------|
| A. Accounts Payable Voucher and Payroll Approval (Pg.) | Consider Approval |
| B. Special/Regular Business Meeting Minutes, October 14, 2014 (Pg.) | Consider Approval |
| C. Special/Regular Study Session Meeting Minutes, October 21, 2014 (Pg.) | Consider Approval |
| D. Special/Regular Business Meeting Minutes, October 28, 2014 (Pg.) | Consider Approval |
| E. Special/Regular Study Session Meeting Minutes, November 4, 2014 (Pg.) | Consider Approval |
| F. Rescheduled Special/Regular Business Meeting Minutes, November 10, 2014 (Pg.) | Consider Approval |
| G. Special/Regular Study Session Meeting Minutes, November 18, 2014 (Pg.) | Consider Approval |
| H. Dripping Water Creek Culvert Replacement Project Budget Amendment No. 2, AB 14-039 – Public Works (Pg.) | Consider Approval |
| I. Sound to Olympic Trail Phase 2 Design Supplemental Agreement Number 2, AB 14-096 – Public Works (Pg.) | Consider Approval |
| J. Ordinance No. 2014-40, Requiring Permits for the Filming and Production of Motion Pictures and Television Programs, AB 14-078 – Finance (Pg.) | Consider Approval |
| K. Bainbridge Performing Arts Lease Amendment for Public Art Site, AB 14-191 – Executive (Pg.) | Consider Approval |

4. EXECUTIVE SESSION

9:10 AM Review Performance of an Employee (RCW 42.30.110(1)(g))

5. ADJOURNMENT

1:00 PM

Times listed on this agenda are approximate. Public Comment may be limited to allow time for Council to deliberate. Americans with Disabilities Act (ADA) accommodations provided upon request. Those requiring special accommodations, please contact the City Clerk at 206-842-2545 (cityclerk@bainbridgewa.gov) by noon on the day preceding the Meeting.

2014 PROPOSED COUNCIL CALENDAR ITEMS

Absences	Clerk	Department	Timing (min)	Study Session 7 pm	Absences	Clerk	Department	Timing (min)	Business Meeting 7 pm
	Kelly			18-Nov	Steve	N/A		25	22-Nov
									Consent Agenda to be approved during special meeting Sat. 11/22
							EXEC	CA	Ordinance No. 2014-40, Requiring Permits for the Filming and Production of Motion Pictures and Television Programs (Approve)
							EXEC	CA	Bainbridge Performing Arts Lease Amendment for Public Art Site (Approve)
							PW	CA	Sound to Olympic Trail Phase 2 Final Design Supplemental Agreement (Approve)
							PW	CA	Dripping Water Creek Culvert Replacement Project Budget Amendment No. 2 Award
								25	
	Kelly		25	2-Dec	Doug	Roz		25	9-Dec
		EXEC	30	Housing Needs Assessment			EXEC	20	Friends of the Farms (Capital/Mgmt Plan for City Farmland) Presentation
		EXEC	20	Suzuki Community Workshop Followup			PCD	15	Grow Community Phase II Final Subdivision (Approve)
		PW	20	Manitou Beach Road Parking Options			EXEC	CA	2015 LTAC Awards: Consider Award Recommendations
		PW	20	Pavement Condition Assessment			PW	CA	Ordinance No. 2014-42, Amending BIMC 13.12 Sewer Connection Requirements (Approve)
		CC	15	Accessory Dwelling Unit Discussion (Ward)			FIN	CA	Ordinance No. 2014-43, Q4 2014 Budget Amendments (Approve)
		PCD	10	Ordinance No. 2014-38, Modifying Bainbridge Island Municipal Code Chapter 15.18, Land Clearing			PCD	CA	Ordinance No. 2014-38, Modifying Bainbridge Island Municipal Code Chapter 15.18, Land Clearing
		PW	10	Ordinance No. 2014-42, Amending BIMC 13.12, Sewer Connection Requirements (1st Reading)			EXEC	CA	Annual Contract Renewals - TBD (Approve)
		FIN	10	Ordinance No. 2014-43, Q4 2014 Budget Amendments (1st Reading)			PW	CA	General Sewer Plan PSA Amendment #1 Award
		EXEC	10	2015 LTAC Awards: Consider Award Recommendations (Info)			PD	CA	Police Vehicle Procurement (Approve)
		EXEC	10	Annual Contract Renewals - TBD				60	
		PW	10	Public Works Contracts					
				General Sewer Plan PSA Amendment #1 (Info.)					
			190						

2014 PROPOSED COUNCIL CALENDAR ITEMS

Absences	Clerk	Department	Timing (min)	<i>Study Session</i> 7 pm	Absences	Clerk	Department	Timing (min)	<i>Business Meeting</i> 7 pm
	Kelly		25	16-Dec		Roz		25	23-Dec
		PCD	20	Briefing on the Comprehensive Plan/Navigate Bainbridge Community Visioning Workshops					
			45						
	Kelly		25	6-Jan		Roz		25	13-Jan
		EXEC	20	Ordinance Related to Off-Leash Animal Regulations (Discussion)					
			45						
	Kelly		25	20-Jan		Roz		25	27-Jan

