

Recommendation  
Board of Supervisors

Meeting Date: September 2, 2020

Prepared by: Christina Norland

Recommended Motion: Motion to approve Biohabitat's Task Order #3: Due Diligence Design Review & Recommendations for Four Trail Segments.

Background:

Kennett Township is committed to securing the health, safety and welfare of local residents and the general public through the establishment and maintenance of trails and sidewalks. To that end, Kennett Township has been developing the Kennett Greenway, which is a 14-mile trail loop designed to connect township residents to each other and to nature. The Greenway will connect residents to the assets of five municipalities, including Kennett Township, Kennett Borough, New Garden Township, East Marlborough Township and New Castle County, Delaware. Over ten parks and preserves will be connected on the Greenway loop, providing taxpayers with safe, walkable and bikeable access to the Township's open space investments.

On November 14, 2017, Kennett Township was awarded a CFA MTF Grant in the amount of \$1,700,000 for the Greenway project, and specifically for improvements to the Chandler Mill Bridge, Chandler Mill Road Trail, Parrish and Whittle Trails, South Street Path and Penns Manor Trail (the "Trail Segments"). The Township match for this grant is 20% or \$340,000. Costs covered by this grant must be incurred by June 30, 2021.

Kennett Township's prior trails consultant, PennTrails, has been working on these Trail Segments since 2015, including permitting, engineering and design work. In spring 2020, PennTrails withdrew as the township's trail consultant. On May 20, 2020, the Board of Supervisors approved Biohabitats, together with its subcontractors, Meliora and Unknown Studio, as the Township's new trail consultants. At that meeting the Township also approved Biohabitat's Task Order #1 for the Magnolia Greenway Underpass. Biohabitats has successfully completed this task order, which provided conceptual engineering designs for an underpass under East Penn Railroad at Pennock Park.

Current Matter:

For the Trail Segments, Biohabitats has proposed Task Order #3.<sup>1</sup> Under this task order, Biohabitats would review PennTrails work to date on the Trail Segments, including any prior permitting, engineering and design work. Biohabitats will review existing easement

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<sup>1</sup> Task Order #2, which includes an ecological and feasibility review of other Greenway segments, is still in development and has not yet been submitted to the Township for review.

opportunities and limitations; determine whether additional wetland, floodway or floodplain mapping or delineations are needed; and identify any other studies, such as traffic studies or regulatory reviews, that are necessary to complete the segments. After confirming the design intention for each segment, Biohabitats will develop a recommended project plan and schedule for completing each trail segment, including permitting processes and timelines, necessary studies, and additional public engagement, as needed. The recommendations will include an opinion of cost for each segment and prioritize what work can be completed within the remaining budget of the grant funding that must be utilized by June 2021. The work will cost \$55,175.00 and will take approximately 45 days to complete.

Next Steps:

- Full survey of the Trail Segments by Kennett Township.
- Based on the recommendations above, development of 100% design documents that can be put out to bid in the established Kennett Township procurement process.
- Any required permitting review by the applicable agencies.

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## TASK ORDER UNDERSTANDING

The team will prepare a due diligence Design Review and Recommendations for the four trail segments currently proposed for implementation: Chandler Mill, Parrish Trail, South Street Connector, Penns Manor. This initial due diligence task order is essential, since a preliminary review of available materials conducted by the team indicates that some documentation and permitting was completed. This task order would therefore build on work completed as appropriate/useful and it would provide foundation for our conversations with the Chester County Conservation District and PaDEP. This is an interim design task order to make baseline assumptions and recommendations for implementation, based on a thorough review of all design, permitting and conceptual development efforts to date, based on available information. The goal is to be able to support the Township in the most efficient way possible to move towards design implementation given existing grant funding and limitations on timing. One important assumption is that the Township (with the Owner Rep) will acquire all original design documentation from prior consultants (in original formats like CAD, GIS, H&H models, etc.) including Black Forest Engineering and Penn Trails and any other consultants previously employed to do work on the four trail segments listed above.

## SCOPE OF WORK

1. Biohabitats will manage the overall process and provide input on ecological considerations, with the bulk of this technical work effort being led by team subconsultants Meliora and Unknown Studio, based on trail segment. Meliora is focused on Chandler Mill and South Street Connector while Unknown Studio is focused on Parrish Trail and Penns Manor. McMahon Engineers will provide input to Meliora on transportation planning and traffic considerations for Chandler Mill and Becker Frondorf will provide input on Cost Estimating.
2. The consultant team will develop a summary of the work done to date and an explanation of next steps to support work toward implementation, with the goal of identifying what is feasible to be completed by June 2021 with the available grant funding. This will inform the development of Task Order 4 scope and fee, which will include final design and construction of some portion of the trail segments.
3. Members of the consultant team will participate in up to 2 remote calls over the course of this 45-day period, in order to provide regular input to the Client and Owner Representative. The consultant team will participate in up to 1 meeting with the Kennett Trails and Sidewalks Committee to provide a status update.
4. The Client shall provide the following information or services within 7 days of notice to proceed, as required for performance of its services outlined herein:
  - a. Existing easement and permitting documentation for all segments of trail described herein.
  - b. All existing GIS/CAD data and modeling results for the trail segments from the original consultants (Penn Trails, Black Forest Engineering, etc.).
  - c. Any existing design standards for the trail segments.

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- d. Full survey for segments of trail to be conducted by Kennett Township prior to design development in the TASK ORDER 4 scope of work, described below.
5. The scope of work does not include topographic survey, wetland or floodplain delineation, vegetation/tree survey, biological inventories, engineering studies, environmental permitting or development of design and construction plans, geotechnical investigations or the identification, assessment, or remediation of hazardous, toxic, or radioactive waste.
6. Revisions and changes in graphics and documents, when such revisions are inconsistent with approvals or instructions previously given by the client; required by the enactment or revision of codes, laws, or regulations subsequent to the preparation of such documents; or the preparation of alternates or deductive change orders requested by the client, shall be considered extra services and may require adjustments to the fee and schedule.
7. This proposed scope and fee is valid for a period of 60 days, after which it may be negotiated.

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## PROPOSED WORK PLAN

### **TASK 1 DUE DILIGENCE DOCUMENTATION REVIEW of PAST EFFORTS**

Once all past existing data and documentation for the 4 trail segments has been acquired by Kennett Township and shared with the Biohabitats team via the Owner Rep's Sharepoint site, our team will review all prior design content for the 4 trail segments in question. This may include: previous master planning efforts for these and adjacent segments, alignments and easements, permit applications and documentation, design and engineering drawings, H&H modeling, wetland delineations, sensitive species surveys like those for the bog turtle and others, cost estimates, and public and stakeholder engagement conducted to date (including presentations, meeting minutes, and conversations with key stakeholders). This will allow the team to sort through and understand a fuller picture of past efforts and note any gaps or missing information for moving forward, and what may have to be redone due to time lag. The team has performed a site visit to understand the context of 4 trail segments (completed by Bio and Meliora in July, Unknown still to complete). Unknown Studio to lead due diligence review of Penns Manor and Parrish Trails. Meliora to lead the due diligence for Chandler Mill and South Street Connector with support from McMahan Engineers. Becker Frondorf will provide cost estimation review to support recommendations in Task 3 below.

*Deliverable* – Summary of Due Diligence findings for review call & list and status of all permit applications, permit approvals, design plan sheets, and supporting calculations.

### **TASK 2 CONFIRMATION OF DESIGN INTENT (WEB WORK SESSION)**

On a ZOOM or GTM work session with Township and Owner Rep the team will confirm design intent of each trail segment, since there are currently competing priorities in the documentation to date. At the conclusion of this meeting the team will have established consensus on the Township's clear design and experience intents of each of the trail segments, to inform the team's development of recommendations in Task 3 below.

*Deliverable* – At the conclusion of the call, the team will issue summary notes to confirm consensus of trail segment design intentions to inform task 3 recommendations.

### **TASK 3 RECOMMENDATIONS**

With a deeper understanding of each of the trail segments previous design efforts in hand, as well as the consensus from the Task 2 design intent discussion with the Client and Owner Rep, the team will develop recommendations for the trail segments, in the interest of developing a robust understanding of next steps and then determining what can be completed with the remaining budget (after completion of this due diligence Task Order) of the grant funding that must be utilized by June 2021. Meliora will lead preparation of recommendations for Chandler Mill and the South Street Connector; Unknown Studio will lead preparation of recommendations for Parrish Trail and Penns Manor Trail.

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This effort may include the following: preparing a list of next steps for each trail segment and an associated projected schedule to accomplish those next steps. This would necessarily include needed permitting processes and timeline, a baseline understanding of existing easement opportunities and limitations, the potential need for ecological assessment to confirm easement (southern portion of Parrish Trail and Penns Manor), potential new examination and delineation of wetlands, floodway and floodplain mapping given updates to FEMA mapping recently, summarizing the public engagement completed to date & any future public engagement needs to move forward (Chandler Mill and Penns Manor in particular, but possibly all segments), identification of other necessary studies (ie. traffic study for Chandler Mill road if a one-way southbound traffic pattern is the desire of the Township, instead of the design proposed in 2015 and 2018, a new wetland delineation due to the age of the previous delineations, new Assessment of FEMA floodplain mapping due to updated data, etc.). Anticipated permitting approvals and regulatory reviews, with associated timelines, will also be included. These will likely impact project schedule and grant application decisions. An opinion of cost and projected schedule to complete design and construction phases of each of the 4 trail segments will be prepared as part of this task.

*Deliverable - The opinion of cost and projected schedule will inform development of the future TASK ORDER 4 scope and fee that may cover the following: Design to support implementation and construction (permitting and costing) of some subset of above, with a projected schedule of mid-October 2020 – June 2021. Projected deliverables for the future Task Order 4 will be 100% design documents that can be put out to bid in the established Kennett Township procurement process, as well as any permitting review our team would need to coordinate as lead on design.*

### TASK 4 TEAM COORDINATION & MEETINGS

Milestone meetings to review progress are assigned per task. Team members will participate in appropriate milestone meetings as needed. This includes up to 3 total coordination sessions with Client and Owner Rep as listed below.

- **Task 1** – Milestone meeting at conclusion of task to report out on findings to the Township and Owner Rep
- **Task 3** –To review recommendations and proposed TASK ORDER 4 approach
- 1 check-in meeting with Kennett Township Sidewalk and Trails committee

## SCHEDULE

The Biohabitats-led team is available to begin work on this scope immediately upon notice-to-proceed and will adhere to a schedule mutually agreed upon with Kennett Township. A more detailed schedule will be developed upon notice to proceed.

**Schedule** 45 days total

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**FEE**

Compensation to Biohabitats for the services described herein are in accordance with the Scope of Work, Work Plan and Schedule specified above. **The LUMP SUM** fee including expenses to perform this work is as follows:

	<b>FEE</b>
TASK 1	\$ 26,365.00
TASK 2	\$ 3,860.00
TASK 3	\$ 20,235.00
TASK 4	\$ 4,715.00
<b>TOTAL</b>	<b>\$ 55,175.00</b>