

May 29, 2024

Via Email

Chuck Tirone, Co-Chairperson
Susan Chapnick, Co-Chairperson
Arlington Conservation Commission
Robbins Memorial Town Hall
730 Massachusetts Avenue
Arlington, MA 02476

RE: Thorndike Place, Arlington, MA

Dear Commissioners,

The attached proposal from Hatch was provided to me and BSC's Dom Rinaldi yesterday, May 28, 2024, nearly four weeks after the Commission voted to seek quotes for follow-up peer review.

Hatch's recent proposal has far exceeded the scope of the limited peer review that was requested by the Commission. At the Commission's May 2, 2024, meeting, Commissioner Stevens moved for limited supplemental peer review, to be performed by a Massachusetts licensed civil engineer with experience with the Massachusetts Stormwater Handbook to review BSC's stormwater system design for compliance with the Massachusetts Stormwater Handbook, notably Standards 2 and 3. Commissioner Stevens specifically clarified that the limited peer review not include federal regulations.

In contrast with those specific confines, the recent Hatch proposal (\$8,850) exceeds the scope and likewise includes members of the project review team who are either a) not civil engineers or b) not licensed in the Commonwealth. It appears that only one individual on the proposed team, Mr. Kenneally, meets the qualifications required by the Commission. Aside from this discrepancy, the stated scope of the proposed peer review is also contrary to that which the Commission voted on; the Hatch proposal includes both a review of federal regulations and an undefined "stormwater engineering best management practices."

Given Hatch's prior opportunity to review the project - for which the Applicant has already incurred \$10,700 for such peer review¹ - Hatch's latest proposal of \$8,850 is excessive. By its peer review report of Jan. 23, 2024, and Mr. Mullins' follow-up emails in March 2024, it is clear that Hatch has already familiarized itself with the project, has provided feedback under the Stormwater Standards and, as stated in Hatch's email of March 22, 2024, Mr. Mullen has confirmed that in his professional opinion the Applicant

¹ This sum does not include the separate SWCA peer review fee of \$5,425.

had determined Estimated Seasonal Groundwater in accordance with the MassDEP Stormwater Standards and Handbook.

The only new information presented to the Commission by the Applicant since that time includes BSC's additional readings in March, April and May 2024 (including the newly installed well) and the updated mounding analysis. Should Hatch seek to submit a corrected proposal in the immediate future, it should adhere to the requirements as voted by the Commission. Thank you for your attention to this time-sensitive matter.

Regards,

/s/ Stephanie A. Kiefer

Stephanie Kiefer

Encl.

5/22/2024

David Morgan, Environmental Planner + Conservation Agent
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

Subject: Proposal for Stormwater Review of the Thorndike Place

Dear: David,

The attached Offer for Engineering and Consultancy Services outlines the scope, approach to be used to complete the project, the deliverables, and our commercial offer.

The overall cost is estimated to be \$8,850 on a lump sum basis. Hatch will perform the work outlined in this Offer for Engineering and Consultancy Services in accordance with the attached Schedule of Rates and Professional Services Terms and Conditions. This letter, the Statement of Work, Hatch Standard Terms and Conditions and Hatch Schedule of Rates form the whole agreement between Town of Arlington and Hatch.

If this offer is acceptable to Town of Arlington, please sign the attached Acceptance and we can mobilize the team to start to undertake this work for you. If you would like to meet with me to clarify and further discuss any aspect of this offer, please call me at 617-721-3292.

Yours faithfully,



Duke Bitsko

DB:DB
Ref.: Document1
Attachment(s)

cc: Ross Mullen
Rob Kenneally

David Morgan, Environmental
Planner + Conservation Agent
Town of Arlington
10/31/2023

OFFER FOR ENGINEERING AND CONSULTANCY SERVICES for Proposal for Stormwater Review of the Thorndike Place

05/22/2024

Client Name:	Town of Arlington
Project Name:	Stormwater Review of the Thorndike Place
Client Contact:	David Morgan, Environmental Planner + Conservation Agent
Hatch Contact:	Duke Bitsko
Project Number:	H373095, Rev. A
Estimated Start Date:	May 21, 2024
Estimated Completion Date:	June 13, 2024
Cost Basis:	Reimbursable Costs Basis
Project Estimate:	\$8,850

Introduction

This proposal is in response to a request for additional engineering services for stormwater review of the Thorndike Place emailed to Rob Kenneally on May 16, 2024.

Scope of Work

Hatch proposes to complete a peer review of the proposed Thorndike Place development in accordance with the Massachusetts Stormwater Standards, the Code of Federal Regulations, and stormwater engineering best management practices. Our review will review the drawings and stormwater report with supporting technical calculation package. The review will include review of:

David Morgan, Environmental
Planner + Conservation Agent
Town of Arlington
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- Stormwater management facilities and technical calculations, including rate control, water quality analysis, and volume management/groundwater recharge.
- FEMA floodplain/floodway encroachments, compensatory storage, and CLOMR/LOMR/no-rise documentation.
- Best management practices for placement and use of Erosion and Sediment Controls including review of the SWPPP.
- Wetlands impacts due to construction disturbance and/or hydrologic inflow changes, mitigation/remediation of impacts and/or offsets, and provided buffers zones.
- Proposed Operation & Maintenance plan, including review of best practices for adoption such recording of stormwater practices on the plat and/or in storm maintenance agreement with the Town.

Our review will include an initial memorandum documenting our background document review, engineering review findings, as well as recommendations for approval, conditional approval, recommended site modification, or denial of the proposed development. We will respond to and/or review one additional submittal package from the applicant following the initial memorandum and attend 1 meeting via Zoom.

Assumptions/Exclusions:

- Wetland delineations, classifications, and characterizations are excluded from this proposal.
- Zoom meeting attendance is limited to a project reference and called upon on an as-needed basis. Hatch has budgeted for 2 hours of staff attendance at each meeting and has not included hours necessary for presentation preparation for meetings. We assume this meeting will occur on or before June 6, 2024.

Execution Plan

The proposed scope of work will be undertaken within a **four-week period** following receiving the authorization to proceed and being provided access to all of the data required for the task.

David Morgan, Environmental
Planner + Conservation Agent
Town of Arlington
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Hatch Project Team

The following is the proposed project team. Complete resumes can be made available upon request.



DUKE BITSKO, PLA

Principal In Charge

Duke Bitsko has more than 25 years of experience in program and project management, master planning, permitting, and design with an emphasis on context sensitive, sustainable design. His relevant experience includes ecological restoration, bioengineering, Green Infrastructure, and climate resiliency at the site scale. His recent work in Arlington includes Wellington Park, Spy Pond Shoreline Restoration, Egerton Road bioretention basins, and Cooke's Hollow. He has developed long-term Vegetation Management Plans for the Alewife Reservation, Fresh Pond Reservation, Wellington Park, and Spy Pond Park, working with managers over time to apply Adaptive Management principles. He has been a conservation commissioner in Lexington for 23 year.



ROB KENNEALLY, PE

Senior Project Engineer

Rob Kenneally has over 30 years of experience with increasing responsibilities as a civil/site design engineer and project manager. His technical background includes geotechnical engineering, hydrologic/hydraulic analysis, and civil site development. He has applied his technical expertise and project management experience on projects that range from the design and construction of stormwater management projects, management of landfill closures, to the construction of sewer mains utilizing hard rock and soft ground tunneling techniques, and to various subsurface site investigations involving environmental and geotechnical investigations.



ROSS MULLEN, PE, CFM

Water Resources Engineer

Ross recently joined Hatch as a Water Resources Engineer with over a decade of experience as a consulting engineer. His primary expertise is in hydrologic and hydraulic modeling, stormwater management, floodplain management, erosion and sediment management, urban water quality studies, stream restoration, and design of hydraulic structures. Ross previously served as the designated stormwater reviewer and engineering consultant for a 7-member city watershed.

Commercial Offer

Overview

Hatch is pleased to provide the following commercial offer to the Town of Arlington for the professional services (the “Services”) detailed herein.

Pricing

Hatch proposes to perform the Services for a price of USD \$8,525 on a on a lump sum price basis, exclusive of adjustments for variations. Approved variations will be performed on a lump sum basis in accordance with mutually agreed change procedures. An overview of this offer is provided in the Table 1.

Table 1: Estimated Breakdown of the Cost Estimate

Task	Level of Effort (hrs)	Total (\$)
Desktop Stormwater Review	28	\$8,225
Attend one (1) Zoom Meeting	2	\$530
TOTAL ESTIMATED COST:	30	\$8,850

Basis of Compensation

As full compensation for the services, Hatch will be paid the sum of all lump sum billings incurred in the execution of the services.

Invoicing & Payment

Hatch proposes the following milestones for payment of the Lump Sum price following completion of the scope of work. Payment terms are net 30 days from date of issuance of invoice.

Hatch reserves the right to modify the payment milestones based on changes to the schedule or as mutually agreed to between Hatch and Town of Arlington.

Additional Services

If additional scope is needed, then Hatch will prepare a Project Change Authorization (PCA) which will provide an estimate of cost of the change and once agreed to and signed, Hatch will commence the work on this scope addition.

Contract Terms and Conditions

Hatch will perform the Services detailed in this offer in accordance with the Professional Services Terms and Conditions included in Attachment A, on which this proposal has been expressly based.

David Morgan, Environmental
Planner + Conservation Agent
Town of Arlington
10/31/2023

Validity

This offer remains valid for a period of 90 days from the date of this letter and is subject to a contract being signed and effective prior to the start.

Acceptance of Offer

Town of Arlington accepts this proposal and requests Hatch to undertake the assignment as detailed above.

Signed on behalf of Hatch by:

Signed on behalf of Town of Arlington by:



Name: Duke Bitsko, PLA
Director of Interdisciplinary
Title: Design
Date: 05/22/2024

Name: _____
Title: _____
Date: _____

David Morgan, Environmental
Planner + Conservation Agent
Town of Arlington
10/31/2023

Attachment A – Schedule of Rates