

N5051-P002

December 16, 2024

Mr. Paul Brean, Executive Director
Pease Development Authority
55 International Drive
Portsmouth, New Hampshire 03801

Attn: Finance Department

Re: **RFQ/P 25-09 Recommendations for Rye Harbor Improvements
Fee Proposal**

Dear Mr. Brean:

Tighe & Bond is pleased to submit our fee proposal which will accompany our previously submitted statement of qualifications (SOQ), to the Pease Development Authority (PDA), for the Rye Harbor Assessment and Recommendations for Improvements. This fee proposal includes further clarification, assumptions, and exclusions to our scope of work that was submitted at part of the SOQ, as noted below.

SCOPE OF SERVICES

Phase 1: Project Kick-off and Background Research

Project Kickoff: We will schedule a kick-off meeting with the Pease Development Authority (PDA) to:

- Discuss the project goals, timeline, scope, schedule and budget.
- Review the RFQ/P and clarify any questions or concerns.
- Identify key points of contact and communication and/ or meeting schedules.
- Discuss deliverables for each phase

Background Research: Prior to performing the Data Gathering related to the Environmental, Infrastructure, Parking/ Boat Storage, and Commercial Operations Assessments, our team will conduct a review of existing reports, plans, and studies related to the Rye Harbor Marine Facility. We will also prepare base maps using publicly available information, GIS data and past survey information performed for the PDA, if available. If desired, we will work with one of our on-call survey sub-consultants to prepare an updated existing conditions and boundary survey. The existing conditions and boundary survey would be performed as an additional service and the scope and fee for this would be submitted under a separate contract amendment.

Phase 2: Data Gathering

Environmental Assessment:

- Perform a NHDES OneStop Environmental Data Viewer search for the Site and abutters to identify environmental reports pertaining to aboveground storage tanks (ASTs), underground storage tanks (USTs), spills and remediation sites that may affect the Rye Harbor Site.

- Order an environmental database search report from Environmental Data Resources (EDR) for the Site. The standard EDR Report identifies state and federal environmental database listings of reported contaminated sites, spills, tanks, hazardous waste generation/management, etc. and also provides copies of historic maps and records pertaining to the Site area from their archives such as aerial photographs, topographic maps and Sanborn® Fire Insurance Rate Maps.
- Conduct field observations and research activities consistent with the requirements for environmental site assessments established by the ASTM Standard E1521: Standard Practice for Environmental Site Assessments Phase I.
- Conduct a visual reconnaissance of the Site which will include observing the grounds and any buildings/operations occurring. We request accompaniment by a client representative knowledgeable about the Site and its history, and who can provide entry to any structures present at the Site. We will also request an interview with the Harbor Master. Tighe & Bond will photo document our observations and include relevant photographs in our report.
- Document identified or potential environmental contamination at the Site. These are defined as Recognized Environmental Conditions (RECs) in the ASTM E1527-21.
- Perform a wetland delineation and map the locations using GPS. Refer to detailed scope in Appendix A of this Proposal.
- Perform a desktop review of Rare, Threatened or Endangered Species and Critical Habitat as well as Historic and Archaeological Resources. Refer to detailed scope in Appendix A of this Proposal.
- Document current sea levels and the mean high tide line, as well as projected sea level rise (SLR) over the next 20-50 years. This will include:
 - Evaluation of site topography and local coastal processes including tide range, wave climate, severe storm events, and potential sea level rise. The evaluation will utilize publicly available data from a range of reputable local, state, and federal resources.
 - Establish proposed critical elevation thresholds for the range of site-specific coastal hazards.

Infrastructure Assessment:

- Tighe and Bond staff will perform a site visit to document the conditions of the existing buildings and infrastructure on-site including:
 - DPH-owned buildings and structures.
 - Privately-owned buildings and structures.
 - Existing primary utilities, including water, electric power, and telecommunications.
 - Existing stormwater management system.
 - Waste disposal and collection system(s), including facility septic system.
 - Location and specifications of any non-utility electricity generation device located at the facility.

- Piers, gangways, and floating docks.
- Boat ramp.
- Fueling facilities.
- Guardrails.
- Revetment and other protective structures.
- The on-site assessment will include review of life safety codes, and ADA accessibility.

Parking and Boat Storage Assessment:

- Tighe and Bond will review current parking and boat storage conditions and document any changes from the 2022 Rye Harbor Marine Parking Study.

Private Commercial Operations Assessment:

- DRG Advisory Services will review and document the following with respect to the private commercial businesses operating at the Rye Harbor Marine Facility:
 - Nature of the goods/services provided.
 - Whether the same or similar service is provided within 2 miles of the Facility.
 - Note: As part of this proposal DRG Advisory Services will review other competitive facilities in Portsmouth and Hampton Harbors, as these locations will provide better comparison than the services available within 2 miles of the facility.
 - Nature of the cost(s) charged for such goods/services.
 - Type of agreement authorizing the private commercial business to operate at the Facility.
 - Whether the service provided directly supports an activity authorized under a Pier Use Permit.
 - Approximate number of seasonal customers served by each business.
 - Impacts to Facility resulting from the private commercial businesses operating at the Facility.
- Perform interviews with the Harbor Master, PDA and DPH Staff, and the private business owners.
- Undertake outreach to the private business operators (approximately 20 businesses) in the form of an online and/or in-person questionnaire or interviews to ascertain information needed to complete the Assessment, as well as the needs, recommendations, and concerns of private commercial businesses operating at the Facility.
- If desired, we can also work with the UNH survey Center to create a broader survey for users of the Facility and interested parties so as to gather input from the larger community. This work would be performed as an additional service and the scope and fee for this would be submitted under a separate contract amendment.

Deliverables for this Phase include:

- Draft Existing Conditions Assessment Report

Meetings for this phase include the following:

- Two (2) Client Meetings

Phase 3: Vulnerability and Needs Assessment

This phase will include a vulnerability and needs assessment based on information gathered during Phase 2. The assessment will include the following:

- Identification of infrastructure vulnerable to environmental conditions and the nature of such impacts.
- Identify opportunities for new development and structures or modifications to existing development and structures onsite that reduce potential environmental impacts.
- Evaluate current and projected restroom Facility needs (including applicable ADA requirements) and septic system capacity requirements.
- Identification of the needs of private businesses.
- Identification of the needs of other users of the Facility and community needs, if applicable.
- Identification of operational and process improvement needs.

Deliverables for this Phase include:

- Draft and Final Vulnerability and Needs Assessment Memorandum
- Graphics/ Boards for Stakeholder Meeting

Meetings for this phase include the following:

- Two (2) Client Meetings
- Public Stakeholder Meeting

Phase 4: Recommendations and Capital Costs

Based on the vulnerability and needs assessment, and results of the environmental site assessment, we will develop a set of recommendations for improvements to the Facility and its operations. These recommendations may include, but not necessarily be limited to:

- Recommendations for mitigation of environmental impacts including storm surge and SLR, or environmental contamination.
- Recommendations for infrastructure improvements including:
 - Restroom and septic system capacity upgrades.
 - Upgrades to comply with applicable safety codes.
 - ADA accessibility requirement upgrades.
- Recommendations related to private business use and/ or future development.

- Operational and process improvements including:
 - Facility management practices.
 - Improvements to agreements used by DPH authorizing private commercial service operations at the Facility.
 - Process and procedures for identifying and selecting services to be provided at the Facility.
 - Commercially reasonable fees, rentals or other rate structures for private commercial operator agreements and pier use permits.

As part of these recommendations, we will provide Opinions of Probable Costs (OPCC's) on the capital improvements needed to accomplish the recommendations. This will include a breakdown of costs by category (e.g., infrastructure, equipment, etc.) and a potential timeline for implementation and/ or phasing. We will also provide a permitting matrix that will identify the permitting and regulatory requirements that may be required for the recommended infrastructure improvements. For budgeting purposes for this proposal, we have included up to three (3) scenarios for recommendations for facility infrastructure improvements.

Deliverables for this Phase include:

- Draft and Final Recommendations
- Final Report (Including Existing Conditions Assessment and Vulnerability and Needs Assessment Sections)
- Graphics/ Boards for Stakeholder Meeting

Meetings for this phase include the following:

- Two (2) Client Meetings
- Public Stakeholder Meeting

Phase 5: Final Presentation (if requested)

As an optional service, Tighe & Bond will prepare for and attend a final public presentation to present the findings of the facility assessment and recommendations. Future implementation planning could also begin in advance of the public presentation or directly following. The final presentation and implementation planning work will be performed as an additional service and the scope and fee for this will be submitted under a separate contract amendment.

FEES FOR CONSULTING SERVICES

Services described above for Phase 1 through 4 will be performed for a lump sum fee of \$140,750 invoiced monthly based on percentage complete for each Phase. If requested, Phase 5 will be performed for an additional lump sum fee of \$7,500 invoiced monthly based on percentage complete. In the event that the scope of work is increased for any reason, the limiting fee to complete the work shall be mutually revised by written amendment. The included schedule and fees are based on the above scope of work and assumptions, and the limitations and exclusions listed in Attachment A. If Selected, Tighe & Bond would like the opportunity to negotiate mutually acceptable terms to the sample Services Agreement provided.

The following summaries are presented to give you a better understanding of how the project budget was developed. Invoices will be submitted based on the lump sum project fee for each phase and not individual line-item budgets.

Table 1: Summary of Fees

Summary	Fee
Phase 1: Project Kick-off and Background Research	\$ 12,300
Phase 2: Data Gathering	\$ 46,000
Phase 3: Vulnerability and Needs Assessment	
Vulnerability and Needs Assessment	\$ 15,750
Stakeholder and Client Meetings	\$ 10,000
Phase 3 Subtotal	\$ 25,750
Phase 4: Recommendations and Capital Costs	
Recommendations and Capital Costs	\$ 46,700
Stakeholder and Client Meetings	\$ 10,000
Phase 4 Subtotal	\$ 56,700
TOTAL	\$140,750
Phase 5: Final Presentation (if requested)	\$ 7,500

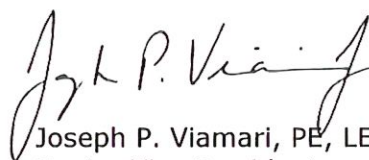
If you have any questions regarding this proposal, please contact Patrick Crimmins, PE at (603) 603.988.8066 or PMCrimmins@tighebond.com. We look forward to working with you on this important project.

Very truly yours,

TIGHE & BOND, INC.



Patrick M. Crimmins, PE
Vice President | Project Director



Joseph P. Viamari, PE, LEED AP
Senior Vice President

Enclosures: Attachment A

ATTACHMENT A

Phase 2 (Cont'd): Data Gathering (Natural Resource Area Detailed Scope)

Natural Resource Area Delineation & Assessment

Field Delineation

A Tighe & Bond NH Certified Wetland Scientist will field delineate wetlands and jurisdictional resource areas within an approximate 100-foot radius of the project site to adequately depict resource areas and associated regulatory setbacks on figures and site plans. Wetland and resource area boundaries will be identified in the field and flagged with consecutively numbered survey tape or pin flags in accordance with the methodologies outlined in the NH Administrative Rules Chapters Env-Wt 100 – 900, the US Army Corps of Engineers (USACE) Wetlands Delineation Manual (Technical Report Y-87-1, January 1987), and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0, January 2012). To determine the limits of the 100-foot Tidal Buffer Zone and the Protected Shoreland at the site we also will field delineate the Highest Observable Tide Line (HOTL, i.e., the "Reference Line" as defined by RSA 483-B:4 XVII and XI-e).

During the field work, the wetland scientist will collect data regarding vegetation, soils, and indicators of wetland hydrology at a level of detail to support future permitting efforts. Wetland flags will be placed and located via Global Positioning System (GPS) data collectors with submeter accuracy.

Assessment of Delineated Wetlands and Jurisdictional Resource Areas

Assessment of delineated wetlands and jurisdictional resource areas will include the following:

- Army Corps of Engineers Wetland Determination Data Forms from representative areas along wetland boundaries.
- Classification of wetlands in accordance with Classification of Wetland Deep Water Habitats of the United States (Cowardin, 2013).
- Functions & Values Assessment in accordance with the criteria adapted from RSA 482-A, the USACE Highway Methodology Workbook Supplement (NAEEP-360-1-30a; 1999), and The Method for the Evaluation and Inventory of Vegetated Tidal Marshes in New Hampshire (Coastal Method; Audubon Society of New Hampshire, 1993). Functional assessment worksheets will be completed for each wetland delineated.
- Coastal Vulnerability Assessment in accordance with the NH Coastal Risk and Hazards Commission Science and Technical Advisory Panel (STAP) Report, the 2019-2020 New Hampshire Coastal Flood Risk Summary Part I: Science, and Part II: Guidance for Using Scientific Projections.
- Determination if any wetlands within the project site are classified as Priority Resource Areas, as defined by NH Administrative Rule Env-Wt 103.66 (effective 04/27/2024).

Natural Resources - Environmental Due Diligence

Based on Tighe & Bond's experience with similar projects, there are several due diligence review processes which may result in threshold determinations that could impact the planning and alternatives analyses. We recommend early consultation with

the following agencies to allow time for informed decision making and to address concerns raised by reviewing parties during the site evaluation and development of recommendations.

Rare, Threatened or Endangered Species and Critical Habitat

The New Hampshire Natural Heritage Bureau (NHB) maintains a database of known locations of state listed RTE species and exemplary natural communities. Tighe & Bond will utilize the NHB Datacheck Tool to determine if there are records of RTE species or exemplary natural communities in the vicinity of the project site. Additionally, we will conduct a review of available desktop data to preliminarily characterize potential habitat constraints. Similarly, Tighe & Bond will obtain an Official Species List from the United States Fish & Wildlife Service's (USFWS) Information for Planning and Consultation (IPAC) tool and reference the National Oceanic and Atmospheric (NOAA), National Marine Fisheries Service (NMFS)'s Essential Fish Habitat (EFH) Mapper to identify federally listed RTE species or critical habitats in the vicinity of the site.

Historic and Archaeological Resources

In accordance with Section 106 of the National Historic Preservation Act of 1966 and the New Hampshire regulation for Historic Preservation (NH RSA 227C:9), projects that require funding, licenses, or permits from state or federal agencies must be reviewed by the State Historic Preservation Officer (SHPO), which is the New Hampshire Division of Historical Resources (NHDHR). The purpose of this review is to ensure that projects minimize or mitigate adverse effects to historical and archaeological resources.

As a preliminary screening for potential historic or archaeologically significant resources at the site, Tighe & Bond will complete a Request for Project Review Form (RPR) with required attachments and submit it to the NHDHR. A conceptual level site plan is typically sufficient for this submission.

ASSUMPTIONS:

- The schedule of work will generally follow that outlined in our previously submitted statement of qualifications.
- The Client will provide all available historic documents, prior engineering design drawings and/or as-built drawings available of the site for use by Tighe & Bond.
- It is assumed that existing conditions drawings provided will document, at a minimum, the overall configuration, dimensions, and elevations of the pier(s), floating dock(s), gangway(s), boat ramp, stone revetment, and other site features along the shoreline as well as building locations and site features within the facility assessment area.
- The site visit is based on one (1) site visit to the facility including existing buildings within the scope area defined in the RFP and based on the assumption that all pertinent mechanical rooms, along with areas on adjacent floors, will be made available at time of visit. We have assumed that buildings without foundations will not need to be structurally reviewed.
- During the site visit, the existing building operations personnel will be present and available to discuss building / systems operations with Tighe & Bond.
- The waterfront infrastructure assessment will be limited to the an above-water, visual assessment of the existing concrete commercial pier and associated gangway(s) and floating docks; the existing timber recreational pier and associated gangway(s) and floating docks; the existing asphalt boat ramp; and the existing stone slope revetment

within the approximate footprint of the study area. The visual assessment will be completed by walking the accessible portions of the structures and shoreline by foot at low tide. Limited field measurements will be collected in order to confirm the dimensions shown on the provided drawings.

- The fueling assessment will be limited to the two (2) 6,000-gallon USTs used to store diesel and gasoline on site.
- Code Compliance review of existing facilities will be based on the current 2025 NH State, Local and Federal Codes currently in effect at the time of the site visit.
- The OPCC's being provided will be within a Rough Order of Magnitude (ROM) range due to the limited nature of this assessment (i.e. engineering design services are not being performed to inform more detailed OPCC's).

ADDITIONAL SERVICES/ EXCLUSIONS:

In an effort to provide a reasonable budget for the desired services, we have prepared a detailed scope of services based upon our understanding of the project needs. In this same regard, the following list includes those services that are not included in the development of our budgetary estimate. If these services are required, we will modify our proposal accordingly to meet your needs.

- Boundary and Topographic Survey
- Geotechnical Investigations or Recommendations
- Creation of Existing Building Base Plans
- Physical Testing of Building Materials or MEP Systems
- Air or Water Quality Sampling
- Hazardous Materials Assessment
- Archeological Investigations
- Traffic Studies or Analysis
- Renderings or Perspective Views
- Quantification of erosion or local morphology
- Shoreline change analysis
- Hydrodynamics (flood analysis will be static or 'bathtub' approach)
- Assessment of the underside and below-water portion of the pier(s), floating docks, boat ramp, and stone revetment (i.e., any in-water work)
- Implementation Planning
- Engineering Design Services
- Local, State or Federal Permitting

ENVIRONMENTAL SITE ASSESSEMENT LIMITATIONS AND EXCLUSIONS

As a result of the COVID-19 pandemic some state and local agencies now require file review requests and access to documents be performed via emails, telephone calls or completion of online forms only (i.e., not in person). If there is little or no response to these types of file

review requests, or the agencies do not provide requested documents in a timely manner to allow for review and incorporation into the Phase I ESA report, then a significant data gap as defined in the ASTM standard may be identified in the conclusions of our Phase I ESA report. If that occurs and there are concerns regarding that data gap, Tighe & Bond can provide a contract amendment to complete the municipal file review at a later date, update our Phase I ESA report and/or provide a separate summary letter with our additional findings.

The following services are not included with Task 2.1, the Phase I ESA:

- Completion of an Environmental Liens Search (ELR). Tighe & Bond will inquire about environmental liens or Activity Use Limitations (AULs) for the subject parcel, but a review of recorded land title or judicial records will not be conducted. If a search for these records is desired, then Tighe & Bond can use an environmental database service provider to conduct this search for an additional fee of \$400 (per parcel). Tighe & Bond anticipates that a separate title and lien search will be conducted by the User.
- Meetings/conference calls in response to the Phase I findings.
- Review of lengthy reports and regulatory files associated with large, complex sites that were not known to Tighe & Bond during preparation of this proposal. Review of additional relevant documentation can be conducted on a time and expense basis if/as requested.
- Reliance letters to lending institutions or other third parties are not included; however, these Reliance Letters can be prepared in Tighe & Bond's standard format at the client's request, provided that the relying party agrees to the same Terms and Conditions of our Agreement. An additional fee may be required to prepare the Reliance Letter. Tighe & Bond will not prepare reliance letters in accordance with Small Business Administration (SBA) or other third-party formats.
- Phase I updates beyond report validity timeframes (see Attachment A Task 4).
- Evaluation of "non-scope" issues as defined by ASTM. Users of the Phase I may expand the scope of the due diligence to assess other "business environmental risk or BER" that exist beyond CERCLA liability. Non-scope considerations include:
 - Emerging Contaminants¹ (ECs);
 - Asbestos-containing and polychlorinated biphenyl (PCB)-containing building materials, lead-based paint, and hazardous building materials (HBMs) and or building equipment/components in general;
 - Radon;
 - Lead in drinking water;
 - Wetlands or other environmental resource areas;
 - Past or current regulatory compliance (federal, state, local, including health & safety);
 - Indoor air quality and/or potential vapor intrusion pathways (excluding identification of potential impacts from hazardous or petroleum substances released to the subsurface);
 - Biologicals and mold;

¹ "Substances Not Defined as Hazardous Substances" – As defined in ASTM E1527-21 *hazardous substances* means those substances defined pursuant to CERCLA 42 U.S.C. §9601(14) as interpreted by EPA regulations and the courts. There are some substances that non-environmental professionals may assume to be hazardous substances that are not defined as hazardous substances under CERCLA. Although, the presence or any release/threatened release of these substances are "non-scope considerations" under this practice, the environmental professional conducting the Phase I Environmental Site Assessment will determine applicability of such based-on incorporation of the substance into state-specific laws and regulations governing site assessment as defined by the ASTM E1527-21 standard.

- Endangered species;
- Cultural or historical resources;
- Potential BER items can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of the Subject Property.

