

CONSULTING AGREEMENT

THIS AGREEMENT, made and entered into on this 16th day of June, 2011, by and between JACKSON COUNTY, MISSOURI, hereinafter called the "County" and SHOCKEY CONSULTING SERVICES, LLC, 7914 Quivira Road, Lenexa, KS 66215, hereinafter called "Consultant".

WITNESSETH:

WHEREAS, County requires the services of Consultant in connection the Jackson County Stormwater Commission Plan Development Support; and,

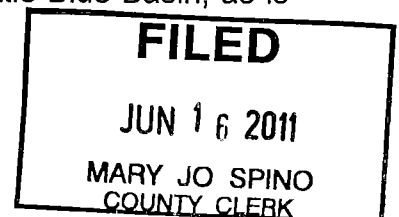
WHEREAS, Consultant represents that the firm is equipped, competent, and able to undertake such an assignment; and,

WHEREAS, Consultant has agreed to perform consulting services and assistance to the County, in the implementation of the Stormwater Management Plan, in accordance with the terms, conditions, and covenants as set forth in this Agreement, and as authorized by the County Legislature through its Resolution 17588; and,

WHEREAS, Consultant and County have agreed to be bound by the provisions hereof;

NOW, THEREFORE, in consideration of the foregoing and the terms and provisions herein contained, County and Consultant respectively promise, covenant, and agree with each other as follows:

1. Consultant shall provide services related to stormwater long-term funding, opportunities for state and federal funding for high priority projects, and potential funding sources to development of hydrologic and hydraulic modeling of Little Blue Basin, as is



more fully described in the excerpt from Consultant's proposal attached hereto as Exhibit A, and incorporated herein by reference. Consultant shall provide on-call services for other tasks, such as, but not limited to, development of a framework for multi-jurisdictional cooperation, conducting a design workshop for the Sugar Creek Restoration Project and suggesting revisions to stormwater ordinance and policies.

2. Consultant shall work as an independent contractor and not as an employee of County. Consultant shall be subject to the direction of County only as to the result to be accomplished and not as to the means and methods for accomplishing the result. Consultant shall report all earnings received hereunder as gross income, and be responsible for its own Federal, State and City withholding taxes and all other taxes, and operate its business independent of the business of County except as required by this Agreement.

3. County shall pay Consultant for services rendered under this Agreement in a total amount not to exceed \$20,000.00. Consultant shall invoice County monthly for tasks completed as described in Exhibit A, at the rates specified for each task in the fee schedule attached hereto as Exhibit B. Consultant shall invoice for on-call services provided at the hourly rates specified in Exhibit B. County shall pay Consultant promptly upon receipt of Consultant's invoice.

4. Consultant shall also be entitled to the reimbursement of the reasonable and necessary expenses incurred in the course of its performance of services under this Agreement, provided that the total amount payable hereunder for consultant fees and expenses shall not exceed \$20,000.00.

5. This Agreement shall be effective as of May 10, 2011, and shall extend

until December 31, 2011. At the agreement of both parties, this Agreement may be extended beyond the initial term for up to three additional twelve-month extensions. Consultant or County may terminate this Agreement by giving seven days written notice to the other party. Termination of this Agreement shall not constitute a waiver of the rights or obligations which County or Consultant may be entitled to receive or be obligated to perform under this Agreement. Should this Agreement terminate, all books, brochures, fliers, lists, and all other County materials must be delivered and returned by Consultant to County within three days of the demand of County.

6. Consultant promises, covenants, and agrees, in addition to all other provisions herein, that during the term of this Agreement, it shall not assign any portion or the whole of this Agreement without the prior written consent of County, except as specifically described in the attached proposal.

7. If any covenant or other provision of this Agreement is invalid or incapable of being enforced by reason of any rule of law or public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect and no covenant or provision shall be deemed dependent upon any other covenant or provision unless so expressed herein.


8. This Agreement shall be governed by the laws of the State of Missouri.

9. This Agreement incorporates the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement on the date first above written.

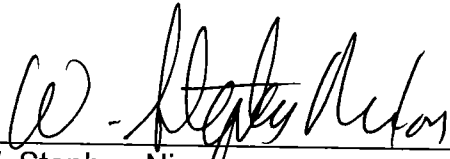
SHOCKEY CONSULTING
SERVICE, LLC

JACKSON COUNTY, MISSOURI

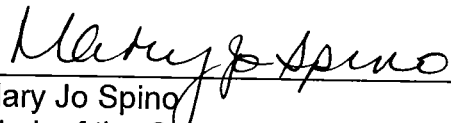
By 
Federal I.D. No. 48-1206747

By 
Michael D. Sanders
County Executive

APPROVED TO FORM:


W. Stephen Nixon
County Counselor

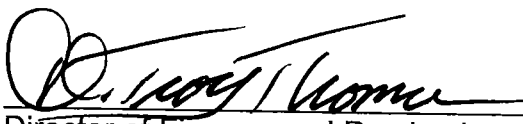
ATTEST:

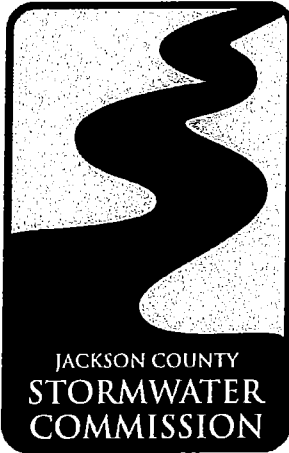
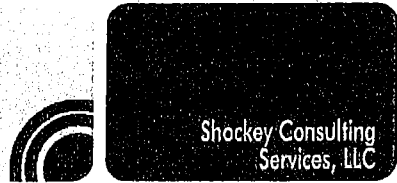
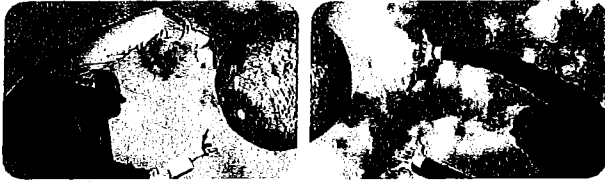
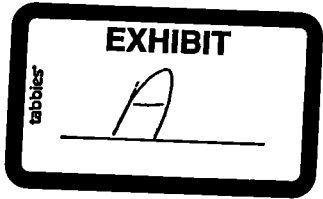

Mary Jo Spino
Clerk of the County

REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury from which payment is to be made, each sufficient to meet the obligation of \$20,000.00 which is hereby authorized.

June 14, 2011
Date


Director of Finance and Purchasing
Account No. 004 1504 8051
1504 2011 001



*Jackson County, Missouri
Request for Qualifications
Consultant Services*

Jackson County Stormwater Commission

March 15, 2011

Shockey Consulting Services, LLC in partnership with
Water Resources Solutions

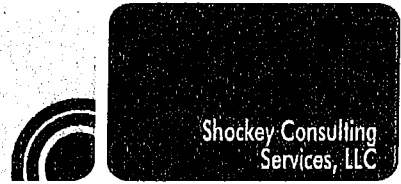


**Shockey
Consulting
Services, LLC**
Helping Communities
Make Better Decisions



Water Resources Solutions





March 15, 2011

Barbara Casamento
Jackson County, Missouri
Purchasing Department
415 W. 12th Street, Room G1
Kansas City, Missouri 64106

Dear Ms. Casamento,

Shockey Consulting Services is pleased to present this proposal for consultant services for the Jackson County Stormwater Commission. Shockey is uniquely qualified for this contract as we have worked with the Commission since 2002.

Shockey, based in Lenexa, Kansas, provides management consulting and facilitation services for public sector clients. Shockey has extensive experience working for the Mid-America Regional Council and area communities. Our team also includes Donald Baker with Water Resources Solutions. Don has extensive knowledge in stormwater issues throughout the Kansas City region. Together, our team has considerable knowledge of complex stormwater issues.

We look forward to the opportunity to continue to serve Jackson County. Should you have any questions about our proposal or need any additional information, please don't hesitate to call me at (913) 515-4365 or e-mail me at Sheila@shockeyconsulting.com.

Sincerely,

Handwritten signature of Sheila Shockey.

Sheila Shockey
President
Shockey Consulting Services, LLC.
7914 Quivira Road, Suite A
Lenexa, Kansas 66215
(913) 515-4365
Sheila@shockeyconsulting.com



- 01. Cover Letter
- 02. Notarized Forms
- 03. Firm Overview & Project Team
- 04. Relevant Projects
- 05. References
- 06. Project Approach**
- 07. WBE Participation
- 08. Timeline



PROJECT APPROACH



We are excited about the opportunity to continue to assist the Jackson County Stormwater Commission in the implementation of their Stormwater Management Plan. We very much enjoyed working with your group and look forward assisting them again. We propose working on a task order basis at the direction of the County Planning Director. We will provide professional services on a variety of projects needed to implement the Stormwater Management Plan.

As described in the RFP, Shockey will complete the following tasks:

- Update funding memorandum previously prepared and estimate new potential revenue levels from potential sources of two key revenues (stormwater utility and sales tax.) Prepare white paper and make presentation to the Commission. In a workshop with the Commission, a plan that considers these possible revenue and funding options will be prepared.
- Explore opportunities for state and federal funding for high priority projects. Prepare white paper and make presentation to the Commission.
- Explore potential funding sources to development of hydrologic and hydraulic modeling of Little Blue basin. Prepare recommendations memorandum and make presentation to the Commission.



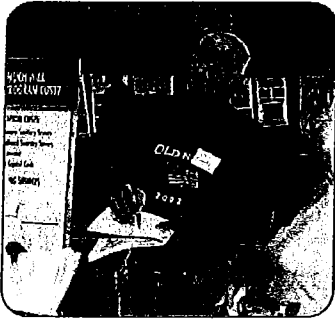
The Shockey team with Don Baker of Water Resources Solutions can also provide "on-call" services for other tasks including in the RFP.



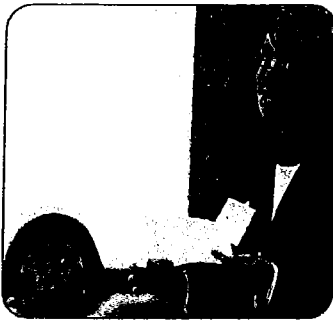
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- 07. WBE Participation
- 08. **Timeline**



TIMELINE



We can complete our work in 3 months from notice to proceed. The Commission desires to have the initial funding tasks completed by November 1, 2011. This would require a notice to proceed on or before September 1, 2011.



**Shockey
Consulting
Services, LLC**
Helping Communities
Make Better Decisions



ACTION
PLAN

UPDATE

FALL
2009

Jackson Co.

Stormwater Commission

PROACTIVE APPROACH TO
REGIONAL PROBLEMS WITH
GREEN SOLUTIONS



WHAT IS STORMWATER & WHY DOES IT MATTER IN JACKSON COUNTY?

Stormwater refers to water that runs across the land after rainstorms and eventually winds up in local streams and lakes. It often carries pollutants, such as excess sediment, nutrients, pesticides, oils, heavy metals, and bacteria. These pollutants come from various sources and activities across the landscape.

The large amount of untreated water entering the storm sewer system — and eventually our streams and lakes — has lasting health, safety, environmental and economic impacts on our watersheds and communities. Protecting the health of our watersheds preserves and enhances the quality of life for Jackson County residents and our neighbors.



INTRODUCTION Today, we know that stormwater pollution is one of the biggest threats to the health of our creeks and streams, and one of the biggest challenges for local governments to manage because stormwater doesn't begin or end at the city limits. Stormwater runoff follows watershed boundaries. Watersheds are areas that naturally drain over land to one point, usually a stream, lake or river.

In a healthy watershed, stormwater is managed by natural systems. Vegetation slows water, porous soils absorb the water, and floodplains receive, store and transmit the occasional excesses. Without protection, as our communities develop, more stormwater runoff is generated causing erosion, flooding and water quality problems. By protecting these natural systems and restoring them, both stormwater quantity and quality can be better managed through green solutions, often at a lower long-term cost.

The Jackson County Stormwater Commission (JCSC) was formed in October 2000 with the charge of developing and implementing a countywide plan for dealing with stormwater issues. City and County officials in Jackson County are working together to address problems that cross multiple jurisdictions. As a growing county, we are faced with new ecological challenges and responsibilities. Protecting the quality of our water resources and protecting people and property from the dangers of flooding should continue to top the list. This document identifies the progress and accomplishments to date in the development and implementation of a proactive Comprehensive Stormwater Management Plan for Jackson County. This document describes the framework for moving forward in the next year implementing this agenda. The following includes specific programmatic goals paired with clear examples of success and future action steps.

GOAL #1:

BUILD PARTNERSHIPS AND EDUCATE STAKEHOLDERS ABOUT GOOD STORMWATER MANAGEMENT.

Background Educating stakeholders about good stormwater management and building partnerships with key stakeholders are essential and directly tied to a program's success or failure.

Prior Accomplishments

1. Developed relationships and partnerships with key local, state, and federal agencies, elected officials, non-profits and businesses, including:
 - Johnson County (KS), Cass County (MO),
 - U.S. Environmental Protection Agency,
 - U.S. Geological Survey,
 - U.S. Army Corps of Engineers,
 - Mid-America Regional Council,
 - Missouri Department of Conservation,
 - Missouri Department of Transportation,
 - Kansas Land Trust,
 - Federal Emergency Management Agency,
 - Home Builders Association, Jackson County Sports Authority,
 - County and city governments,
 - Congressman Emanuel Cleaver's Office,
 - Senator Kit Bond's Office,
 - Soil and Water Conservation District – received the *Government Award* from the Mid-America Association of Conservation Districts in 2009,
 - MOARK,
 - Local non-profits and environmental activist groups, and
 - Major landowners and developers.
2. Prepared an Education and Outreach Plan for implementation by County staff.
3. Prepared and distributed outreach materials to Stormwater Commission members and stakeholder groups.
4. Prepared congressional briefing reports, presentations and training materials for stakeholder groups including:
 - APWA 5600 and BMP Manual training for Jackson County cities;
 - Erosion and Sediment Control Ordinance training;
 - Meeting to promote development standards to Greater Kansas City Home Builders Association and development community;
 - 10,000 Rain Garden presentations; and
 - Jackson County All Cities presentation.
 - Partnered with Jackson County Extension for Erosion & Sediment Control Training.
5. Partnerships established—Upper Blue River Watershed Alliance with Kansas City, Johnson County and Blue River Watershed Association.
6. Co-sponsored Missouri River Relief.
7. Partnered with the Mid-America Regional Council on Stream Buffer education program.



Future Plans

Jackson County needs to continue to provide education for elected officials, local governments and the development community including:

1. Prepare standardized message and presentation materials for informing all stakeholders.
2. Make stormwater a priority. Take the issue to the Mayor's Caucus, Eastern Jackson County Betterment Council, and Jackson County Legislature. Make presentations to elected officials and legal counsel.
3. Train city and county staff on stormwater management policies and practices.
4. Survey city staff regarding education & outreach practices.
5. Participate in and support the Mid-America Regional Council's Water Resources Education Activities.
6. Support non-profit educational efforts re: water quality

GOAL #2: ENACT STANDARDIZED REGULATIONS

Background: It is critical for Jackson County and every municipality in the county to pass three sets of stormwater related regulations: a Stream Setback Ordinance; an Erosion and Sediment Control Ordinance; and a Stormwater Management Ordinance.

Prior Accomplishments

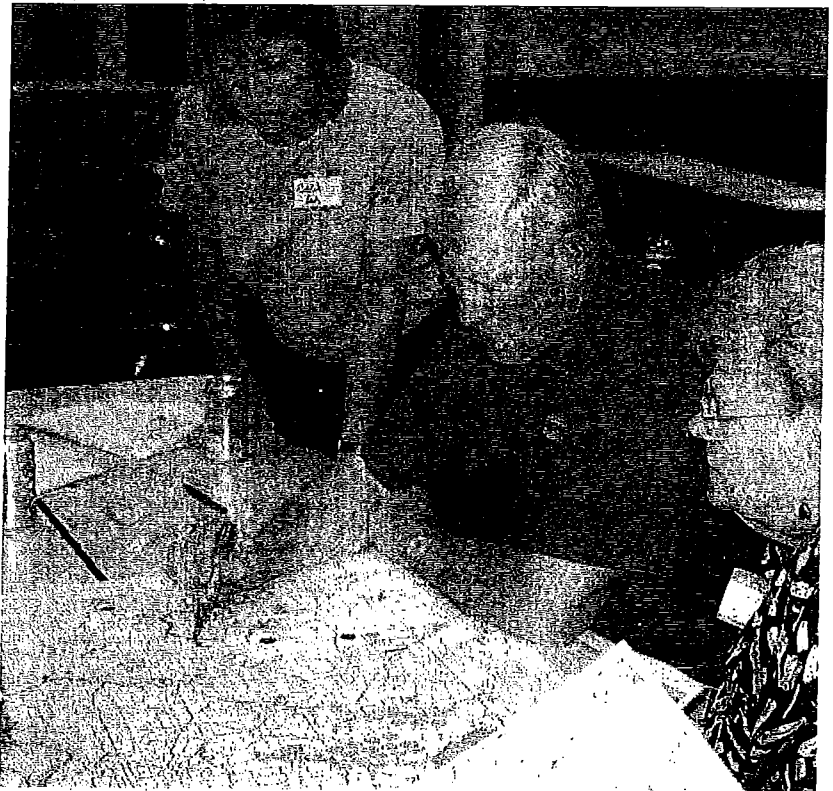
1. Jackson County has adopted all 3 sets of critical regulations (some enhancements are recommended).
2. Prepared model ordinance for adoption of APWA 5600 and Best Management Practices.
3. Drafted Erosion and Sediment Control ordinance that was adopted in Fall 2004 by the County.
4. Researched and made recommendations regarding buffer and protection strategies for County lakes.
6. Many cities have adopted stream setback ordinance and new regulations.
7. Surveyed cities to assess what ordinances have been enacted and determine where future assistance is needed.



Stakeholders from various agencies came together to develop a Green Infrastructure Plan for Jackson County, Missouri. A major recommendation from the group was the enactment of a stream setback ordinance and riparian corridor management program for each community.

Future Plans: The County needs to continue to promote local adoption of regulations, provide technical advice/training to cities and begin to build County projects with new standards to set an example for cities to follow including:

1. Provide examples of and training on model ordinances for stormwater management to communities.
2. Assist communities with passage or revision of stormwater ordinance s county-wide.
3. Provide training regarding updated BMP Manual and practices in the region.
4. Make presentations to city officials regarding the importance of enacting good stormwater management practices and the costs of not taking action.



GOAL #3: MITIGATE FLOOD HAZARDS

Background

Flooding in Jackson County has caused property damage, injury and even loss of life. In most cases, the solution to a flooding problem requires a system approach - detaining or retaining stormwater while enhancing the flood capacity of rivers or streams. This can be completed with gray solutions - concrete basins and channels - or green solutions - ponds, wetlands, rain gardens, and streamside greenways.

Green solutions tend to be less expensive, more effective and more pleasant to live near, but they require planning and coordination.

For this reason and the fact that stormwater runoff comes from all properties in the community, the attention must focus on county and local governments to ensure that damages caused by flooding are mitigated.

Prior Accomplishments

1. Endorsed Little Blue River Position Statement, later adopted by County Legislature.
2. Partnered with the Blue River Watershed Association and Kansas Land Trust to seek conservation easements on private lands in the Upper Blue River floodplain.
3. Participated in Upper Blue River Watershed Initiative to minimize increased runoff throughout the Upper Blue River Watershed, including the Johnson County and Cass County portions.
4. Independence adopted its Stream Setback Ordinance in 2006.
5. Instituted mitigation program bringing restoration resources to County parkland.
6. Prepared restoration plan for Little Blue Trace I-470 crossing.
7. Encouraged cities to participate in National Flood Insurance Program.
8. Coordinated and supported Stream Stability Assessment Project for Little Blue River funded by U.S. Army Corps of Engineers.
9. Developed partnerships with Federal Emergency Management Agency, Mid-America Regional Council and state and local governments.
10. Reviewed County's riparian protection ordinance and provided information on example stream setback ordinances and overlay protection ordinances.



Future Plans

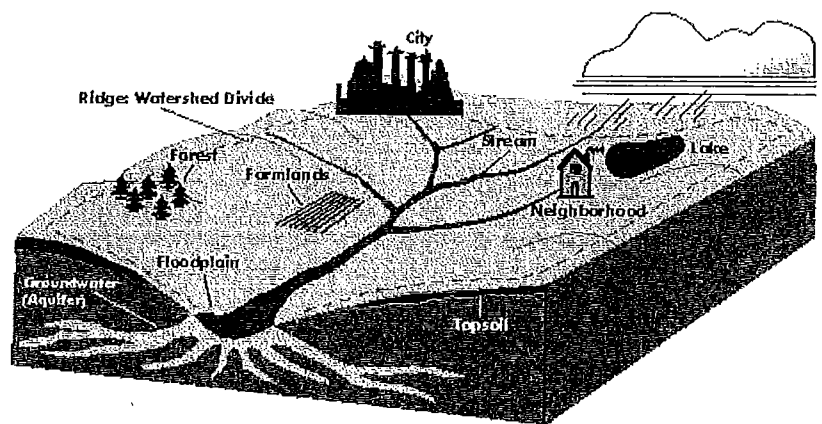
Future plans to mitigate flood hazards include:

1. Disseminate FEMA materials about flood-proofing structures.
2. Review current County Emergency Preparedness Plan for flood response and collaborating with FEMA, SEMA, local agencies to implement a Hazard Mitigation Plan.
3. Install Flood Warning Systems.
4. Remap floodplains in key watersheds/locations for ultimate conditions.
5. Continue education and support of BMP's, green development, and low impact development throughout an entire watershed.
6. Consider mapping built-out conditions.

GOAL #4: PLAN ON A WATERSHED BASIS AND LEVERAGE RESOURCES

Prior Accomplishments:

1. Submitted Upper Blue River Grant application to US Environmental Protection Agency with Johnson County and Kansas City, Missouri.
2. If granted, will provide \$900,000 of federal dollars and \$250,000 local match from outside Jackson County for a \$50,000 in-kind match from Jackson County.
3. Prepared U.S. Environmental Protection Agency grant application for Upper Blue River Watershed Initiative in partnership with Johnson County, Kansas. Leveraged \$105,000 for \$5,000 Jackson County investment.
4. Prepared Missouri Department of Natural Resources Grant for 3 sub-watershed studies. Leveraged \$90,000 for \$0 investment by Jackson County.
5. Negotiated Planning Assistance to States (PAS) agreement with U.S. Army Corps of Engineers with a 50/50 cost share. The first agreement supported stream inventory work in the Burr Oak and Little Cedar Creek sub-watersheds. Leveraged \$10,000 in federal dollars for \$5,000 cash and \$5,000 in-kind match from County. The second agreement supported the evaluation of the in-stream stability issues in the Little Blue River. Leveraged \$10,000 of federal dollars with \$10,000 cash investment by County.
4. Negotiated an agreement with the US Army Corps of Engineers to gather Hydrologic and Hydraulic models and other data in the Little Blue River Basin. No matching funds required by County.
5. Participated in the development of MARC's Natural Resource Inventory setting stage for County-wide planning.



Prior Accomplishments - continued:

6. Prepared inventory of data available regarding Little Blue River with assistance from the U.S. Army Corps of Engineers and U.S. Geological Survey.
7. Developed Little Blue River Watershed Management Plan, Sni-A-Bar Watershed Plan, Upper Blue River Watershed Initiative and Green Infrastructure Plan. Participant in Blue River Basin Plan with US Army Corps of Engineers.
8. Sponsored erosion and sediment control through the Jackson County Public Works Department and the Soil & Water Conservation District to reach a broader audience.

Future Plans:

The County should continue to build relationships and partner with contiguous counties/cities and watershed planning groups to leverage resources.

1. Prepare a Stormwater Master Plan from all previous studies and plans pulling into one document and prioritizing projects.
2. Prepare a Top 10 projects list with cost estimates for funding applications.
3. Develop and sign a cooperative agreement that communities will plan and work together on a watershed basis for CIP and site development within common watersheds.

GOAL #5: PRESERVE & RESTORE EXISTING NATURAL SYSTEMS

Background

The Jackson County Stormwater Commission is recommending the County take a proactive approach to stormwater problems by focusing on preserving and enhancing natural systems, promoting "green" solutions where possible. Green solutions are those that not only manage stormwater to reduce flooding but improve water quality and quality of life, typically at a lower cost. The proactive approach will be to create multi-objective facilities that reduce flooding, enhance water quality and create community amenities for Jackson County citizens.

Prior Accomplishments

1. Prepared mitigation memorandum describing the options for bringing resources into County lands. Provide training regarding mitigation.
2. Prepared County-wide Green Infrastructure Plan.
3. Negotiated mitigation agreement with the Bass Pro Shop developer that will fund restoration of a portion of the Little Blue floodplain.
4. Developed a Horse Sense Workshop to educate small acreage landowners on horse husbandry that protects soil and water resources.

Future Plans

Future plans include:

1. Assist communities in passing a stream buffer ordinance or update an existing ordinance.
2. Prepare a Conservation Plan for County lands.
3. Acquire key natural resource properties.
4. Restore natural systems on County lands.
5. Design & build maintenance improvements to the Little Blue channel.

GOAL #6 DEVELOP A SUSTAINABLE FUNDING MECHANISM FOR PROGRAM

Background

The above goals are not feasible without the development of a sustainable funding mechanism.

Prior Accomplishments

1. Prepared financing plan to fund activities and demonstration projects of the Stormwater Commission. A Finance Sub-Committee was appointed to pursue public and private funding mechanisms.
2. Prepared financial plan and request for contributions from Jackson County cities for \$1,000 per square mile. Several cities, the county & Little Blue Valley Sewer District participated.

Future Plans

As discussed above, implementing a long-term funding mechanism for Jackson County's Comprehensive Stormwater Plan is essential; however, in the short-term, continue with annual contributions of \$1,000 per square mile per community which will allow the Commission to continue moving forward and plan for the County's continued growth. Local jurisdictions should consider stormwater fees to fund local programs and the Stormwater Commission. A long-term funding strategy and funding applications will be prepared for supporting the highest priority projects.

JACKSON COUNTY STORMWATER COMMISSION MEMBERS

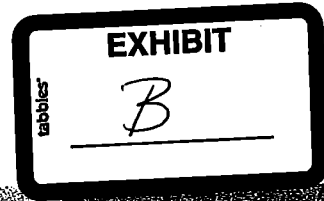


Stan Salva, Mayor of Sugar Creek, Mo. & the Stormwater Commission Chair

Members:

- Dick Champion, Jr., City of Independence, Mo.
- Bob Spence, Jackson County Legislator
- Jason Hanson, City of Raytown, Mo.
- James Mellem, City of Kansas City, Mo.
- John Reece, Little Blue Sewer District
- Craig Davis, City of Lake Lotawana, Mo.
- Rick Arroyo, City of Grain Valley, Mo.
- Larry Finley, City of Grandview, Mo.
- Phyllis Dieckmann, City of Levasy, Mo.
- Scott Edgar, City of Lee's Summit, Mo.
- Cesar Yanes, City of Blue Springs, Mo.

Liaison for Jackson County is Tom Krahenbuhl



Fee Schedule

Sheila Shockey
President
Shockey Consulting Services, LLC.
7914 Quivira Road, Suite A
Lenexa, Kansas 66215
(913) 515-4365
Sheila@shockeyconsulting.com



Jackson County Stormwater Commission 2011 – Funding

SHOCKEY CONSULTING SERVICES

Hourly Rate	SHOCKEY CONSULTING SERVICES							Task Sub-Total (Fees + Expenses)
	Principal	Project Manager	Consultants	Graphic Design	Administrative Support	Hours	Fee	
\$125	\$100	\$90	\$90	\$50				
Project Management								
	4.0	4.0	0.0	0.0	0.0	8.0		
	3.0	3.0	0.0	0.0	0.0	6.0		
	6.0	7.0	0.0	0.0	0.0	13.0		
	0.0	0.0	0.0	0.0	0.0	0.0		
	1.0	4.0	0.0	0.0	0.0	5.0		
	14.0	18.0	0.0	0.0	0.0	32.0	\$3,550	\$0
	\$1,750	\$1,800	\$0	\$0	\$0		\$3,550	\$0
Research, Deliverables and Presentations								
	3.0	3.0	0.0	0.0	0.0	6.0		
	0.0	6.0	12.0	0.0	0.0	18.0		
	9.0	12.0	18.0	0.0	0.0	39.0		
	12.0	21.0	30.0	0.0	0.0	63.0	\$6,300	\$0
	\$1,500	\$2,100	\$2,700	\$0	\$0		\$6,300	\$0
SUB-TOTAL HOURS								
	26.0	39.0	30.0	0.0	0.0			\$9,850

TOTAL HOURS	95.0
TOTAL FEES	\$9,850
TOTAL EXPENSES (not included in estimate -- billed separately)	\$0
GRAND TOTAL FEES + EXPENSES	\$9,850