

# 2025 Blue Zones Project: Freese and Nichols Worksite Pledge

## Briefing Document

6-27-2025

**Date:** October 26, 2024

**Subject:** Overview of Freese and Nichols (FNI) Projects and Services for the City of Shawnee

**Summary:** This briefing document synthesizes information from various sources to provide a comprehensive overview of Freese and Nichols' (FNI) engagement with the City of Shawnee. FNI serves as a key engineering and professional services firm for the city, undertaking a wide range of projects including water system improvements, culvert replacement, dam rehabilitation, and the development of a Unified Development Code (UDC). The relationship involves extensive collaboration, project management, and significant financial commitments from the City of Shawnee.

### **Key Themes and Important Ideas/Facts:**

1. **Diverse Project Portfolio:** FNI is involved in a variety of infrastructure and planning projects for the City of Shawnee, demonstrating a broad scope of services.

**Water System Improvements:** This includes "Waterline Replacement" projects in various locations, such as Park Street, Midland Addition, and the Alice, Fay, Edwards, and Pesotum areas. Specific projects mentioned are "Shawnee Waterline Independence (ARP-23-0026-G)/Thompson Heights (ARP-23-0188-G)/Sewer Pipe Bursting (ARP-23-0092-G)." (Freese & Nichols.pdf, FNI\_Inspection\_Task\_Order.pdf, FNI\_TO#1 - Park Street Water Main Replacement.pdf, Shawnee\_TO\_4\_Contract\_-\_Midland\_Addition\_Wat.pdf)

**Culvert Replacement:** The "Clearpond Road Culvert" replacement project is a significant undertaking, involving topographic surveying, geotechnical exploration, and design for horizontal and vertical layout. (FNI\_Clearpond Culvert Replacement Contract.pdf, Freese & Nichols.pdf)

**Dam Rehabilitation:** FNI is contracted for the "Shawnee Twin Lake Dam #1 Rehabilitation" project, which includes "dam breach modeling and inundation mapping," addressing "degraded riprap," and "clearing and grubbing of vegetation." (Freese & Nichols.pdf, Freese and Nichols

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Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf, Professional Services Agreement - FNI - STL Dam Rehabilitation.pdf)

**Unified Development Code (UDC) Development:** FNI is tasked with consolidating the City's existing Zoning Code, Sign Regulations, and Subdivision Regulations into a single, streamlined UDC to provide "a single point of reference for all land development regulations." (Freese & Nichols.pdf, UDC Agreement.pdf, UDC Agreement (1).pdf, Invoices.pdf)

**Broadway Street Improvements:** FNI was approved by a narrow margin to move forward with negotiations for design and engineering services for "street improvements along Broadway." This project is estimated at \$1.2 million, with a 50/50 grant partnership with the Avedis Foundation, and the design contract could be 20% of the total project cost. (Blue Zones Project Design Commission Vote.pdf)

**2. Scope of Services Provided by FNI:** FNI's services extend beyond initial design to comprehensive project support.

**Design and Engineering:** This is a core service, including developing horizontal and vertical layouts, evaluating drainage infrastructure, and preparing design recommendation memos. (FNI\_Clearpond Culvert Replacement Contract.pdf)

**Surveying:** FNI conducts detailed topographic surveys, including locating underground utilities (via OKIE ticket), establishing benchmarks, and mapping right-of-way data. (FNI\_Clearpond Culvert Replacement Contract.pdf, FNI\_TO#1 - Park Street Water Main Replacement.pdf, Master\_Professional\_Services\_Agreement\_FNI\_Edwards Fay and Alice.pdf, Professional Services Agreement - FNI - STL Dam Rehabilitation.pdf, Shawnee\_TO\_4\_Contract\_-\_Midland\_Addition\_Wat.pdf)

**Environmental Clearance/Permitting:** FNI assists with environmental desktop evaluations and report submissions for funding purposes, and prepares and submits ODEQ permitting documentation. (FNI\_TO#1 - Park Street Water Main Replacement.pdf, Shawnee\_TO\_4\_Contract\_-\_Midland\_Addition\_Wat.pdf)

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**Bidding and Award Assistance:** FNI assists the City in securing bids, issuing notices to bidders, distributing bid documents, responding to questions, interpreting bid documents, conducting pre-bid conferences, and recommending contract awards. (FNI\_Clearpond Culvert Replacement Contract.pdf, FNI\_TO#1 - Park Street Water Main Replacement.pdf, Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf, Master\_Professional\_Services\_Agreement\_FNI\_Edwards Fay and Alice.pdf)

**Construction Oversight and Inspection:** FNI provides full-time resident inspectors to "ensure sound engineering principles and building practices," report on progress, confirm material usage, approve pay applications, and help resolve landowner issues. (FNI\_Inspection\_Task\_Order.pdf, Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf)

**Specialized Studies:** This includes dam breach modeling and inundation mapping, and geotechnical exploration services (contracted out by FNI). (Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf, FNI\_Clearpond Culvert Replacement Contract.pdf)

**Unified Development Code (UDC) Specific Services:** FNI will consolidate existing regulations, facilitate public hearings, conduct workshops, and develop a technical memo outlining issues and proposed resolutions. (Invoices.pdf, UDC Agreement.pdf)

**3. Financial Aspects and Payments:** The City of Shawnee has made substantial payments to FNI for various projects.

**Total Payments:** The "Vendor History Report" shows a total payment of \$1,284,830.16 to Freese and Nichols, Inc. for the period of May 20, 2022, to May 14, 2025. (Freese & Nichols.pdf)

**Project-Specific Payments:** Invoices detail payments for specific projects, including "New Unified Development Code contract," "WATER SYSTEM IMPROVEMENTS-PARK ST," "WATER LINE REPLACEMENT," "INDEP WATERLINE, THOMPSON HEIGHTS, SEWER PIPE," "MIDLAND ADDITION WATERLINE REPLACEMENT," "SHAWNEE TWIN LAKE DAM REHAB,"

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and "CLEARPOND ROAD CULVERT." (Freese & Nichols.pdf, Invoices.pdf, Invoices1.pdf, Invoices2.pdf)

**Projected Costs:** The Broadway project design and engineering contract could be "in the range of 20 percent of the project total," which is estimated at \$1.2 million for the overall project (Blue Zones Project Design Commission Vote.pdf).

**Reimbursement for Permit Fees:** For the Midland Addition Waterline Replacement, FNI will pay for the ODEQ permit fee, and the city will reimburse FNI the full cost. (Shawnee\_TO\_4\_Contract\_-\_Midland\_Addition\_Wat.pdf)

**4. Contractual and Operational Details:** Several documents outline the terms and conditions of engagement between the City and FNI.

**Subcontracting:** FNI may employ independent associates and consultants, but the City retains the right to determine if any subcontractor is "incompetent or undesirable" and FNI must take "immediate steps for cancellation." No contractual relation is created between subcontractors and the City. (FNI\_Clearpond Culvert Replacement Contract.pdf, Professional Services Agreement - FNI - STL Dam Rehabilitation.pdf)

**Assignment of Rights:** Neither party can assign, sublet, or transfer rights or interests in the agreement without written consent, unless mandated by law. (FNI\_Clearpond Culvert Replacement Contract.pdf, Professional Services Agreement - FNI - STL Dam Rehabilitation.pdf, UDC Agreement.pdf, UDC Agreement (1).pdf)

**Client Responsibilities:** The City (Client) is responsible for securing necessary approvals and consents, making or arranging subsurface investigations, and examining documents presented by FNI. (FNI\_TO#1 - Park Street Water Main Replacement.pdf) For dam rehabilitation, the City is responsible for publication costs for bid notices. (Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf)

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**FNI's Limitations:** FNI's Resident Project Representative (RPR) "shall not... Authorize any deviation from the Contract Documents or substitution of materials or equipment... Exceed limitations of the City's and FNI's authority... Undertake any of the responsibilities of Contractor, Subcontractors, Suppliers... Advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents." (Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf)

**5. Public and Commission Engagement:** Some projects have involved public and governmental review and discussion.

**Broadway Project Discussion:** The approval to negotiate with FNI for Broadway street improvements was by a "narrow margin," indicating differing opinions among Shawnee City Commissioners. There was a desire to "survey the residents up and down Broadway" before a final project approval. (Blue Zones Project Design Commission Vote.pdf)

**Blue Zones Project Context:** City Commissioner Finley clarified that the "Blue Zones Project is not telling this commission or people in town what to do," but rather involves endorsing recommended policies, not regulatory regimes. (Blue Zones Project Design Commission Vote.pdf)

**UDC Public Engagement:** FNI's scope for the UDC explicitly includes facilitating "a public hearing with the City Commission to consider adoption" and coordinating a "public hearing with the City Commission via a web-based description." (Invoices.pdf)

**6. Project Timelines and Deliverables:** Project documents often include specific schedules and deliverables.

**Clearpond Road Culvert:** "Conceptual Design 30% - July" and "PS&E Submittal - 9/15/2023" were upcoming activities in an August 2023 status report. (Invoices2.pdf)

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**Shawnee Twin Lake Dam #1 Rehabilitation:** "Draft Preliminary Engineering Report submittal 12/17/2024" was an upcoming deliverable in November 2024. The 90% Submittal for Riprap Replacement is "Within 180 days of NTP" and 100% Submittal is "Within 30 days of review comment resolution by City of Shawnee." (Freese and Nichols Amendment No. 1 Shawnee Twin Lake Dam No. 1.pdf, Invoices1.pdf, Invoices2.pdf)

**Midland Addition Waterline Replacement:** "Preliminary plans, specs, and OPCC due approximately July 12th, 2024" and "60% design review was completed on 8/22/24" were noted in July/August 2024 status reports. (Invoices.pdf, Invoices2.pdf)

**Alice, Fay, Edwards, and Pesotum Waterline Replacement:** Bid Opening was scheduled for June 6, 2024, with Notice of Award (NOA) sent June 20, 2024, and Notice to Proceed (NTP) given for October 1, 2024. (Invoices2.pdf)

**Unified Development Code:** The project includes phases for drafting, review with City staff, and presentations to the Planning Commission (PC) and City Commission (CC). (Invoices.pdf, Invoices1.pdf, Invoices2.pdf)

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