

April 3, 2024

Philip Blair
Chief Executive Officer
Surgery Center Services of America
2942 N. Greenfield Rd. #105
Mesa, AZ 85215



Re: Proposal - Land Surveying and Site/Civil Engineering
Proposed Medical Office Building
235 Windward Road
Town of Orchard Park, New York
File No. 24P5-0013

Dear Mr. Blair:

Thank you for considering Nussbaumer & Clarke, Inc. ("Nussbaumer") for your site/civil, land surveying needs. We are pleased to submit this proposal outlining our services for the proposed construction of a 14,000-square foot medical office building on a 5.65± acre parcel at 235 Windward Road in the Town of Orchard Park, New York.

Our team at Nussbaumer has carefully reviewed the project requirements and is confident in our ability to deliver the necessary site/civil engineering, land surveying and structural services necessary for the successful completion of this project.

The following is an outline of the key aspects of our proposal:

SCOPE OF WORK

Task 1: Topographic Survey:	N/C
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Nussbaumer has completed a topographic survey for the site under project number 24J2-0244, dated March 18, 2024 which will be used for design.

Task 2: Site/Civil Engineering Design Phase:	\$29,000.00
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Nussbaumer's design team will utilize the field data, the preliminary design concept, and all the information gathered through the planning phase to develop the site plan and complete site engineering/construction plans for the initial submission to the agencies. Our services offering under this design phase will include the following components:

- Paving and grading plans:
 - This will include plans and details for the preparation of all paved surfaces and grading of non-paved surfaces.
 - Parking Layout.
 - Curb Cut Details.
- Drainage:
 - Plans, profiles, and details of drainage system including all piping, catch basins, ditches, swales, and storm water infrastructure.
 - Storm Water Management Report as required by the Town of Orchard Park.
 - Storm Water Pollution Prevention Plan (SWPPP) and preparation of Notice of Intent (NOI) to be submitted to the Town of Orchard Park and the New York State Department of Environmental Conservation (NYSDEC).



- Erosion & Sediment Control Plans and details.
- Sanitary Sewer:
 - Plans, profiles, and details of the proposed gravity sanitary sewer service.
 - Oil separator specifications and details.
 - Preparation and submittal of plans and applications.
- Water Service Connection:
 - Pressure and flow analysis of existing public system.
 - Water service connection plans and details.
 - Design of backflow preventer (RPZ), Engineer's Report according to Erie County Water Authority ("ECWA") guidelines.
 - Water modeling report.
 - Preparation and submittal of plans and applications.
- Exterior Lighting and Electrical Plan:
 - Plan to depict the location of all exterior lighting features.
 - Site lighting details.
- Standard Details:
 - The Town of Orchard Park requires that several standard construction detail sheets be included with our set of plans. These plans will be assembled and modified per Town requirement.
- Engineer's Report:
 - The Engineer's Report is a narrative summary of all items mentioned above and is required by all agencies.
- Attending two (2) meetings with the Town of Orchard Park Planning and Town Boards.
- Prepare Environmental Assessment Form (EAF), and the required site plan applications, and assemble submission packages for the required jurisdictional agencies:

Assumptions:

1. *The scope of this proposal task is limited to "site" engineering design. Any work within 5 feet of an existing or proposed building.*
2. *This proposal assumes that public drainage utilities are available at the site and have sufficient capacity to service the proposed project.*
3. *Geotechnical reports will be provided by others.*
4. *That plans for the new building will be provided by the architect in AutoCAD format.*

Task 3:	Municipal & Regulatory Review:	Allowance	\$6,000.00
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Under this task, Nussbaumer will:

- Respond to review-agency comments:
 - Town of Orchard Park – Drainage, SWPPP, sanitary sewers, and waterlines.
 - ECWA: waterline, RPZ.
 - Erie County Department of Environment and Planning – Division of Sewerage Management ("DSM") – Sanitary Sewers.
 - New York State Department of Environmental Conservation ("NYSDEC") – File electronic Notice of Intent ("eNOI") to obtain Storm Water Permit coverage and initiate construction.
- Attend additional meetings other than noted in Task 2 (See Task 6).



SERVICES PROVIDED ON AN HOURLY BASIS (if required)

Task 4: General Services During Construction (GSDC):

During the project's construction phase, Nussbaumer will provide the following services:

- Site visits / project meetings.
- RPZ inspection.
- Review shop drawings.
- Plan revisions and/or sketches.
- Assistance in resolving issues during construction.

We recommend budgeting an allowance of \$5,000.00 to cover work under this task.

Task 5: Additional Work:

Should other additional work be required to address issues not known to us at this time, we will provide an *Additional Services Request* for your authorization.

Task 6: Meetings:

Nussbaumer is available to attend Town Planning Board meetings; regular project meetings, and/or be available on an as-needed basis. Any meetings not specifically included in other tasks will be billed hourly.

Task 7: Deliverables:

Progress drawings for your review are included at no additional cost. Large volume printing for submittal to review agencies or documents for construction will be outsourced and billed as a direct expense.

Electronic files created by our firm are proprietary to Nussbaumer & Clarke, Inc. Sharing of electronic media will be done solely at our discretion.

This proposal assumes that the subject property is suitable for the proposed development. Nussbaumer has not performed a feasibility analysis. If issues not known at this time arise during the course of design that prevents the project from moving forward, the owner shall be responsible for all surveying and engineering design costs incurred up to the point of discovery.

Should federal, state or local regulations and/or design standards change during the course of this project, Nussbaumer reserves the right to renegotiate stated fees that correspond with the affected task.



The following work is outside the scope of this contract:

- Permitting with the United States Army Corps of Engineers (USACE).
- Environmental Engineering.
- Environmental Impact Statements (EIS).
- Work related to Builder/Contractor/Developer (BCD) Agreements.
- Architectural Work / NYS Building Code Review.
- Electrical/Mechanical Work.
- Traffic Impact Studies.
- Geotechnical Investigations.
- Public Utility Extensions.
- Sanitary Sewer Pump Stations/Force Mains.
- Sanitary Sewer Flow Monitoring.
- Wetlands Delineations and any associated work.
- Cultural Resource Investigations (Archeology).
- Any work in connection with Endangered Species.
- Work within Floodplains and/or Flood Studies.
- Certified Landscaping Plans.
- Coordination of the efforts of Sub-Consultants.
- SWPPP Inspections.
- Re-zoning of land or obtaining zoning variances and associated work.
- Major design revisions.
- Any work not specifically described in this proposal.
- Fees required by regulatory agencies.

FEE AND COMPENSATION

Nussbaumer proposes to perform the referenced Scope of Work for the following fees:

TASK	TITLE	FEE
1	Topographic and Utility Survey	N/C
2	Site/Civil Engineering Design Phase	\$29,000.00
3	Municipal & Regulatory Submission and Review (Allowance)	\$6,000.00
	TOTAL incl. allowance number for Task 5	\$35,000.00

Costs shall be billed monthly based on the time expended, as determined by Nussbaumer. Amounts billed are due and payable upon receipt of the invoice. Invoices for which payment has not been received within sixty (60) days past the due date will be subject to an interest rate of 1.5% per month. The costs and conditions included in this proposal are valid for a period of thirty (30) days from the date of this proposal.

Nussbaumer appreciates the opportunity to submit this proposal and looks forward to working with you on this project. We are available at your convenience should you desire to discuss any aspect of this proposal.