

TASK ORDER NO. 02

STATEMENT OF WORK

PLANNING SERVICES

TOWN OF THORNTOWN

This Statement of Work is executed as of the ____ day of _____, 2023 for the period beginning _____, _____, 2023 and ending _____, _____, 2023, by and between the Thorntown Indiana Municipal Utilities (NMU), the NMU Utility Service Board (USB) Town of Thorntown ("Owner") and ms consultants, inc. ("Consultant"). Owner and Consultant agree that all of the Services authorized by this Statement of Work shall be subject to the terms and conditions set forth within the master Agreement for General Engineering Services between Owner and Consultant dated November 15, 2022 (the "Master Agreement"). Upon execution of this Statement of Work, the master Agreement shall be incorporated into and be considered a part of this Statement of Work as if set forth herein in its entirety. Any capitalized terms which are not defined herein shall have the meanings defined in the master Agreement.

1. Description of Project. The Project which is covered by this Statement of Work is described as follows: Providing planning services including inspection services related to the applications submitted for review to Thorntown Planning Department, Advisory Planning Commission and Board of Zoning Appeals.
2. Consultant's Scope of Services. The Services to be performed by Consultant under this Statement of Work includes all of the following: Consultant will provide Professional Services that include:

Planning Services:

Communication with Public:

- If residents have planning questions (e.g., whether certain uses are allowed on their property, at what point they need to apply for a permit, explain ordinance language, answering questions about the cases that go to the public hearing, etc.), the planner will answer their questions via email/phone.

Permit Review and Approval:

- "Permits" mean the type of applications that do not require a public hearing.
- The planner will conduct a planning review of the permit applications and approve those that meet all zoning ordinance standards.

Facilitation of the application process:

- Conduct preliminary meetings (in person and/or over the phone/video) with the prospective applicant to go over the application requirements and local zoning regulations relevant to the scope of the project.
- Communication with the applicants over email and phone about the applications process and completeness of the application.
- Attendance of review meetings, like TAC.

Agenda:

- Write and send agenda of items for review to the APC/BZA.

Application Review:

- Planning review of site plans, plats, detailed development plans, PUD ordinances, landscape plans, architectural elevations, and other documents that are part of the submittal.
- Communication with the applicant regarding the submittal: giving them feedback, requesting edits, answering their questions, etc.
- At least one site visit shall happen for variance cases during the application review to gather data necessary for analysis.
- If needed, visit sites for other applications.

Staff Report:

- Write a Staff Report that will include submittal's analysis and relevant Exhibits for PC/BZA cases.
- Submit the Staff Report with Exhibits to the APC/BZA.

Attendance of APC/BZA/Town Council Public Hearings:

- Staff presentation per every item.
- Provide answers to the planning questions regarding the items on the agenda.
- Provide answers to the Commission, Board, and Council members during miscellaneous items discussions.

Communication between the Planner and APC:

- Provide answers to the questions from the members of APC via email or phone during the application process.
- Attend the meetings between the Planner and APC per APC's request.

Communication between the Planner and BZA:

- Per Indiana Law, no communication can happen with the BZA about the items to be heard. The only permitted communication prior to the hearing is staff (planner) submitting a written staff report to the BZA. Thus, the only communication that can happen between Thorntown BZA and the planner is the planner sending them a staff report.

File Storage:

- All submittal files and any files produced during analysis stage (pictures, staff reports, exhibits, approved permits, communication with applicants) will be stored electronically in ms consultants and will be provided to Owner.

Site Inspections:

- Per Town requirements, ms through our sub-consultant, Sims-Durkin, will provide inspection services on all required inspections related to planning services

3. Consultant's Deliverables. As part of the Services to be performed by Consultant, Consultant shall provide to Owner the following Deliverables:

See Scope of Work above

4. Consultant's Schedule. Consultant shall perform the Services in accordance with the attached Schedule for the Services or in accordance with the following time limits (if any):

The work will be performed on case-by-case basis after public questions and application requests are delivered to Consultant.

Questions from the public. The questions from the public will be answered during business days (Monday – Friday) between 8 am and 5 pm within 48 hours of the question been delivered to Consultant.

Permits. Permit review timeframe depends on the ability of all reviewers (planner, building inspector, and engineer) and administrator (e.g., clerk) to record and review the full application. The review timeframe shall be agreed upon among the reviewers and Thorntown administration after this Contract will be in effect.

Public Hearing Applications. The schedule of the deliverables will be based on the APC/BZA schedule. An example of the schedule is provided in Schedule of Services attachment.

5. Contract Documents. The following Contract Documents are incorporated into and shall be a part of this Statement of Work as if fully stated herein:
 - A. This Statement of Work;
 - B. The Master Agreement;

6. Method of Payment. Consultant shall be paid for satisfactory performance of the Work related to the Project on the following basis:

The amount will depend on the amount of hours worked on all tasks described in the scope of work. The planner rate shall be \$100 per hour. The inspection rate shall be \$145 per hour and the technician rate shall be \$105 per hour. Thorntown will pay ms consultants, inc. monthly per the Master Agreement; authorized in writing by the USB President and Town Council President.

7. Effective Date. The Effective Date for this Agreement shall be the date as stated at the top of the Task Order No. 2 to the Master Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Statement of Work to be effective as of the Effective Date listed on first page.

OWNER:

CONSULTANT:

Thorntown Municipal Utilities Service Board

ms consultants, inc.

By: _____

By: _____

Name: _____

Name: Daniel R. Cutshaw, P.E.

Title: _____

Title: Regional Vice President – Indiana

ATTEST:

ATTEST:

NMU USB

ms consultants, inc

By: _____

By: _____

Name: _____

Name: Dax Norton

Title: _____

Title: Project Manager

SCHEDULE OF SERVICES

The schedule of planning service for the Board of Zoning Appeals is based on the BZA calendar for 2023. Should the adopted dates of this calendar change, then the schedule of deliverables and meetings will be adjusted according to the new schedule. If the applicant fails to submit all necessary documents on time, then the application might be moved to the next hearing date and thus, the staff report will be published according to the new hearing date.

The schedule of planning service for the Advisory Planning Commission is based on the APC calendar for 2023. Should the adopted dates of this calendar change, then the schedule of deliverables and meetings will be adjusted according to the new schedule. If the applicant fails to submit all necessary documents on time, then the application might be moved to the next hearing date and thus, the staff report will be published according to the new hearing date.