

EXHIBIT D
TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE TOWN OF FOUNTAIN HILLS
AND
JE FULLER/HYDROLOGY AND GEOMORPHOLOGY, INC
[Quote or Work Order]

See following pages.

February 26, 2026

Justin Weldy
Public Works Director
Town of Fountain Hills
16705 E. Avenue of the Fountains
Fountain Hills, AZ 85268

**RE: Golden Eagle Park Drainage Improvement – Phase 2
Post-Design Services for Phase 1 and Golden Eagle Park Dam Outlet Rehabilitation Design
Scope of Work and Fee Estimate**

Dear Mr. Weldy:

Thank you for requesting professional services from JE Fuller/Hydrology and Geomorphology, Inc. (JE Fuller). Per our discussions during our meeting on February 10, 2026, we are providing the following amended scope and fee proposal for performing the continued on the Golden Eagle Park Drainage Improvement (GEPDI) project and associated work on Golden Eagle Park Dam (GEPD) facilities. This scope and fee is an amended version of the original Phase 2 proposal we submitted dated October 10, 2023. For each task, a notation of the level of effort expended to-date is summarized.

BACKGROUND

JE Fuller and our subconsultants, Ethos Engineering and Dig Studio, have recently completed and submitted a 100% design package for the Phase 1 improvements to the Town for review and comment. This work will include addressing those comments and preparing the final GEPDI Phase 1 bid package (report, plans, specifications, and unit item bid schedule) in cooperation with the Town. Our team will provide post-design services to support the construction of GEPDI Phase 1.

JE Fuller and our sub-consultant Ethos Engineering will also provide engineering design and dam safety permitting support for the rehabilitation of the trash racks on two GEPD outlet structures, plus an analysis of downstream grading and scour conditions for the same outlet structures to address ADWR comments.

It is also understood that the Town will likely cooperate with the Fountain Hills Sanitary District (FHSD) to jointly construct the FHSD manhole protection improvements and the GEPDI Phase 2 improvements, since both will require special provisions for ADWR permitting, inspections and QA/QC, and project close-out documentation.

An amendment to the original scope will be to include post-design services for the construction phase of adding the new debris racks to the outlet structures of the GEPD and provide assistance with administering the ADWR required paperwork for constructing the improvements per the permit.

This scope of work (SOW) outlines the amended Phase 2 services that are requested by the town.

SCOPE OF WORK

TASK 1 – Project Management/Coordination

JE Fuller will provide regular project management and schedule maintenance for the post-design and Phase 2 work to include contract management, regular coordination with Town officials and other stakeholder agencies, and up to six regular progress meetings via Zoom Conference calls or in-person at Town Hall.

PROGRESS: Currently 90% complete

TASK 2 – GEPDI Phase 1 Bid Package

The JE Fuller team will address any final comments from the Town regarding the Phase 1 design package and assist the Town with preparing a bid package for the selection of a qualified contractor. JE Fuller will participate in a pre-bid conference at Town Hall and assist with contractor selection as needed and requested by the Town.

PROGRESS: Complete

TASK 3 – GEPDI Phase 1 Post-Design Services

JE Fuller and our subconsultants Ethos Engineering and Dig Studio, will provide regular post-design services as the Engineer of Record, to respond to material submittals, shop drawings, and requests for information (RFIs) for the Phase 1 construction. This scope also includes site inspections when necessary and requested by the Town. JE Fuller will also review as-builts and record drawings provided by the Contractor. QA materials or field testing, construction management, or other construction related tasks not specifically stated above are not included in the work.

PROGRESS: Complete

TASK 4A – GEPDI Phase 2 Preliminary Design

JE Fuller and our subconsultant Ethos Engineering will research and evaluate alternatives for trash racks and downstream vegetation, sedimentation, and scour conditions for the two GEPD outlet structures.

The work tasks will include:

- Literature research on trash rack alternatives suitable for use on GEPD structures that account for matting debris that nearly failed the existing trash racks that have been removed.
- Field reconnaissance to document conditions at the inlet and outlet of the outlet structures.
- Hydrologic, hydraulic, sediment transport, and scour (HHSTS) analyses to document existing and post-design conditions as appropriate.
- Preparation of a brief technical memorandum and concept design plans to document the findings and analysis.
- Coordination of findings with the Town, FCDMC, Stantec, and ADWR to gain input and concurrence on proposed solutions.

PROGRESS: Complete

TASK 4B – GEPDI Phase 2 Final Design

JE Fuller and our subconsultant Ethos Engineering will prepare final design plans , specifications, quantity and engineer opinion of probable cost (EOPC) for the proposed Phase 2 designs agreed upon from Task 4A. Plans will be submitted at 60%, 95% and Final as they are not expected to be overly complicated or lengthy. Each submittal will be distributed to the Town, FCDMC, Stantec (if required), and ADWR for review and comment. Included with the construction documents will be a Construction Quality Assurance (CQA) Plan with all elements required by ADWR as appropriate for the proposed improvements. Implementation of the CQA Plan will rest jointly with the Town and FHSD if the two projects are constructed jointly.

JE Fuller will also work with the Town to determine if the GEPDI Phase 1 Contractor is suitable for amending the Phase 2 contract to their work. This will likely require an interview with the contractor and follow-on discussions with the Town. Should it be necessary to procure a separate contractor, JE Fuller will work with the Town to prepare a bid package and secure a contractor. JE Fuller will also assist the Town with selecting an appropriate CQA testing firm to meet ADWR requirements, but the firm must be retained by the Town.

PROGRESS: 95% complete pending review from ADWR

TASK 4C – GEPDI Phase 2 ADWR Application

Prior to starting on Task 4B, JE Fuller will coordinate and schedule a pre-application meeting with ADWR to ensure that there is a full understanding by ADWR of the proposed Phase 2 elements and by the project team on ADWR requirements related to applying for the dam safety permit.

JE Fuller will prepare all the requisite dam safety application documents required by ADWR and submit them with each plan stage submittal. ADWR comments will be addressed with each submittal. ADWR requires paper copies to be submitted so NTE costs will include reproduction and plotting costs.

PROGRESS: 75% complete pending review from ADWR on first submittal plus .

AMENDMENT: JE Fuller has paid the ADWR permit fees and will bill for reimbursement as a direct expense. Additional hours are required to complete the ADWR permitting process.

TASK 5 (AMENDED) – GEPDI Phase 2 Post Design Services

Once the ADWR permit from Task 4C is secured and the projects move to construction, the JE Fuller team will provide post-design services as the Engineer of Record to include:

- Attendance at an onsite construction kickoff meeting
- Attendance at weekly construction progress meetings (assume meetings can be attended remotely via Teams or equivalent).
- Submittal and shop drawings review
- Response to RFI's or change requests
- Field inspections per plan specifications and/or as specified in the CQA or requested by the Town. Each inspection will include a summary sheet.
- Add a "Record Drawing" certification to the as-built plan sheets (Note that the contractor is scoped to provide certified as-builts, but ADWR will also require a record drawing certification from EOR).

- Provide documentation support to the town to meet ADWR standards.

PROGRESS: 0% complete .

AMENDMENT: Task has been completely revised to include the post-design services as described herein.

FEE AND SCHEDULE

JE Fuller has completed much of the work scoped in the October 2023 proposal and is currently in process of wrapping up Task 4C. Task 5 work will follow the town and FHSD procured construction process. Construction is anticipated to last approximately 6 months with an additional 6 months for post construction closeout and documentation for ADWR.

JE Fuller will bill these services on a time and materials basis. The previous not-to-exceed (NTE) total was \$93,197. The amended NTE, including the requested 15% Owner's Contingency, is \$165,817 as outlined in Fee Table 1. Note that the Owner's Contingency is only to cover authorization of additional work at the town's discretion. The scope and fee estimate for only Post-Design construction administration and inspection (CA&I) services by Ethos is attached hereto for reference. Previous sub-consultant fee proposals for the design work associated with the October 2023 proposal are not provided with this amendment. Also note that the fee estimate presented below is intended to represent the fees related to the town's project and exclude the fees that will be paid by the Fountain Hills Sanitary District for the Manhole Protection project.

Table 1. Fee Estimate

Golden Eagle Park Drainage Improvements					
AMENDED Fee Estimate - Phase 2 Post-Design and GEPI Rehabilitation Design					
<i>NOTE: Numbers in RED are Amended and Differ from the October 2023</i>					
Task	Project Manager \$	Senior Engineer \$	Project Engineer \$	EIT/CAD Designer \$	
1 Project Mangement/Coordination	40	20			\$ 11,840
2 GEPI Phase 1 Bid Package	8	8	16		\$ 5,248
3 GEPI Phase 1 Post-Design Services	16	40	16		\$ 12,432
4A GEPI Phase 2 Preliminary Design	8	40	20	20	\$ 13,740
4B GEPI Phase 2 Final Design	16	20	40	80	\$ 22,040
4C GEPI Phase 2 ADWR Application	24	32	32		\$ 14,928
5 GEPI Phase 2 Post Design Services	30	0	30	8	\$ 11,386
Labor NTE Total:					\$ 91,614
Direct Costs					
Mileage (500 mi @ \$0.725/mi)					\$ 363
Printing, Plotting, Postage (at cost) - for ADWR Submittals					\$ 1,000
subconsultant - Structural - Ethos Engineering (Design and Post-Design CA&I - Town of Fountain Hills share only)					\$ 47,040
ADWR Application Fees (\$7,454 total; \$4,172 Town share; \$3,282 FHSD share)					\$ 4,172
Direct Costs NTE Total:					\$ 52,575
AMENDED PHASE 2 NTE SUBTOTAL:					\$ 144,189
15% Owner's Contingency:					\$ 21,628
AMENDED PHASE 2 NTE TOTAL:					\$ 165,817

TERMS AND CONDITIONS

The following services are not included in this scope of work but can be added for additional fee:

- a. Tasks not specifically identified in the scope of work above.
- b. Agency review fees not specifically identified above.
- c. As-built survey and plans.
- d. Hard Copy Full Size Plans, Blueprints, or Mylars unless otherwise specified.

Thank you again for requesting our services. We are looking forward to continuing our work with you on this project.

Sincerely,

JE Fuller/Hydrology & Geomorphology, Inc.



W. Scott Ogden, P.E.

Vice President

Attachment: Ethos proposal for CA&I services

March 4th, 2026

Attn: Scott Ogden, PE
JE Fuller Hydrology & Geomorphology, Inc.
8400 S Kyrene Rd #201
Tempe, AZ 85284

**RE: Proposal for CA&I
Golden Eagle Park Dam Drainage Improvements Phase II
Fountain Hills, Arizona**

Dear Scott:

As requested, Ethos Engineering, LLC (Ethos) is pleased to present this proposal to provide structural engineering services during construction for the referenced project. This proposal includes our proposed scope of work, work-hour estimate, and fee proposal for the requested engineering services.

1.0 PROJECT UNDERSTANDING

It is our understanding that the Town of Fountain Hills (Town) has requested structural engineering services during construction for Phase II of the Golden Eagle Park drainage improvements. The work includes retrofitting the Principal Outlet Works inlet, constructing a new retaining wall to protect the existing manhole adjacent to the inlet from scour, and installing a new debris deflector structure at the inlet. In addition, a second debris deflector structure is planned just south of this location at the Auxiliary Outlet Works inlet. Construction of these improvements is anticipated to begin in late 2026.

2.0 SCOPE OF SERVICES

Ethos' scope of work includes the review of submittals and shop drawings, responses to requests for information (RFIs), and the performance of special inspections for the following structural elements:

- Dam Manhole Protection Retaining Wall
- Debris Deflector Structure #1 (Principal Outlet Works Inlet)
- Debris Deflector Structure #2 (Auxiliary Outlet Works Inlet)

Ethos will complete all submittals and shop drawing reviews within five working days from receipt. Requests for inspection shall be provided at a minimum of 24 hours prior to needing our inspectors on-site. Structural special inspections will be performed in accordance with the project's Construction Quality Assurance (CQA) plan and are anticipated to include:

- (1) Dam Manhole Protection (MH) Retaining Wall Inspections for
 - Footing excavation and compaction
 - Footing reinforcement



- Wall stem reinforcement
- Embedded or post-installed Anchors

(2) Debris Deflector Structures Inspections for

- Surface preparation
- Installation of post-installed anchors
- Baseplate installation
- Installation and welding of structural steel members

In addition to the above services, Ethos will attend the on-site construction kick-off meeting and the weekly construction progress meetings. Weekly meetings are assumed to be held virtually.

3.0 PROJECT FEES

Ethos will perform this work on a time-and-materials, Not-to-Exceed (NTE) basis. The NTE fee for the design scope described in this proposal is **\$31,540.02**.

A summary of the fees is presented in the following table:

Billing Group	Total
Project Admin/ Coordination	\$ 8,818.00
MH Protection Retaining Wall	\$ 8,796.00
Debris Deflector Structures	\$ 13,386.00
Mileage	\$ 540.02
TOTAL:	\$ 31,540.02

These fees are based on our assumptions of the contractor's construction phasing as well as time for reporting and coordination. Should additional inspections be required due to extended phasing or corrective actions by the contractor, Ethos will request a Contract Modification at that time.

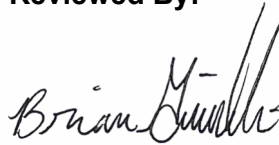
We appreciate the opportunity to submit this work scope and estimate of costs and look forward to working with you on this project. If you have any questions or require additional information pertaining to this proposal, we would be pleased to discuss them with you.

Sincerely,
Ethos Engineering, LLC



Michelle Contreras, PE
Bridge Engineer

Reviewed By:



Brian Grimaldi, PE
Structures Section Manager

"T:\2026XXX - JE Fuller - GEP Dam Post-Design Services\Scope and Fee Proposals\Ethos Scope and Fee Proposal_GEP Dam_CA&I_04March26.docx"

Attachments: Cost Summary; Work-hour Estimate; mileage

Ethos Engineering, LLC

**Derivation of Cost Proposal
Summary**
GEP Dam Drainage Improvements- CA&I
JE Fuller

Estimated Direct Labor

<u>Classification</u>	<u>Average Hourly Loaded Rates</u>		
	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Project Manager	24	\$306.00	\$7,344.00
Senior Engineer	64	\$223.00	\$14,272.00
Project/Professional Engineer	60	\$146.00	\$8,760.00
Administrative/Clerical	6	\$104.00	\$624.00
	<u>154</u>		
Total Estimated Labor:			<u>\$31,000.00</u>

Estimated Direct Expenses

(Listed by Item at Estimated Actual Cost - NO MARKUP)

Mileage (Personal Vehicle)	\$540.02
Total Estimated Direct Expenses:	\$540.02

Total Estimated Cost (NTE): \$31,540.02



Signature

4-Mar-26

Date

Ethos Engineering, LLC

GEP Dam Drainage Improvements- CA&I

JE Fuller

Item/Task	Project Manager	Senior Engineer	Project/Professional Engineer	Administrative/Clerical	TOTAL	
Billing Group 01:Project Administration/ Coordination						
Project Setup and Management	2			6	8	
Construction Kick-off Meeting		4			4	
Construction Progress Meetings (30 total) (Virtual)		30			30	
Total Billing Group 01:Project Administration/ Coordination	2	34	0	6	42	
Fee Total Billing Group 01:Project Administration/ Coordination	612	7582	0	624	8818	TOFH FHSD 4409 4409
Billing Group 02:MH Protection Retaining Wall Inspections						
Review Shop Dwgs and Submittals	1	6			7	
Responses to RFI's	2	4			6	
Special Structural Inspections - Retaining Wall (4 Ea.)	2		20		22	
Record Drawing Certification	4	4			8	
Total Billing Group 02:MH Protection Retaining Wall Inspections	9	14	20	0	43	
Fee Total Billing Group 02:MH Protection Retaining Wall Inspections	2754	3122	2920	0	8796	TOFH FHSD 0 8796
Billing Group 03:Debris Deflectors Strs Inspections						
Review Shop Dwgs and Submittals	1	8			9	
Responses to RFI's	4	4			8	
Special Structural Inspections - Debris Deflector Str 1 (4 Ea.)	2		20		22	
Special Structural Inspections - Debris Deflector Str 2 (4 Ea.)	2		20		22	
Record Drawing Certification	4	4			8	
Total Billing Group 03:Debris Deflectors Strs Inspections	13	16	40	0	69	
Fee Total Billing Group 03:Debris Deflectors Strs Inspections	3978	3568	5840	0	13386	TOFH FHSD 13386 0
TOTAL HOURS	24	64	60	6	154	
TOTAL STRUCTURAL HOUR DOLLARS	7344	14272	8760	624	31000	TOFH FHSD 17795 13205

Ethos Engineering, LLC
Estimated Direct Expenses
GEP Dam Drainage Improvements- CA&I

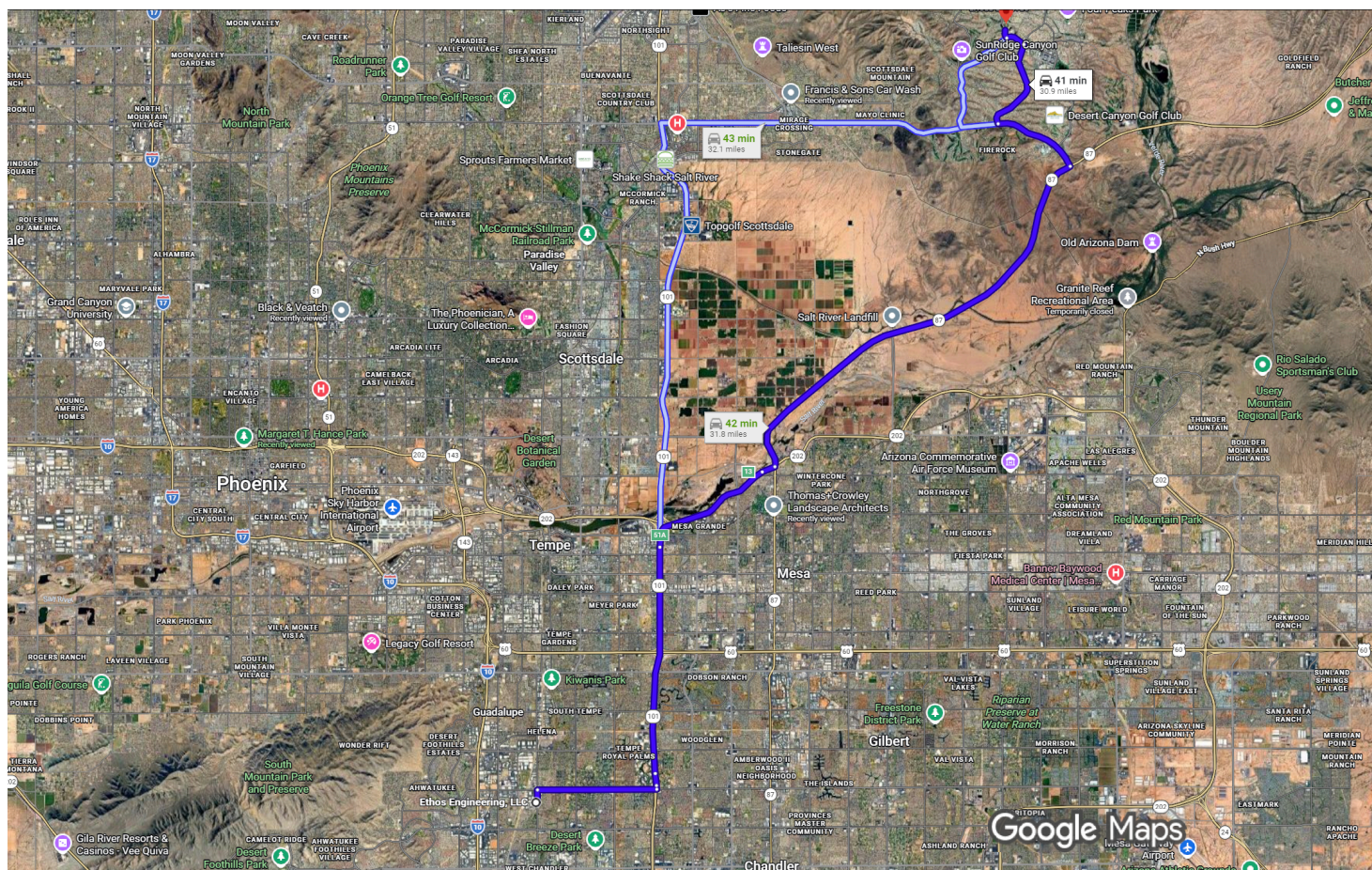
Mileage (Personal Vehicle)

Item	Trips	Miles/1 way	Total	Rate	Cost
Site Visit	13	31	806	\$0.670	\$540.02
Total Mileage (Personal Vehicle)					\$540.02

Total: \$540.02



Ethos Engineering, LLC, 9180 S Kyrene Rd
STE 104, Tempe, AZ 85284 to Golden Eagle Park, 15900 E Golden
Eagle Blvd, Fountain Hills, AZ 85268



Imagery ©2026 , Map data ©2026 Google 2 mi



via AZ-87 N

41 min

Fastest route now due to traffic
conditions 30.9 miles



via AZ-101 Loop N

43 min

32.1 miles



via AZ-101 Loop N and AZ-87 N

42 min

31.8 miles

Explore nearby Golden Eagle Park