AGREEMENT AMENDMENT

City Manager's Office
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620

AGREEMENT FOR SERVICES BETWEEN
THE CITY OF MENLO PARK AND PACIFIC LEGACY

Amendment #: 1994.2

THIS SECOND AMENDMENT is made and entered into this \textbf{4}th day of \textbf{June}, 2019, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY," and PACIFIC LEGACY, hereinafter referred to as "FIRST PARTY."

1. Pursuant to Section 4. COMPENSATION AND PAYMENT of Agreement No. 1994, ("Agreement"), Section 4. COMPENSATION AND PAYMENT [amendment to section] to read as follows

"A. CITY shall pay FIRST PARTY an all-inclusive fee that shall not exceed $34,597.30 as described in Exhibit "A, A-1, A-2", Scope of Services. This compensation shall be based on the rates described in Exhibit "A, A-1, A-2". All payments, including fixed hourly rates, shall be inclusive of all indirect and direct charges to the Project incurred by FIRST PARTY. The CITY reserves the right to withhold payment if the City determines that the quantity or quality of the work performed is unacceptable."

2. Pursuant to Section 24. TERM OF AGREEMENT of Agreement No. 1994, ("Agreement"), Section 24. TERM OF AGREEMENT [amendment to section] to read as follows

"This Agreement shall remain in effect for the period of December 1, 2016 through December 31, 2019 unless extended, amended, or terminated in writing by CITY."

Except as modified by this Amendment, all other terms and conditions of Agreement No. 1994 remain the same.

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

SIGNATURE PAGE TO FOLLOW
FOR FIRST PARTY:

Signature

John Hanson

Printed name

68-6340219

Tax ID#

Date

5/21/2019

Title

PRINCIPAL

APPROVED AS TO FORM:

William L. McClure, City Attorney

Date

6/4/19

FOR CITY OF MENLO PARK:

Signature

Justin I.C. Murphy, Deputy City Manager

Date

6/4/19

ATTEST:

Judi A. Herren, City Clerk

Date

6/6/19
Menlo Park Construction Monitor

Pacific Legacy
Proposal Number: 3209.02 Construction Monitoring
Project Name: Menlo Park Municipal Water District Wells Monitoring
Project Manager/PI: John Holson
Start Date: Undetermined
End Date: Undetermined

Task A1 - Pacific Legacy: Construction Monitoring

<table>
<thead>
<tr>
<th>Construction Task</th>
<th>Administration</th>
<th>Monitoring</th>
<th>Report</th>
<th>Hours</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Holson</td>
<td>$191.80</td>
<td>7.00</td>
<td>2.00</td>
<td>13.00</td>
<td>$2,493.40</td>
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<tr>
<td>Project Supervisor</td>
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<td>6.00</td>
<td>12.00</td>
<td>12.00</td>
<td>$2,055.00</td>
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<tr>
<td>Field Archaeologist CR 4</td>
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<td>40.00</td>
<td>8.00</td>
<td>48.00</td>
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<tr>
<td>Field Archaeologist CR 3</td>
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<td>40.00</td>
<td>8.00</td>
<td>48.00</td>
<td>$3,307.20</td>
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<tr>
<td>Graphics</td>
<td>$88.50</td>
<td>3.00</td>
<td>2.00</td>
<td>5.00</td>
<td>$442.50</td>
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<tr>
<td>Administrative Staff</td>
<td>$155.70</td>
<td>2.00</td>
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<td>2.00</td>
<td>$311.40</td>
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</table>

Total Task A1: $13,457.50

Deliverable: Summary of Findings (Cultural Resource Report)
Assumption: based on 10 days of monitoring during construction. Assumes no finds or features will need detailed recording. Includes WEAP training and tear sheet.

Task A2 - Pacific Legacy: Evaluate Finds and Mitigation (Optional)

TO BE DETERMINED

Other Direct Costs

<table>
<thead>
<tr>
<th>Number</th>
<th>rate factor</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological Monitor, WRA</td>
<td>68.00</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>PaeroSolutions Monitor</td>
<td>68.00</td>
<td>$12,627.50</td>
</tr>
<tr>
<td>Mileage - 88 miles</td>
<td>0.58</td>
<td>10.00</td>
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</tbody>
</table>

$17,137.90
5% Fee on ODC's: $856.90
Total ODC: $17,994.80

TOTAL COSTS TASKS - B1 through P1: $31,452.30

Pricing and cost estimates are valid for 90 days from date of proposal.
## Project Information

**Project Name:** Menlo Park Corporation Yard  
**Project Number:** 26276-1  
**Date:** 5/9/2019  
**Rate Schedule:** Preferred

## Personnel Hours by Task

<table>
<thead>
<tr>
<th>Task #</th>
<th>Task Description</th>
<th>Leslie Allen</th>
<th>Brian Keams</th>
<th>Nick Blinton</th>
<th>Fisheries Biologist</th>
<th>Mioka Weidenbach</th>
<th>GIS Technician</th>
<th>Clerical</th>
<th>WRA Cost by Task</th>
<th>WRA Direct Expenses</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>Project start-up, Pre-construction Nesting Bird Survey + Report (one only)</td>
<td>2</td>
<td>8</td>
<td>2</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>$ 1,800</td>
<td>$ 58</td>
<td>$ 1,858</td>
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<tr>
<td>B1a</td>
<td>Contingency follow up surveys + reports (two only)</td>
<td>1</td>
<td>6</td>
<td>6</td>
<td>1</td>
<td>0.5</td>
<td></td>
<td></td>
<td>$ 2,008</td>
<td>$ 134</td>
<td>$ 2,142</td>
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</table>

**TOTAL LABOR HOURS:** 3 14 6 3 1.5

**TOTAL COST:** $ 663 $ 1,834 $ 846 $ 354 $ 111 $ 3,808 $ 192 $ 4,000

*Please note: WRA may substitute similarly qualified individuals as necessary.*
<table>
<thead>
<tr>
<th>Title</th>
<th>Program Manager</th>
<th>Principal Investigator &amp; Project Manager</th>
<th>Field Director &amp; Safety Officer</th>
<th>Assistant Project Manager</th>
<th>Field Technician</th>
<th>Field Technician</th>
<th>GIS Specialist</th>
<th>Contract Administrator &amp; Technical Editor</th>
<th>Rate</th>
<th>Hours</th>
<th>Hours</th>
<th>Hours</th>
<th>Local</th>
<th>Non-Local</th>
<th>Hours</th>
<th>Hours</th>
<th>TOTAL LABOR HOURS</th>
<th>TOTAL LABOR COSTS</th>
<th>TOTAL OTHER DIRECT COSTS</th>
<th>GRAND TOTAL</th>
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<tbody>
<tr>
<td>Menlo Park Wells Phase II Construction</td>
<td>City of Menlo, San Mateo County, CA</td>
<td></td>
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<tr>
<td>Note: $210.00 $170.20 $135.00 $210.00 $760.00 $1,800.00 $30.00</td>
<td>15.00</td>
<td>20.00</td>
<td>10.00</td>
<td>1.00</td>
<td>16.00</td>
<td>4.00</td>
<td>14.00</td>
<td>2.00</td>
<td>16.00</td>
<td>20.00</td>
<td>30.00</td>
<td>10.00</td>
<td>20.00</td>
<td>16.00</td>
<td>30.00</td>
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</table>

**Assumptions and Notes:***

1) We assume a maximum of two weeks of monitoring (10-15 days).  
2) One (1) paleontological monitor will be present per day, and monitoring will be provided five (5) days per week for a total of 10 days.  
3) The daily rate of $1,000.25/day will be used, or a half-day rate of $500.125/day for up to four (4) hours per day for a local staff member.  
4) Weather or equipment delays could result in extending the number of monitoring days.  
5) This scope and cost assumes no fossil discoveries during construction.  
6) A change in scope may require a change order.