

AGREEMENT AMENDMENT

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



Amendment #: 1994.2

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

THIS SECOND AMENDMENT is made and entered into this 4 day of 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"

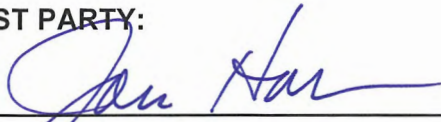
"This Agreement shall remain in effect for the period of December 1, 2016 through December 31, 2019 unless extended, amended, or terminated in writing by CITY."

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

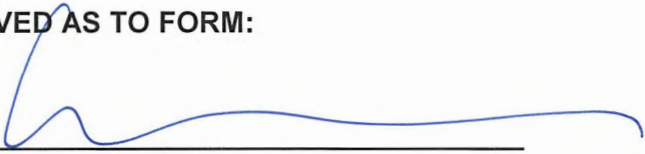
5/21/2019
Date

JOHN HOLSON
Printed name

PRINCIPLE
Title

68-0340219
Tax ID#

APPROVED AS TO FORM:


William L. McClure, City Attorney

6/4/19
Date

FOR CITY OF MENLO PARK:


Justin I.C. Murphy, Deputy City Manager

6/4/19
Date

ATTEST:


Judi A. Herren, City Clerk

6/6/19
Date

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

		Administration	Monitoring	Report*	Hours	Cost
John Holson	\$ 191.80	7.00	2.00	4.00	13.00	\$ 2,493.40
Project Supervisor	\$ 88.50	6.00	12.00	12.00	30.00	\$ 2,655.00
Field Archaeologist CR 4	\$ 88.50		40.00	8.00	48.00	\$ 4,248.00
Field Archaeologist CR 3	\$ 68.90		40.00	8.00	48.00	\$ 3,307.20
Graphics	\$ 88.50		3.00	2.00	5.00	\$ 442.50
Administrative Staff	\$ 155.70	2.00			2.00	\$ 311.40

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

	Number	rate factor		
Biological Monitor, WRA - see attached spreadsheet for breakdown				\$ 4,000.00
PaeIoSolutions Monitor - see attached sheet for breakdown				\$ 12,627.50
Mileage - 88 miles rountrip	88.00	0.58	10.00	\$ 510.40
				\$ 17,137.90
				\$ 856.90
				\$ 17,994.80

5% Fee on ODC's
Total ODC

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


Pricing and cost estimates are valid for 90 days from date of proposal

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



Task #	Task Description	Personnel Hours by Task*									WRA Cost by Task	WRA Direct Expenses	Total Project Cost
		Leslie Allen	Seinor Regulatory Permitting Specialist	Brian Kearns	Biologist	Nick Brinton	Fisheries Biologist	Mikia Weidenbach	GIS Technician	Clerical			
		\$ 221.00	\$ 131.00	\$ 141.00	\$ 118.00	\$ 74.00							
B1	Project start-up, Pre-construction Nesting Bird Survey + Report (one only)	2	8		2	1					\$ 1,800	\$ 58	\$ 1,858
B1a	Contingency follow up surveys + reports (two only)	1	6	6	1	0.5					\$ 2,008	\$ 134	\$ 2,142
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.

Menlo Parks Wells Phase II Construction City of Menlo, San Mateo County, CA										 PALEO SOLUTIONS <small>PALEONTOLOGICAL & CULTURAL RESOURCE CONSULTING SERVICES</small>											
Title	Program Manager	Principal Investigator & Project Manager	Field Director & Safety Officer	Assistant Project Manager	Field Technician	Field Technician	GIS Specialist	Contract Administrator/ Technical Editor													
Rate	\$ 210.00	\$ 170.00	\$ 135.00	\$ 110.00	\$ 790.00	\$ 1,000.25	\$ 95.00	\$ 75.00													
Units	Hours	Hours	Hours	Hours	Local	Non-Local	Hours	Hours	TOTAL LABOR HOURS	TOTAL LABOR COSTS	TOTAL OTHER DIRECT COSTS	GRAND TOTAL									
SCOPE OF WORK																					
Task 1.00 Paleontological Monitoring																					
A. Paleontological Monitoring (n=10 days @ 8 hours/day)						10.00			10.00	\$ 10,002.50	\$ -	\$ 10,002.50									
B. HASP			1.00						1.00	\$ 135.00	\$ -	\$ 135.00									
Task 1.00 Paleontological Monitoring Subtotal										0.00	0.00	1.00	0.00	0.00	10.00	0.00	0.00	11.00	\$ 10,137.50	\$ -	\$ 10,137.50
Task 2.00 Paleontological Memo Report (zero fossil finds)																					
A. Draft Memo Report	1.00	4.00		8.00				4.00	17.00	\$ 2,150.00	\$ -	\$ 2,150.00									
B. Final Memo Report		2.00							2.00	\$ 340.00	\$ -	\$ 340.00									
Task 2.00 Paleontological Memo Report (zero fossil finds) Subtotal										1.00	6.00	0.00	8.00	0.00	0.00	4.00	0.00	19.00	\$ 2,490.00	\$ -	\$ 2,490.00

Assumptions and Notes

- 1) We assume will be on-site for two weeks of monitoring (N= 10 days)
- 2) One (1) paleontological monitor will be present per day, and monitoring will be provided 8 hours per day, 5 days per week for a total of 10 days. Monitoring beyond this estimate may require a change order.
- 3) A daily rate will be used for all paleontological monitoring. The daily rate of \$1,000.25/day per monitor will be used, or a half day rate of \$675/day per monitor for up to 4 hours per day for a non-local staff member, and the daily rate of \$790/day per monitor will be used, or a half day rate of \$465/day per monitor for up to 4 hours per day for a local staff member. Daily rate is inclusive of per-diem (GSA-rate for lodging and meals), monitor labor, supervision, daily logs, rental vehicle, fuel, and field equipment charges.
- 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. Fossil discoveries will require a change order.
- 6) A change in scope may require a change order.