

# Attachment B

This page intentionally left blank.

**AMENDMENT NO. 6  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
ECOSYSTEMS WEST CONSULTING GROUP**

**THIS AMENDMENT NO. 6** to the Professional Services Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and EcoSystems West Consulting Group (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the "Parties") as of the last date opposite the respective signatures below.

**WHEREAS**, CONTRACTOR entered into a Professional Services Agreement with County on May 7, 2009 (hereinafter, "Agreement"); and

**WHEREAS**, Agreement was amended by the Parties on April 30, 2010 (hereinafter, "Amendment No. 1", including Exhibit A-1 – Scope of Services/Payment Provisions), April 29, 2011 (hereinafter, "Amendment No. 2"), May 11, 2011 (hereinafter, "Amendment No. 3", including Exhibit A-2 – Scope of Services/Payment Provisions), June 27, 2012 (hereinafter, "Amendment No. 4"), and June 7, 2013 (hereinafter, "Amendment No. 5") and incorporated into the Agreement by this reference; and

**WHEREAS**, annual Piperia Plan Studies and reporting continue to be required for 2013 and 2014 for The Pebble Beach Company's Del Monte Forest Preservation and Development Plan (hereinafter, "Project" or "Plan"); and

**WHEREAS**, additional time is necessary to allow for the 2014 Piperia Plan Studies and future Piperia Plan Studies for completion of the Project; and

**WHEREAS**, additional funding is necessary to allow payment to CONTRACTOR for services rendered toward completion of the 2013 Piperia Plan Studies for the Project and to allow CONTRACTOR to provide 2014 Piperia Plan Studies for completion of the Project as required by the Plan for the management, protection and restoration of Yadon's Piperia; and

**WHEREAS**, the Parties wish to further amend the Agreement to extend the term to June 30, 2016, to increase the amount by \$57,820 to allow payment to CONTRACTOR for services rendered toward the completion of the 2013 Piperia Plan Studies, and to allow CONTRACTOR to provide 2014 Piperia Plan Studies and future Piperia Plan Studies for completion of the Project as identified in the Agreement and as amended by this Amendment No. 6.

**NOW, THEREFORE**, the Parties agree to amend the Agreement as follows:

1. Amend Paragraph 1, "Services to be Provided", to read as follows:

The County hereby engages CONTRACTOR to perform, and CONTRACTOR hereby agrees to perform, the services described in **Exhibits A, A-1, A-2 and A-3** in conformity with the terms of this Agreement. The services are generally described as follows:

Amendment No. 6 to Professional Services Agreement  
EcoSystems West Consulting Group  
2009-2014 Piperia Plan Studies for The Pebble Beach Company's  
Del Monte Forest Preservation and Development Plan  
RMA – Planning  
Term: February 1, 2009 – June 30, 2016  
Not to Exceed: \$171,949.00

Provide 2009 – 2014 Piperia Plan Studies for the Pebble Beach Company's Del Monte Forest Preservation and Development Plan. The 2013 and 2014 Piperia Plan Studies included in this Agreement are described in Exhibit A-3, Scope of Services/Payment Provisions.

2. Amend Paragraph 2, "Payments by County", to read as follows:

County shall pay the CONTRACTOR in accordance with the payment provisions set forth in **Exhibits A, A-1, A-2 and A-3**, subject to the limitations set forth in this Agreement. The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$171,949.

3. Amend the first sentence of Paragraph 3, "Term of Agreement", to read as follows:

The term of this Agreement is from February 1, 2009 to June 30, 2016, unless sooner terminated pursuant to the terms of this Agreement

4. Amend Paragraph 4, "Additional Provisions/Exhibits", by adding "Exhibit A-3, Scope of Services/Payment Provisions".

5. All other terms and conditions of the Agreement remain unchanged and in full force.

6. This Amendment No. 6 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

7. The recitals to this Amendment No. 6 are incorporated into the Agreement and this Amendment No. 6.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 6 to the Agreement as of the last date opposite the respective signatures below:

**COUNTY OF MONTEREY**

**CONTRACTOR\***

By: \_\_\_\_\_  
Director of Planning

\_\_\_\_\_  
EcoSystems West Consulting Group  
Contractor's Business Name

Date: \_\_\_\_\_

By: W m D  
(Signature of Chair, President or Vice President)

Its: William Davilla  
(Printed Name and Title)

Date: Oct 21, 2014

**Approved as to Form and Legality  
Office of the County Counsel**

By: [Signature]  
Deputy County Counsel

By: Sole Proprietorship  
(Signature of Secretary, Asst. Secretary, CFO,  
Treasurer or Asst. Treasurer)

Its: \_\_\_\_\_  
(Printed Name and Title)

Date: 12-3-2014

Date: \_\_\_\_\_

**Approved as to Fiscal Provisions**

By: [Signature]  
Auditor/Controller

Date: 11-5-14

**Approved as to Indemnity, Insurance Provisions**

By: \_\_\_\_\_  
Risk Management

Date: \_\_\_\_\_

\*INSTRUCTIONS: IF CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. IF CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

Amendment No. 6 to Professional Services Agreement  
EcoSystems West Consulting Group  
2009-2014 Piperia Plan Studies for The Pebble Beach Company's  
Del Monte Forest Preservation and Development Plan  
RMA - Planning  
Term: February 1, 2009 - June 30, 2016  
Not to Exceed: \$171,949.00

## EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

### 2013 and 2014 Piperia Studies and CEQA Review

DURATION: February 2013–January 2014 and February 2014 – June 2015

#### SCOPE

In project year 2013 and 2014, EcoSystems West Consulting Group (EcoSystems) will continue to monitor research plots established between 2005 and 2007 to inform habitat management, enhancement, and transplantation projects for Yadon's piperia (*Piperia yadonii*)—a federally endangered orchid found within the Del Monte Forest (DMF). The studies were identified by the project Adaptive Management Team (AMT) as priorities for research as part of Phase 1A testing of the Final Piperia Plan, which is being developed to mitigate impacts of the DMF Preservation and Development Plan (DMF/PDP). Though changes to the proposed development may render the Final Piperia Plan as unnecessary as previously outlined, the research program has been recognized by the AMT as invaluable for informing management of protected habitat within the DMF in order to conserve *Piperia yadonii*. Moreover, results of the research can be used to design successful enhancement projects to mitigate the impacts of other future development within the region.

This scope of work describes monitoring of previously established research studies for the <sup>29</sup> month period beginning in February 2013 and through June 2015. In addition, due to the one year hiatus of monitoring in 2012, following the completion of the 2015 field data gathering, EcoSystems will enter the data for these three field years and conduct statistical analysis to evaluate the 2013, 2014 and 2015 status of *Piperia yadonii* populations to compare with previous years to see if results are within the range of population demographics seen in previous years.

#### TASKS

Task 1: Conduct California Environmental Quality Act (CEQA) Review of the Proposed Pebble Beach DMF Plan Development Impacts on *Piperia yadonii*

Because modifications to the proposed development project may render mass salvage and translocation of *Piperia yadonii* tubers unnecessary, this scope of work *does not* include additional effort to design a salvage and transplantation process, as were included as part of Task 1 in prior scopes of work and reports.

Task 2: Investigate Horticultural Techniques for *Piperia yadonii*

##### Question

What horticultural techniques will facilitate successful use of *Piperia yadonii* materials during research and testing, and ultimately in enhancement projects?

##### Background

In 2006, EcoSystems established a series of trials to examine techniques to successfully translocate and store *Piperia yadonii* tubers obtained from the development area at Units MN0UV (known geographic reference area) within the DMF, as well as store seed used in experiments evaluating factors influencing seedling establishment in the other areas (EcoSystems West Consulting Group 2007). Ongoing monitoring of these trials can increase understanding of the ecology of *Piperia yadonii*, and be used to design habitat management and enhancement efforts. The following ongoing tasks are recommended to obtain answers to the original questions posed.

## EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

### Task 2.1: Evaluate Tuber Storage

In the fall of 2006, EcoSystems established a study comparing the efficacy of storing tubers in flats with soil in a lath house, a greenhouse, and within the Monterey Pine Forest. In the fall of 2007, the tubers were excavated and examined, then re-potted into larger containers that allow monitoring of individual demographic performance. The following tasks will increase understanding of *Piperia yadonii* tuber biology through evaluation of their performance *ex situ*.

**2.1.1 Monitor Vegetative Status:** In the spring of 2013 and 2014, EcoSystems will examine whether each tuber produced a vegetation plant, and if so, measure the number of leaves and longest leaf length.

**2.1.2 Monitor Reproductive Status:** In the summer of 2013 and 2014, EcoSystems will determine the proportion of vegetation plants that reproduced, were diseased, and/or browsed.

**2.1.3 Data Analysis:** This subtask will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 *Piperia* Studies summary report.

### Task 2.2: Evaluate Success of Translocated *Piperia yadonii*

In the fall of 2006, a tree spade was used to translocate five (5) soil cores containing *Piperia yadonii* from three (3) donor sites to three (3) receiver sites within MNOUV. In the spring of 2007, five (5), unmoved control plots were established to facilitate examination of the effects of translocation. In addition to informing success of tuber salvage and translocation, this study can increase understanding of *Piperia yadonii* biology needed to inform conservation, by for example, helping understand what constitutes appropriate habitat for the endangered orchid, as tubers were translocated into apparently suitable but unoccupied habitat. The following steps are proposed to evaluate success of the transplantation treatment.

**2.2.1 Monitor Vegetative Plant Status:** In the spring of 2013 and 2014, EcoSystems will measure the following in each of the five (5) translocation cores and five (5) control plots:

- Number of vegetative *Piperia*: one (1) leaf, two (2) leaf, and total
- Mean longest leaf length (determined by measuring the longest leaf of ten (10) randomly chosen plants in each plot).

**2.2.2 Monitor Reproductive Plant Status:** In the summer of 2013 and 2014, EcoSystems will measure the following within each of the five (5) translocation cores and five (5) control plots:

- Number of *Piperia* that initiated production of an inflorescence
- Number of *Piperia* that were browsed and/or diseased
- Mean reproduction (capsule production) of ten (10) randomly chosen plants

**2.2.3 Data Analysis:** This subtask will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 *Piperia* Studies summary report.

## EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

### Task 2.3: Seed Storage Studies

This study has been completed in 2008. No additional studies are proposed.

### Task 2.4: Horticultural Techniques Data Entry and Analysis

This subtask will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 *Piperia* Studies summary report.

### Task 3: Experimental Evaluation of *Piperia yadonii* Regeneration Niche and Establishment Following Exotic Plant Removal

#### Question

What factors might influence establishment of *Piperia yadonii* from seed following exotic plant removal? In areas of apparently suitable but unoccupied habitat, does adding seed independently or in combination with litter removal promote establishment of *Piperia yadonii*?

#### Background

In spring 2006, EcoSystems established a small-scale manipulative experiment to evaluate the independent and interactive effects of factors hypothesized to influence seedling establishment following removal of three (3) types of exotic plants most commonly observed in or adjacent to habitat occupied by *Piperia yadonii*: 1) French broom, 2) *Acacia* species (there are more than one in the DMF/PDP areas), and 3) rattlesnake grass. This experiment also included litter removal and seed addition treatments designed to examine the independent and interactive effects of removing litter and adding the seed of *Piperia yadonii* to establish populations of the rare plant in exotic plant treatment areas, as well as areas of apparently suitable but unoccupied habitat. In 2007, additional litter removal and seed addition plots were added to the ten (10) experimental blocks located within suitable but unoccupied habitat, allowing examination of the effects of inter-annual variability in weather on *Piperia yadonii* establishment.

EcoSystems proposes the following steps to evaluate the effects of these experimental treatments to inform design of enhancement treatments, as well as management of *Piperia yadonii* habitat.

**3.1 Monitor Vegetative Plant Status:** In the spring of 2013 and 2014, EcoSystems will revisit each of the 176, 1 m<sup>2</sup> plots established in this experiment to measure the following:

- Number of vegetative *Piperia*: one (1) leaf, two (2) leaf, and total
- Mean longest leaf length (determined by measuring the longest leaf of ten (10) randomly chosen plants in each plot).

**3.2 Monitor Reproductive Plant Status:** In the summer of 2013 and 2014, EcoSystems will revisit the treatment plots that had vegetative *Piperia* in the spring to measure following:

- Number of *Piperia* that initiated production of an inflorescence
- Number of *Piperia* that were browsed and/or diseased
- Mean reproduction (capsule production) of ten (10) randomly chosen plants

**3.3 Analysis and Reporting:** This subtask will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 *Piperia* Studies summary report.



## EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

### Task 4: Examine Habitat Factors Influencing *Piperia yadonii* Performance

#### Question

What habitat factors influence the interannual variability in *Piperia yadonii* individual and population performance?

#### Background

The *Piperia yadonii* habitat characterization indicated that, within the DMF, *Piperia yadonii* occurs within a range of habitat conditions, in terms of plant community composition, soil conditions, and vegetation structure (EcoSystems West Consulting Group 2006). However, it is not currently known whether habitat conditions influence individual plant or patch performance, and thus population persistence. Indeed, there is little basic information available about the demographic rates for *Piperia yadonii*. This information can increase understanding of the biology of *Piperia yadonii* needed to inform habitat management and enhancement, as well as to evaluate their effectiveness.

**4.1 Examine Vegetative Plants:** The fifty-four (54) permanent *Piperia yadonii* sites established in the fourteen (14) DMF/PDP areas west of Highway 1 as part of the *Piperia yadonii* Habitat Characterization will be revisited during the spring of 2013 and 2014 to collect the following data:

- Number of vegetative *Piperia*: one (1) leaf, two (2) leaf, and total
- Mean longest leaf length (determined by measuring the longest leaf of ten (10) randomly chosen plants in each plot)
- Status of the five (5) target (marked) plants (aboveground vs. dormant, size if aboveground)

**4.2 Monitor Reproductive Plant Status:** In the summer of 2013 and 2014, EcoSystems will revisit the permanent plots to measure the following:

- Number of *Piperia* that initiated production of an inflorescence
- Number of *Piperia* that were browsed and/or diseased
- Mean reproduction (capsule production) of ten (10) randomly chosen plants
- Reproductive status of the five (5) target plants (whether flowered, browsed, diseased, and number of fruits produced)

**4.3 Data Analysis and Reporting:** This subtask will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 *Piperia* Studies summary report.

**Task 5: Establish Herbivory Effects of Experiment – Not applicable at this time.**

### Task 6: Coordinate AMT

As part of EcoSystems' work on this project, EcoSystems will coordinate and participate in the AMT that will review and guide implementation of these studies. In order to reduce costs associated with more frequent meetings, EcoSystems proposes that the AMT meet two (2) times via short one (1) hour teleconferences:

- May 2013 and 2014: Telephone conference call to discuss spring work
- November 2013 and 2014: Telephone conference call to discuss summer work

## EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

### **Task 7: Project Management**

Project management will consist of short phone updates with County of Monterey (County) project staff and The Pebble Beach Company project staff. No formal progress reports will be prepared as a cost savings measure.

### **Task 8: Summary Reports of Piperia Studies**

This Task will be conducted following the completion of the 2015 field monitoring. At that time, all data will be entered into a database and statistically analyzed and summarized in the 2013 through 2015 Piperia Studies summary report.

EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

EcoSystems West Consulting Group  
 Table 1 - Cost Proposal to Conduct Determination of Habitat and Reproductive Requirements for Yadon's *Piperia*: 2013 Studies

2/13/2013

Expense Type	Personnel	Subtask 2.1	Subtask 2.2	Subtask 3.1	Subtask 3.2	Subtask 4.1	Subtask 4.2	Task 6	Task 7	Total	Rates	Total Cost
Technical	Project Manager (Bill Davilla)	2	2	2	2	4	4	4	16	36	\$125.00	\$4,500.00
	Lead Botanists (McGraw/J. Davilla)	8	8	16	16	96	68	4	8	224	\$95.50	\$22,288.00
Support	Word Processing/Report Production/Graphics	10	10	18	18	100	72	8	24	260	\$70.00	\$0.00
Total Hours		\$1,046	\$1,046	\$1,842	\$1,842	\$10,052	\$7,266	\$898	\$2,796			\$26,788.00
Total Cost Labor												
ODCs	Mileage (total miles all trips)	200	400	400	400	800	600	0	0	2800	\$0.565	\$1,582.00
	Per Diem (includes lodging and meals)	0	0	0	0	3	3	0	0	6	\$120.00	\$720.00
	Field Equip/Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00		\$25.00
	Photocopy/Graphics Reproduction	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	\$0.00	\$50.00		\$50.00
Total ODC's		\$113	\$226	\$226	\$226	\$837	\$699	\$50	\$0	\$2,377		\$2,377.00
Total Cost by Subtask		\$1,159	\$1,272	\$2,068	\$2,068	\$10,889	\$7,965	\$948	\$2,796			\$29,165.00
Grand Total												

Task 2: Investigate Horticultural Techniques for *Piperia yadonii*

Subtask 2.1: Evaluate Tuber Storage

Subtask 2.2: Evaluate Success of Translocated *Piperia yadonii*

Task 3: Experimental Evaluation of *Piperia yadonii* Regeneration Niche and Establishment Following Exotic Plant Removal

Subtask 3.1: Monitor Vegetative Plant Status

Subtask 3.2: Monitor Reproductive Plant Status

Task 4: Examine Habitat Factors Influencing *P. yadonii* Performance

Subtask 4.1: Examine Vegetative Plants

Subtask 4.2: Monitor Reproductive Plant Status

Task 6: Coordinate AMT Meetings

Task 7: Project Management

EXHIBIT A - 3 - SCOPE OF SERVICES/PAYMENT PROVISIONS

EcoSystems West Consulting Group  
 Table 2: Cost Proposal to Conduct Determination of Habitat and Reproductive Requirements for Yadon's *Piperia*: 2014 Studies

Expense Type	Personnel	Subtask 2.1	Subtask 2.2	Subtask 3.1	Subtask 3.2	Subtask 4.1	Subtask 4.2	Task 6	Task 7	Total	Rates	Total Cost
Technical	Project Manager (Bill Davilla)	2	2	2	2	4	4	4	16	36	\$125.00	\$4,500.00
	Lead Botanists (McGraw/D. Davilla)	8	8	16	16	96	68	4	8	224	\$99.50	\$22,288.00
Support	Word Processing/Report Production/Graphics	10	10	18	18	100	72	8	24	260	\$70.00	\$0.00
Total Cost Labor		\$1,046	\$1,046	\$1,842	\$1,842	\$10,052	\$7,266	\$898	\$2,796			\$26,788.00
ODCs	Mileage (total miles all trips)	200	400	400	400	1000	800	0	0	3200	\$0.560	\$1,792.00
	Per Diem (includes lodging and meals)	0	0	0	0	0	0	0	0	0	\$120.00	\$0.00
	Field Equip/Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00	\$25.00
	Photocopy/Graphics Reproduction	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	\$0.00	\$50.00	\$0.00	\$50.00
Total ODCs		\$112	\$224	\$224	\$224	\$385	\$448	\$50	\$0	\$1,867		\$1,867.00
Total Cost by Subtask		\$1,158	\$1,270	\$2,066	\$2,066	\$10,637	\$7,714	\$948	\$2,796			\$28,655.00
Grand Total												

Task 2: Investigate Horticultural Techniques for *Piperia yadonii*  
 Subtask 2.1: Evaluate Tuber Storage  
 Subtask 2.2: Evaluate Success of Translocated *Piperia yadonii*  
 Task 3: Experimental Evaluation of *Piperia yadonii* Regeneration Niche and Establishment Following Exotic Plant Removal  
 Subtask 3.1: Monitor Vegetative Plant Status  
 Subtask 3.2: Monitor Reproductive Plant Status  
 Task 4: Habitat Factors Influencing *P. yadonii* Performance  
 Subtask 4.1: Examine Vegetative Plants  
 Subtask 4.2: Monitor Reproductive Plant Status  
 Task 6: Coordinating AMT Meetings  
 Task 7: Project Management

EXHIBIT A-3 – SCOPE OF SERVICES/PAYMENT PROVISIONS

PAYMENT PROVISIONS

Invoices for services performed under the AGREEMENT shall be submitted quarterly based upon a percentage of task completion and delivery of the final product and shall include the following:

1. Invoice Coversheet

EcoSystems West Consulting Group
2009-2014 Piperia Plan Studies and CEQA Review for The Pebble Beach Company's Del Monte Forest Preservation and Development Plan

Date: Invoice No.

Original Agreement Term: February 1, 2009 to April 30, 2010

Original Agreement Amount: \$ 24,999.00 (\$24,999.00 base budget plus \$0.00 project contingency)

Amendment No. 1: \$ 24,965.00 (\$24,965.00 base budget plus \$0.00 project contingency) Extension of Term to April 30, 2011

Amendment No. 2: Extension of Term to June 30, 2012

Amendment No. 3: \$ 64,165.00 (\$64,165.00 base budget plus \$0.00 project contingency)

Amendment No. 4: Extension of Term to June 30, 2013

Amendment No. 5: Extension of Term to June 30, 2015

Amendment No. 6: \$ 57,820.00 (\$57,820.00 base budget plus \$0.00 project contingency) Extension of Term to June 30, 2016

Total Agreement Amount: \$171,949.00 (\$171,949.00 base budget plus \$0.00 project contingency)

Prior Invoices: \$ (Under this Agreement)

This Invoice: \$

Remaining Balance \$

Approved as to Work/Payment: Joseph Sidor, Associate Planner Date

All Invoices Are To Be Sent To: Diana Lemos, Account Clerk County of Monterey Resource Management Agency Planning Department 168 W. Alisal Street, 2nd Floor, Salinas, CA 93901 Telephone: (831) 755-5220

2. Invoice Detail

Each invoice shall indicate the hours worked by task and by staff member, with the corresponding billing rates.