

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Agreement No: A - 11286

- a. Approve Amendment No. 2 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc., to provide additional services associated with environmental clearance and design for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in the amount of \$139,359.75 for a total amount not to exceed \$1,203,955.79 for a term through December 30, 2011; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Upon motion of Supervisor Potter, seconded by Supervisor Armenta, and carried by those members present, the Board hereby:

- a. Approved Amendment No. 2 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc., to provide additional services associated with environmental clearance and design for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in the amount of \$139,359.75 for a total amount not to exceed \$1,203,955.79 for a term through December 30, 2011; and
- b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

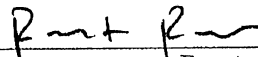
PASSED AND ADOPTED this 14th day of September, 2010, by the following vote, to wit:
 AYES: Supervisors Armenta, Calcagno, Salinas, Parker, Potter
 NOES: None
 ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on September 14, 2010.

Dated: September 16, 2010

Gail T. Borkowski, Clerk of the Board of Supervisors
 County of Monterey, State of California

By _____


 Deputy

**AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WOOD RODGERS, INC.**

THIS AMENDMENT NO. 2 to the Professional Services Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and WOOD RODGERS, INC. (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR.

WHEREAS, CONTRACTOR entered into a Professional Services Agreement with County on October 27, 2008 (hereinafter, "Agreement"); and

WHEREAS, Agreement was amended by the parties on December 3, 2009 (hereinafter, "Amendment No.1"); and

WHEREAS, as a result of Caltrans changed requirements for the environmental documentation and plans, specifications and engineer's estimate for the Monterey Bay Sanctuary Scenic Trail – Moss Landing Segment have not been completed and continuing work is necessary for the project; and

WHEREAS, the County and the CONTRACTOR wish to further amend the Agreement to include additional project management, alternative engineering studies, additional cultural resources studies, shore protection work south of Elkhorn Slough and retaining wall or embankment/shore protection on the north side of Moss Landing Road as required by Caltrans and/or requested by the County.

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 and A-2 in conformity with the terms of this Agreement. The services are generally described as follows: provide environmental documentation and plans, specifications, and engineer's estimate; and additional environmental documentation and plans, specifications, and engineer's estimate associated with the extension of the trail along the north edge of Moss Landing Road across Moro Cojo Slough by approximately 300 feet for the Monterey Bay Sanctuary Scenic Trail – Moss Landing Segment. The additional services to be included by this Amendment No. 2 are generally described in the attached Exhibit A-2.

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 and A-2, subject to the limitations set forth in this Agreement. The total amount payable by County to CONTRACTOR under this Agreement is amended to increase the total amount payable to CONTRACTOR by \$139,359.75, for a total not to exceed the sum of \$1,203,955.79.

3. Amend Paragraph 4, "Additional Provisions/Exhibits", by adding "Exhibit A-2, Scope of Services/Payment Provisions".
4. All other terms and conditions of the Agreement remain unchanged and in full force.
5. This Amendment No. 2 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 2 to the Professional Services Agreement as of the day and year written below:

COUNTY OF MONTEREY

By: [Signature]
Contracts/Purchasing Officer

Date: 9-29-10

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

By: [Signature]
Deputy County Counsel

Date: 8-19-10

Approved as to Fiscal Provisions

By: [Signature]
Auditor/Controller

Date: 8-10-10

Approved as to Indemnity and Insurance Provisions

By: _____
Risk Management

Date: _____

CONTRACTOR*

Wood Rodgers, Inc.
Contractor's Business Name

By: [Signature]
(Signature of Chair, President or Vice President)

Its: Ali A. Hemmati, Vice President
(Name and Title)

Date: 8/6/2010

By: [Signature]
(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Assistant Treasurer)

Its: Timothy R. Crush, Secretary
(Name and Title)

Date: 8/6/2010

ENTERED
SEP 28 2010
CCC

*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.



WOOD RODGERS

June 1, 2010

County of Monterey
 Department of Public Works
 Attn: Mr. Stephen Leiker, PE
 168 West Alisal Street, 2nd Floor
 Salinas, California 93901

SL
 6/20/10

Re: Request for Amendment #2 to Professional Engineering Services Agreement A-11286
 Monterey Bay Sanctuary Scenic Trail – Moss Landing Segment

Dear Mr. Leiker:

As a result of changed requirements, this letter is to request an augmentation to the budget in our consultant services agreement to compensate Wood Rodgers for additional services associated with the environmental clearance and design of the Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail. This supercedes our request of March 22, 2010. The areas of additional work include:

A. Project Management: Due to factors beyond the control of Wood Rodgers, the time required for the environmental process has expanded. This is primarily due to Caltrans requests for additional cultural studies, including additional Native American consultation meetings and evaluation of cultural site 229 under Criterion A. The original project schedule called for public circulation of the MND to begin in early July 2010, but that is now expected to occur in early May 2011. Since the environmental process is on the critical path of the project schedule, this results in an additional 10 months in the overall project schedule. Wood Rodgers will expend additional labor in managing the project for an additional 10 months, including additional coordination and preparation of 10 additional progress reports. This is estimated to require the following additional budget:

Principal Engineer (Proj Mgr)	3 hr/mo x 10 mo x \$185.00/hr =	\$ 5,550.00
Engineer III (Proj. Engr)	5 hr/mo x 10 mo x \$125.00/hr =	\$ 6,250.00
Additional PM Budget for Wood Rodgers:		\$ 11,800.00

B. Alternative Engineering Studies: The County of Monterey requested that Wood Rodgers prepare engineering studies of the signalization of the Dolan Road intersection with SR-1, and for the previously-rejected alternative alignment of the trail to the east of the knoll. The project budget did not include preparation of these alternative studies. Preparation of these studies was accomplished as requested, and requires the following additional budget:

Engineer III (Project Engineer)	8 hr x \$125.00/hr =	\$ 1,000.00
Engineer II (Design Engineer)	32 hr x \$115.00/hr =	\$ 3,680.00
Additional Engineering Budget for Wood Rodgers:		\$ 4,680.00

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

MBSST Moss Landing Amendment #2
June 1, 2010

Page 2

C. Additional Cultural Resources Studies: As detailed in the attached letter from LSA Associates to Wood Rodgers dated May 28, 2010, LSA has had to perform additional cultural resources studies, including additional correspondence with Native American representatives and members of the archeological academic community, additional coordination with Caltrans, additional on-site meetings, additional research and preparation of an additional evaluation of site CS-MNT-229. Wood Rodgers has participated in additional coordination, review of draft documents, and additional field meetings. The additional effort is estimated to require the following additional budget:

Additional Budget for LSA Associates (See LSA letter for details):	\$38,809.75
Additional Budget for Wood Rodgers Engineer III (Project Engineer) 40 hr x \$125.00/hr =	<u>\$ 5,000.00</u>
Total Additional Cultural Resources Budget:	\$43,809.75

D. Shore Protection Work south of Elkhorn Slough: This project was commenced under the assumption that existing shore protection systems in the project area were adequate and design of shore protection revetments would not be required. However, waves due to winter storms in conjunction with high tides in the winter of 2009/2010 have caused significant erosion on the western shoreline of the peninsula on the south side of Elkhorn Slough on which the trail is to be constructed. It has become apparent that the broken concrete shore protection that was placed by Caltrans prior to the relocation of State Route 1 (from that peninsula to the current SR-1 bridge over Elkhorn Slough) in the mid-1980s is not adequate to protect that section of shoreline from erosion. Erosion of the shoreline would remove the foundation soils from under the planned trail pavement, so the trail would not be maintainable without improved shore protection.

Wood Rodgers proposes to subcontract the design of rip-rap shore protection to Sea Engineering, Inc. (SEI). The attached letter proposal from SEI to Wood Rodgers dated March 16, 2010 details the scope of work to be undertaken by SEI in preparing the design of the shore protection. Wood Rodgers would determine the finished grades, coordinate the design of the shore protection with the design of the other features of the trail design and incorporate the shore protection design prepared by SEI into the plans, specifications and estimate for the overall project. Wood Rodgers will select the Standard Special Provisions applicable to the shore protection work and transmit them to Sea Engineering for editing. LSA Associates would update the environmental technical reports and environmental document to include that additional shore protection work. LSA would also include the permitting of the shore protection work with the permitting of the other project features. The attached letter proposal from LSA to Wood Rodgers dated March 12, 2010 details the scope of work to be undertaken by LSA in conjunction with the addition of the shore protection work. This is expected to require the following additional budget:

Additional Budget for Sea Engineering: (See attached letter proposal)	\$40,000.00
Additional Budget for LSA Associates: (See attached letter proposal of 3/12/10)	\$11,830.00
Additional Budget for Wood Rodgers: Engineer III (Project Engineer) 16 hr x \$125.00/hr =	\$ 2,000.00
Engineer II (Design Engineer) 16 hr x \$115.00/hr =	<u>\$ 1,840.00</u>
	<u>\$ 3,840.00</u>
Total Shore Protection Budget:	\$55,670.00

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

MBSST Moss Landing Amendment #2

June 1, 2010

Page 3

E. Retaining Wall or Embankment & Shore Protection on north side of Moss Landing Road: The 300-foot-long section of trail along the north side of Moss Landing Road was added to the trail design contract by Amendment #1. At the time Amendment #1 was scoped and budgeted, topographic mapping was not available, but Monterey County provided plans showing that the trail could be accommodated adjacent to curb and gutter to be constructed by a separate project. Amendment 1 was based on the assumption that little or no retaining wall would be required to retain the trail section, and design effort would be similar to design of sidewalk adjacent to an existing curb. After topographic mapping for the additional project area was prepared it became clear that either extensive retaining wall or an embankment that would extend into Moss Landing Harbor (and therefore require shore protection) would be required to support the north edge of the trail. In an effort to minimize the impacts to the shoreline and Moss Landing Harbor, Wood Rodgers proceeded in 2009 with planning studies, draft retaining wall plans, and design cross sections for the construction of a retaining wall. Wood Rodgers prepared preliminary cross-sections and retaining wall layout plans, and coordinated with LSA Associates to include the retaining wall in the project description for environmental studies. However, it was discovered that a 51" seawater outfall pipeline from the former National Refractories plant across SR-1 had the potential to interfere with the construction of a retaining wall. Wood Rodgers coordinated with Monterey County regarding potholing to determine the location of the pipeline, including preparing an exhibit to show locations where pothole surveys should be performed (s) along the north side of Moss Landing Road so that the design constraints can be determined. Monterey County provided pothole survey data to Wood Rodgers on April 8, 2010. It is now clear that the seawater outfall pipeline will preclude construction of a retaining wall, so an embankment slope will be required with slope protection that extends into the harbor. Since the slope to be specified will not be steeper than the existing slope (2:1), we assume that geotechnical exploration and analysis will not be required. Since the existing slope protection is informal and incomplete, yet has performed adequately due to the benign wave environment, we assume that light rock slope protection will be acceptable without detailed design analysis. Wood Rodgers proposes to detail the RSP using "Backing No. 2" on RSP fabric. LSA Associates has advised that they can modify the NES environmental technical study to include the design change and complete environmental clearance and permitting work within their existing scope and budget if that work is done at the same time that the RSP work on the shoreline just south of Elkhorn Slough is done. The additional effort is estimated to require the following additional budget:

Engineer III (Project Engineer)	40 hr x \$125.00/hr =	\$ 5,000.00
Engineer II (Design Engineer)	120 hr x \$115.00/hr =	\$13,800.00
Assist. Engineer/CAD Technician	40 hr x \$115.00/hr =	<u>\$ 4,600.00</u>
Additional Engineering Budget for Wood Rodgers:		\$23,400.00

RECAP OF CHANGES

A. Additional Project Management	\$ 11,800.00
B. Alternative Engineering Studies	\$ 4,680.00
C. Additional Cultural Resources Studies:	\$ 43,809.75
D. Shore Protection Work S. of Elkhorn Slough:	\$ 55,670.00
E. Retaining Wall or Embankment/RSP at ML Rd	<u>\$ 23,400.00</u>
TOTAL ADDITIONAL BUDGET	\$139,359.75

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

MBSST Moss Landing Amendment #2
June 1, 2010

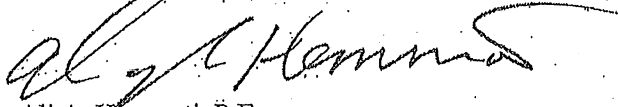
Page 4

Wood Rodgers requests authorization for additional budget in the amount of \$139,359.75, changing the not-to-exceed contract amount from \$1,064,596.04 to a new total of \$1,203,955.79. We are looking forward to successful completion of this much-needed project and recommend your authorization.

If you require additional information regarding this request, please do not hesitate to contact me at 916-440-9519.

Sincerely,

WOOD RODGERS, INC.



Ali A. Hemmati, P.E.
Principal/Project Manager

cc: Keith Hallsten, Project Engineer, Wood Rodgers
Joey Sellers, Contracts, Wood Rodgers
8091.010, 052

Payment Provisions:

The total amount of services provided under Amendment No. 2 shall not exceed the amount of \$139,359.75 for a total Agreement amount not to exceed \$1,203,955.79. Payment for services shall be paid to the CONTRACTOR on a time and materials basis at the hourly rates provided and according to Provision 6 – PAYMENT CONDITIONS outlined in the Agreement.

AAH
Contractor Initials

6/1/2010
Date

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA

LSA ASSOCIATES, INC.
1998 SANTA BARBARA STREET, SUITE 120
SAN LUIS OBISPO, CALIFORNIA 93401
805.782.0745 TEL
805.782.0796 FAX

BERKELEY
CARLSBAD
FORT COLLINS

FRESNO
IRVINE
PALM SPRINGS

POINT RICHMOND
RIVERSIDE
ROCKLIN
SO. SAN FRANCISCO

May 28, 2010

Keith Hallsten, Senior Civil Engineer/Project Manager
Wood Rodgers Engineering, Inc.
3301 C Street, Bldg. 100-B
Sacramento, CA 95816

Subject: Proposed Modifications to the Existing Scope and Budget for the Preparation of Additional Cultural Resources Studies and Consultation Efforts Requested by Caltrans as part of the Federal Section 106 Requirements for the Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail

Dear Mr. Hallsten:

On January 22, 2010, LSA provided you with an estimate to address additional archeological analyses and Native American consultation for the Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail. This additional analysis and consultation is being required by Caltrans as part of the Proposed Project's Federal Section 106 Compliance requirements. Caltrans is in the process of applying new review and reporting standards to archeological sites for assessing their eligibility for listing in the National Register of Historic Places (National Register). Because Caltrans is just beginning to apply these new cultural standards to projects requiring Section 106 Compliance, the additional effort being put toward cultural resources analyses was neither anticipated nor required when our original scope of work and effort on cultural resources budget was prepared in March 2008.

As background, in August 2009, as part of the consultation requirements of Section 106 of the National Historic Preservation Act, LSA invited Native American representatives to a project meeting at the County of Monterey Public Works Department to discuss archeological investigations associated with the proposed Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail. At this meeting, Native Americans in attendance voiced a number of concerns about the proposed project's potential impacts on archeological site CA-MNT-229. Subsequent to the meeting, Caltrans also received individual phone calls from representatives of the Native American community expressing concerns about potential impacts to archeological site CA-MNT-229. Because of the Native American's concerns and an increasing emphasis on evaluating archeological sites under Criterion A for listing in the National Register of Historic Places, Caltrans has requested that LSA conduct additional consultation with the regional archeological community, including Native Americans, as well as conduct additional research of archeological site CA-MNT-229 for evaluation under Criterion A, and/or as a Traditional Cultural Property, for listing in the National Register of Historic Places. This additional effort was not anticipated nor budgeted in our original scope of work and budget approved in March 2008 because most archeological sites are nominated and successfully listed under Criterion D, not Criterion A, which is a criterion more often applied to the built environment.

The additional tasks and budget required as part of the cultural work and which were completed between September 1, 2009 and June 1, 2010 are as follows:

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA ASSOCIATES, INC.

- Written correspondence, including preparation of project figures, and individual phone conversations with Native Americans inviting them to a second on-site meeting regarding CA-MNT-229 on November 18, 2009, was conducted between September 1, 2009 and November 18, 2009;
 - Karin Goetter, Cultural Resource Manager, 50 hours @ \$80/hr = \$4,000.00
 - Kathleen Kubal, Cultural Technician/Graphics preparation, 8 hours @ \$60/hr = \$480.00
 - Pam Reading, Project Manager, 5 hours @ \$95/hr = \$475.00
 - Subtotal: \$4,955.00**
- Preparation for and participation in a second on-site meeting with project team members, Caltrans, and Native American representatives, which took place on November 18, 2009;
 - Karin Goetter, Cultural Resource Manager, 24 hours @ \$80/hr = \$1,920.00
 - Kathleen Kubal, Cultural Technician/Graphics preparation, 9.5 hours @ \$60/hr = \$570.00
 - Pam Reading, Project Manager, 17.75 hours @ \$95/hr = \$1686.25
 - Reimbursable costs = \$550.00
 - Subtotal: \$4,726.25**
- Four additional internal meetings with Caltrans, the County of Monterey, and the Project Engineer following the November 18, 2009 meeting to discuss additional documentation and consultation needs and next steps for completing the cultural resources documentation necessary to start Phase II field investigations;
 - Karin Goetter, Cultural Resource Manager, 10 hours @ \$80/hr = \$800.00
 - Pam Reading, Project Manager, 10 hours @ \$95/hr = \$950.00
 - Subtotal: \$1,750.00**
- Application for Encroachment Permit Extension for delayed archeological investigations; and
 - Pam Reading, Project Manager, 1.5 hours @ \$95/hr = \$142.50
 - Encroachment Permit = \$82.00
 - Subtotal: \$224.50**
- Coordination with Moss Landing Power Plant (MLPP) regarding delayed archeological excavations on MLPP property.
 - Karin Goetter, Cultural Resource Manager, 1 hour @ \$80/hr = \$80.00
 - Subtotal: \$80.00**
- Prepared a detailed letter to members of archaeological community (Cabrillo College, Santa Cruz Archaeological Society, UCSC, & other local archaeologists) discussing the history of the trail project, alternatives considered, Native American consultation efforts, and solicited information and concerns regarding CA-MNT-229. This task included individual telephone conversations where LSA staff explained additional Section 106 efforts to archaeologists and requested their input regarding

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA ASSOCIATES, INC.

how Criterion A might apply to the project, documenting archaeologists suggestions on what to expect during excavations, noting which publications they said should be reviewed and which sites offer comparisons with MNT-229, and researching suggested publications.

Andrew Pulcheon, Senior Cultural Resources Manager, 2 hours @ \$95/hr = \$190.00

Karin Goetter, Cultural Resource Manager, 80 hours @ \$80/hr = \$6,400.00

Kathleen Kubal, Cultural Technician/Graphics, 4 hours @ \$60/hr = \$240.00

Pam Reading, Project Manager, 2 hours @ \$95/hr = \$190.00

Subtotal: \$7,020.00

- Prepared a letter, reviewed and approved by Caltrans, to Native Americans, requesting their attendance at third on-site consultation meeting on March 10, 2010 to present the background and current status of the proposed trail project and to gather information from them about the cultural importance of MNT-229 for evaluation under Criterion A for listing in the NRHP.

Andrew Pulcheon, Senior Cultural Resources Manager, 2 hours @ \$95/hr = \$190.00

Karin Goetter, Cultural Resource Manager, 16 hours @ \$80/hr = \$1,280.00

Kathleen Kubal, Cultural Technician/Graphics, 3 hours @ \$60/hr = \$180.00

Alexandra Merritt Greenwald, Cultural Technician, 3 hours @ \$60/hr = \$180.00

Pam Reading, Project Manager, 2 hours @ \$95/hr = \$190.00

Subtotal: \$2,020.00

- Organized and attended third on-site field meeting on March 10, 2010 that was focused on the purpose and need of the project, seeking input on alternatives (vegetation, fencing, interpretive sign, etc.), and gathering information related to the location and cultural practices known about CA-MNT-229. Organization and preparation for the meeting included, preparing maps and graphics, preparing talking points, calling and reminding Native American invitees a few days prior to the meeting and requesting a written statement to be read at the meeting if the individual could not attend; requesting SHPO's attendance, coordinating the attendance of all team members (i.e., County of Monterey, Caltrans, and Consulting Engineer), responding to all post-meeting questions, and conducting follow up interviews with those individuals that attended and those individuals that were not able to attend.

Karin Goetter, Cultural Resource Manager, 40 hours @ \$80/hr = \$3200.00

Kathleen Kubal, Cultural Technician/Graphics, 12 hours @ \$60/hr = \$720.00

Pam Reading, Project Manager, 12 hours @ \$95/hr = \$1140.00

Reimbursable costs = \$550.00

Subtotal: \$5,584.00

- Prepared a Memorandum of Findings regarding site CA-MNT-229's eligibility for listing in the National Register of Historic Places under Criterion A and as a Traditional Cultural Property. As part of this effort the following tasks were completed: Conducted thorough research into previously recorded cultural resources reports and site records, and other publications regarding CA-MNT-229

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA ASSOCIATES, INC.

and its significance under Criterion A and as a Traditional Cultural Property; contacted and interviewed members of the Amah Mutsun, OCEN, Indian Canyon Mutsun Band of Costanoan tribes to gather information relating to the cultural importance of MNT-229; conducted exhaustive background research on information discussing Criterion A and Traditional Cultural Properties and information discussing their application to a disturbed archeological site; prepared a memo for Caltrans that included an exhaustive evaluation of MNT-229 under Criterion A and as a Traditional Cultural Property for listing in the NRHP; Native American consultation for Criterion A continues, including routine meetings with Caltrans to complete the memo to the agency's satisfaction.

Andrew Pulcheon, Senior Cultural Resources Manager, 10 hours @ \$95/hr = \$950.00

Karin Goetter, Cultural Resource Manager, 120 hours @ \$80/hr = \$9,600.00

Pam Reading, Project Manager, 20 hours @ \$95/hr = \$1900.00

Subtotal: \$12,450.00

Total Out of Scope Budget Expenditures on Additional Cultural Resources Studies and Consultation Efforts: \$38,809.75.

In summary, the out of scope work that Caltrans has asked the team to complete as part of the Federal Section 106 compliance process has cost a total of **\$38,809.75**. If you have any questions regarding our modified scope and budget, please do not hesitate to contact me.

Sincerely,



Pam Reading, Project Manager



Sea Engineering, Inc.

200 Washington Street, Suite 210 95060

Phone: (831) 421-0871 / FAX (831) 212-0875 • Website: www.seaengineering.com

March 16, 2010

Wood Rodgers, Inc.
3301 C Street, Bldg. 100-B
Sacramento, CA 95816

Attention: Keith Hallsten, P.E.

Subject: Fee Proposal for Design of Shore Protection, Moss Landing Monterey Bay Sanctuary Scenic Trail.

Sea Engineering, Inc. (SEI) is pleased to submit the following work and fee proposal for the subject project. Our work would include the following general tasks.

Proposed Scope

1. Field investigation will be conducted to determine the current condition and characteristics of the existing shore protection between the bridge abutment to the north and the 16" oil pipe to the south (approximately 350 feet).
2. A wave climate analysis will be performed. This will be based upon nearly 3 years of existing wave data at wave buoy 46236. Wave cases of interest will be obtained from this analysis, which will be transformed to a point just offshore of Moss Landing using a spectral wave model previously developed for Monterey Bay. Wave conditions from the offshore point will be transformed to the project site using a wave model capable of simulating refraction, diffraction, reflection, bottom dissipation, and wave breaking. The results from this model will be utilized to determine the appropriate armor size, and to estimate overtopping during extreme events.
3. A Basis of Design Report will be prepared.
4. AUTOCAD drawings of the proposed revetment will be provided. Wood Rodgers will provide the border file and layer convention for the drawings. This will include plan and section views as well as a typical section and necessary details. These drawings will be of sufficient detail and quality for inclusion in the project construction plans. These drawings will be submitted at 90% and final completion levels.
5. SEI will provide necessary specification sections for inclusion in the project specification set. The specifications will be in the form of edits to Caltrans Standard Special Provisions provided by Wood Rodgers. These sections will be provided at 90% and final completion levels.
6. SEI will provide construction phase services including review of submittals and response to Requests for Information (RFI).

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS



Moss Landing Fee Proposal
March 16th, 2010
Page 2

Assumptions and Limitations

1. Wood Rodgers will provide SEI with topographic mapping in AutoCAD format prepared for the overall project in January 2009. That mapping covers upland features above the approximate mid-tide level, and does not contain bathymetric mapping. If necessary, SEI will extend the mapping and/or update localized areas where wave erosion has altered the project site since the preparation of the mapping.
2. We assume that the crest of the proposed revetment will be designed to approximately match the existing grade, and will be located along the shore so as to accommodate the proposed bike path. Wood Rodgers will provide a top/back-of-revetment line in a 3-dimensional AutoCAD file to define the slope to be restored and protected. No other special considerations for tie-in to the bike path are included in this scope of work.
3. Determination of site seismic characteristics is not included in this scope of work. Additionally, the proposed revetment will not be designed based upon seismic considerations.
4. Exploration of alternatives will be limited to that which is necessary to arrive at the most appropriate shore protection. We assume that all permitting work will be accomplished by others as part of the comprehensive Monterey Bay Sanctuary Scenic Trail project.

We propose to provide the design services described above for a lump sum fee of \$40,000.

Should you have any questions or need additional information please call or email me at kisrael@seaengineering.com or dhansen@seaengineering.com. We look forward to possibly working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Demont D. Hansen'.

Demont D. Hansen, PE
Coastal Engineer, SEI

And

A handwritten signature in black ink, appearing to read 'Ken Israel'.

Ken Israel
Vice President, SEI

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA

LSA ASSOCIATES, INC.
1998 SANTA BARBARA STREET, SUITE 120
SAN LUIS OBISPO, CALIFORNIA 93401
805.782.0745 TEL
805.782.0796 FAX

BERKELEY
CARLSBAD
FORT COLLINS

FRESNO
IRVINE
PALM SPRINGS

POINT RICHMOND
RIVERSIDE
ROCKLIN
SO. SAN FRANCISCO

MEMORANDUM

DATE: March 12, 2010

TO: Keith Hallsten, Senior Civil Engineer/Project Manager, Wood Rodgers Engineering, Inc.

FROM: Pam Reading, Senior Planner, LSA Associates, Inc.

SUBJECT: Augment to Existing Biological Scope of Work in Support of the Proposed Rock Slope Shoreline Protection Project for the Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail

This memorandum serves as a request for an augment to revise the Natural Environment Study (NES) and amend the Jurisdictional Delineation (JD), to supplement the original scope of work approved as part of LSA Associates, Inc.'s (LSA) December 2008 contract. It is LSA's understanding that due to recent storms and associated wave and tidal activity in and around Elkhorn Slough, the shoreline directly south of the southern abutment of the proposed pedestrian bridge over Elkhorn Slough is eroding and will require stabilization before the proposed Moss Landing Segment of the Monterey Bay Sanctuary Scenic Trail is constructed. It is LSA's understanding that the Slope Shoreline Protection Project (Proposed Project) will consist of replacing or supplementing the existing rip-rap in an area approximately 350 feet long and 50 feet wide, as roughly depicted on the attached figure dated March 2, 2010. Because the Proposed Project is anticipated to exceed the current limits of the Biological Study Area (BSA) as it is currently defined in the Natural Environment Study (NES) and Jurisdictional Delineation (JD), these documents will need to be revised to include the limits, potential impacts, and prescribed mitigation, if necessary, of the Proposed Project. LSA's proposed scope of work and budget is described below.

This scope of work specifies that the engineer will provide a detailed project description and detailed site plans of the Proposed Project.

Task 1: Revise the Draft NES to Include Proposed Project Area

Existing Conditions. The text of the NES will be expanded to include a discussion of the existing biological conditions at the location of the Proposed Project. The expanded limits of the BSA will be described and added to figures already prepared for the NES. Based on LSA's current understanding, it includes a strip of estuarine open water habitat directly west of the limits of the current BSA boundary at the location of the Proposed Project. The Figures provided in the NES including, Figure 2 (Project Alignment), Figure 4 (Extent of Soils), Figure 5 (Surface Waters), Appendices D (Land Uses/Vegetation Communities), and Appendix F (Project Effects to Land Uses/Vegetation Communities), will be revised to include the expanded BSA.

Eelgrass Field Survey. The aquatic habitat of Moss Landing Harbor at the location of the Proposed Project is relatively shallow with a lesser tidal current than further north. Eelgrass tends to inhabit relatively shallow waters. A field visit will be conducted to determine if eelgrass is present at the location of the Proposed Project. Photographs of the effected habitat will be taken and included in Appendix E of the NES.

EXHIBIT A-2 – SCOPE OF SERVICES/PAYMENT PROVISIONS

LSA ASSOCIATES, INC.

Impacts and Mitigation Measures. The NES will be revised to include the potential effects of the proposed project, and avoidance, minimization, or compensation measures as necessary. Acreage of open water habitat existing with the larger BSA and potentially effected habitat (permanently (directly and indirectly) and temporarily) by the Proposed Project will be calculated. Impacts and mitigations (avoidance, minimization, and compensation measures) with regards to jurisdictional waters, eelgrass, fisheries, Essential Fish Habitat, marine mammals, and invasive species will be described. Because the proposed project would take place within estuarine open water habitat, no effects to trees, special status plants, or upland habitats are anticipated.

Task 2: Revise the Draft JD to Address the Proposed Project Area

A JD report was prepared in May 2009 and revised in September 2009 for the Moss Landing segment of the proposed Monterey Bay Sanctuary Scenic Trail. As part of the JD effort, a field verification visit with the US Army Corps of Engineers (Corps) was completed on July 15, 2009. A verification letter from the Corps was issued on October 7, 2009. The verified JD will need to be revised to include a discussion of the Proposed Project, including its limits and potential impacts to jurisdictional waters. Revisions to the JD to account for an expanded BSA will necessitate correspondence with Paula Gill and/or Christina Cavell from the Corps to request re-verification of the JD as a supplement to the October 7, 2009 verification letter.

The limits and acreages of the BSA, as defined in the JD report, will be revised to include the area within the maximum extent of temporary or permanent impacts associated with the Proposed Project. The methodology, results, and conclusions sections of the report will also be revised. Appendix B (Figure of Soils) and Appendix C (Figure of Jurisdictional Waters) will be revised to show the limits of the expanded BSA. Appendix E will be revised include additional photographs of the expanded BSA. It is not anticipated that additional sample points or another visit with the Corps would be required as a part of this effort.

Permitting:

Additional budget should not be necessary for permitting requirements associated with the proposed project; the proposed project will be incorporated into LSA's existing budget for permitting responsibilities.

BUDGET

Task 1. Revise NES	\$ 7,190.00
Task 2. Revise JD	\$ 4,640.00
TOTAL	\$11,830.00

Attendance at team meetings has not been included as part of this scope of work. Should additional meetings be required, LSA can participate on a time and materials basis. Conference calls are included in the estimate herein.

Attachment



COUNTY OF MONTEREY

PURCHASE ORDER

VENDOR
 WOOD RODGERS INC
 3301 C Street Bldg 100-B
 Sacramento CA 95816

SHIP TO
 PUBLIC WRK
 168 W. ALISAL ST.,
 2ND FLOOR
 SALINAS CA 93901

BILL TO
 PUBLIC WRK
 168 W ALISAL ST
 2ND FLOOR
 SALINAS CA 93901

VENDOR NUMBER: CV000001969

DELIVERY DATE:

F.O.B.:

ITEM	QUANTITY	UNIT	COMMODITY CODE	ITEM DESCRIPTION	UNIT PRICE	SALES TAX	EXTENDED PRICE
1	0.0		91843	PURCH DESC: PER AMENDMENT #2 TO AGREEMENT A-11286 WITH WOOD ROGERS INC. TO PROVIDE ENVIRONMENTAL DOCUMENTATION & PLANS, SPECIFICATIONS, & ENGINEERS ESTIMATE FOR THE MONTEREY BAY SANCTUARY SCENIC TRIAL, MOSS LANDING SEGMENT. ALL SERVICES SHALL BE PROVIDED IN ACCORDANCE, WITH TERMS, CONDITIONS, AND EXHIBITS OF THE APPROVED COUNTY OF MONTEREY AGREEMENT. TERM OF THE AGREEMENT 10/01/08 THROUGH 12/30/11 UNLESS SOONER TERMINATED PURSUANT TO THE TERM OF THE AGREEMENT. TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$ 1, 203, 955.79. PREVIOUS PURCHASE ORDERS R30090056, AND SC 3000 *187 THIS PURCHASE ORDER IS ONLY VALID THROUGH 06/30/11. IF AGMT CONTINUES PAST THIS DATE A NEW PURCHASE ORDER WILL BE ISSUED. COMM LINE DESC: Env Consulting 002 - 3000 - 8195 - RMA012 - 6613 - - - - - 394776.78	.00	.00	394,776.78

THE SHADED ROWS ARE FOR MONTEREY COUNTY DEPARTMENT USE ONLY

ORDER TOTAL 394,776.78

All Vendors are required to review the Monterey County general terms and conditions which apply to all contracts, purchase orders, and other electronic procurements made with the County unless otherwise noted. Said terms and conditions can be found on the County website at http://www.co.monterey.ca.us/admin/terms_conditions.htm

TAX EXEMPTION INFORMATION:
 FEDERAL EXCISE TAX EXEMPTION NUMBER 94-6000524

COUNTY BUYER INFORMATION
 Jaime Ayala
 EMAIL: ayalaj@co.monterey.ca.us
 TELEPHONE: (831)755-4998 x4998

AUTHORIZED BY COUNTY OF MONTEREY
 DEPUTIZED PURCHASING AGENT

PRINT DATE: 11/04/10

CONTRACTS/PURCHASING DIVISION
 168 W. Alisal St. 3rd Floor, Salinas, CA 93901

PAGE NUMBER: 1 OF 1

Rec'd 11-4-10 fr S. Sanchez
 ORDER DATE 11-01-2010
 SC 3000 0000001440
 IMPORTANT
 THE ABOVE NUMBER AND SHIP TO DEPARTMENT MUST APPEAR ON ALL SHIPPING LABELS, PACKING SLIPS, TRANSPORT DOCUMENTS, INVOICES AND CORRESPONDENCE.