

**AMENDMENT NO. 6  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
BIGGS CARDOSA ASSOCIATES, INC.**

**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 Biggs Cardosa Associates, Inc. (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

**WHEREAS**, CONTRACTOR entered into a Professional Services Agreement with County on July 22, 2009, (hereinafter, "Agreement") to provide project management; preliminary engineering and reports, and final design (hereinafter, "Services") for the Peach Tree Road Bridge Replacement at Pancho Rico Creek, County Bridge Number 412, State Bridge Number 44C-0151 (hereinafter, "Project"); and

**WHEREAS**, Agreement was amended by the Parties on September 24, 2010 (hereinafter, "Amendment No. 1", including Exhibit A-1 – Scope of Services/Payment Provisions), December 7, 2010 (hereinafter, "Amendment No. 2", including Exhibit A-2 – Scope of Services/Payment Provisions), January 26, 2012 (hereinafter, "Amendment No. 3", including Exhibit A-3 – Scope of Services/Payment Provisions), September 30, 2013 (hereinafter, "Amendment No. 4", including Exhibit A-4), and December 20, 2013 (hereinafter, Amendment No. 5", including Exhibit A-5 – Scope of Services/Payment Provisions); and

**WHEREAS**, the final design of the Project has been completed; and

**WHEREAS**, the Parties wish to amend the Agreement to include construction support services to the Project's scope as further described in Exhibit A-6 – Scope of Services/Payment Provisions of this Agreement; and

**WHEREAS**, additional time and funding are necessary to allow CONTRACTOR to provide construction support services for the Project; and

**WHEREAS**, CONTRACTOR'S hourly rates require an update which shall be effective as of the effective date of this Amendment No. 6 and in accordance with Exhibit A-6 which is attached and incorporated by this reference; and

**WHEREAS**, the Parties wish to further amend the Agreement to extend the term to February 28, 2017, to increase the amount by \$74,300, and to update the hourly rates effective as of the effective date of this Amendment No. 6 to allow CONTRACTOR to continue to provide tasks identified in the Agreement and as amended by this Amendment No. 6.

NOW, THEREFORE, the Parties agree to further 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, A-3, A-4, A-5 and A-6** in conformity with the terms of this Agreement. The services are generally described as follows: Provide Project Management, Preliminary Engineering and reports, hazardous material field investigation services, design services, environmental services including California Department of Fish and Wildlife required analysis and documentation regarding the California Tiger Salamander, including preparation of a Mitigated Negative Declaration and an Incidental Take Permit, and construction support services for the Peach Tree Road Bridge Replacement Project at Pancho Rico Creek, County No. 412, State Bridge No. 44C-0151.

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, A3, A-4, A-5 and A-6**, 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 \$405,213.

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

The term of this Agreement is from February 9, 2009 to February 28, 2017, unless sooner terminated pursuant to the terms of this Agreement.

4. Amend Paragraph 4, "Additional Provisions/Exhibits", by adding "Exhibit A-6 – 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 which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CONTRACTOR\*

By: \_\_\_\_\_  
Contracts/Purchasing Officer

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

Approved as to Form and Legality  
Office of the County Counsel

By: \_\_\_\_\_  
Deputy County Counsel

Date: 1-14-2016

Approved as to Fiscal Provisions

By: \_\_\_\_\_  
Auditor/Controller

Date: 1-15-16

Approved as to Indemnity and Insurance Provisions

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

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

Biggs Cardosa Associates, Inc.

Contractor's Business Name

By: \_\_\_\_\_  
(Signature of Chair, President or Vice President)

Its: STEPHEN A. BILKS / PRESIDENT  
(Print Name and Title)

Date: 1/4/16

By: \_\_\_\_\_  
(Signature of Secretary, Asst. Secretary, CFO,  
Treasurer or Asst. Treasurer)

Its: MARK A. CARDOSA / SECRETARY  
(Print Name and Title)

Date: 1/4/16

\*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.

## EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

**BIGGS CARDOSA  
ASSOCIATES INC**  
STRUCTURAL ENGINEERS

865 The Alameda  
San Jose, CA 95126-2133  
Telephone 408-296-5515  
Facsimile 408-296-8114

Revised October 27, 2015

Revised May 6, 2015

April 16, 2015

County of Monterey  
RMA-Public Works Department  
168 West Alisal Street, 2<sup>nd</sup> Floor  
Salinas CA 93901

Attention: Enrique Saavedra

Subject: Peach Tree Road Bridge (Replacement)  
Construction Support Services

Dear Enrique:

Biggs Cardosa Associates, Inc. is pleased to submit the following proposal to provide Construction Support Services for the Peach Tree Road Bridge (Replacement) project.

The structural scope of work will include:

- Task 1. Project Management/ Administration Services to include:
- Design Team construction support project management and administration
  - Attend preconstruction meeting with County and Contractor at County offices
  - Attend construction field meetings as required (Total 2 meetings assumed)
  - Participate in monthly teleconference with Resident Engineer as required (Total 6 meeting assumed)
- Task 2. Construction Support Structural Engineering Services to include:
- Assist County with responses to Contractor/Client initiated Requests for Information (RFIs) (by BCA, R&M or PCI as applicable)
  - Assist County with preparation of minor Client requested Contract Change Orders (CCOs) (by BCA or R&M as applicable)
  - Prepare Record Drawings from one consolidated master mark-up set of Resident Engineer and/or Contractor red line comments provided to Biggs Cardosa Associates (by BCA and R&M).
- Task 3. Environmental Compliance Services to include:
- Preconstruction Surveys. The applicable IS-MND, ITP, NES, SAA, and USFWS letter of informal consultation require preconstruction surveys prior to any ground disturbance. Preconstruction surveys are to be conducted for listed species (California red-legged frogs, California tiger salamanders, and San Joaquin kit

## EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

County of Monterey  
October 27, 2015  
Page 2 of 3

foxes), nesting raptors within or within 500 feet (ft) of the Project boundaries, other nesting birds within or within 250 ft of the Project boundaries, nesting swallows and/or roosting bats on the bridge, burrows within the Project area that may provide refugia for California tiger salamanders, and species of special concern (e.g., western pond turtle, foothill yellow-legged frog, coast range newt, and two-striped garter snake). There are timelines incorporated for each survey, therefore, multiple survey efforts are required and are reflected in our cost estimate. Additionally, approved, qualified biologists are required to conduct species or taxa-specific surveys, therefore multiple surveyors may be required and this is reflected in our cost estimate. If ground disturbance is delayed or suspended due to rain, the site should be resurveyed for California tiger salamanders; however, we have not included resurvey efforts in our scope or cost estimate. Survey results for California red-legged frogs, California tiger salamanders, roosting bats, and nesting birds (if construction activities are to occur within the nesting season), as well as, maps of burrows within the Project area are to be submitted to the CDFW prior to start of ground disturbance. H. T. Harvey & Associates will conduct these surveys and prepare and submit reports within the required time period for each of these submittal requirements.

The following assumptions were made in preparing this scope of work:

- A. Work is limited to limited to major structural, civil and geotechnical items of work only as outlined herein. Minor project elements (not otherwise noted) will be reviewed by others.
- B. The County will assign a Resident Engineer to the project that will be responsible for day to day oversight of the County's Contractor.
- C. All shop RFIs will be routed and coordinated through the County's Resident Engineer.
- D. Shop Drawing review services are NOT included. All shop drawings will be reviewed by the County's Resident Engineer.
- E. Inspections services (including pile observation) are NOT included.
- F. Additional site visits beyond that which are listed will be considered as additional services.
- G. Preconstruction resurvey efforts are NOT included in our scope or cost estimate if ground disturbance is delayed or suspended due to rain events.
- H. The results of preconstruction surveys may require additional actions NOT included in our scope, for example if potential San Joaquin kit fox dens are detected in the impact area avoidance or den occupancy determination and deconstruction is required, if roosting bats are detected in the impact area then a bat relocation plan is required, finally nest monitoring may also be required if raptor nests are detected. These tasks have NOT been included as they are unlikely to be needed. However, H. T. Harvey & Associates can provide these services as Extra Work.

## EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

County of Monterey  
October 27, 2015  
Page 3 of 3

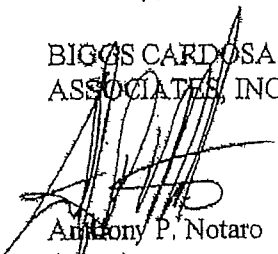
Biggs Cardosa Associates, Inc. proposes to provide the supplemental scope of services outlined in this proposal on a time and material basis, including expenses, as follows:

\$ 11,350	Construction Management/ Administration (BCA)
\$ 31,180	Construction Support Services (BCA)
\$ 8,000	Construction Support Services (R&M)
\$ 5,000	Construction Support Services (PCI)
\$ 18,770	<u>Environmental Compliance Services (HTH)</u>
\$ 74,300	Construction Support Services Total

Please sign below and return to our office to authorize work to begin on this project. Should you have any questions, please do not hesitate to call

Sincerely,

BIGGS CARDOSA  
ASSOCIATES, INC.

  
Anthony P. Notaro  
Associate

AGREED TO BY: \_\_\_\_\_  
County of Monterey

DATE: \_\_\_\_\_

# EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

## PEACH TREE ROAD BRIDGE (REPLACEMENT)

Biggs Cardosa Associates, Inc.

### PROJECT MANAGEMENT/ ADMINISTRATION

Task	Principal-In-Charge	Associate	Senior Engineer	Project Engineer	Drafting Staff	Clerical Services	Total Hours
<b>Project Management</b>							
Project Management & Administration	5	20				2	27
Attend Pre-Construction Meeting		6					6
Attend Construction Field Meetings (total 2)		16					16
Participate in Monthly Teleconference (total 6)	2	9					11
<b>Subtotal Hours</b>	<b>7</b>	<b>45</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>54</b>
<b>Hourly Rate</b>	<b>\$210.00</b>	<b>\$186.00</b>	<b>\$144.00</b>	<b>\$130.00</b>	<b>\$118.00</b>	<b>\$85.00</b>	
<b>Subtotal Budget</b>	<b>\$1,470.00</b>	<b>\$8,270.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$170.00</b>	<b>\$11,350.00</b>
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$124
Printing & Reproduction							\$100
Others (Misc)							\$0
<b>TOTAL PROJECT MANAGEMENT/ ADMINISTRATION</b>							<b>\$11,350</b>

### CONSTRUCTION SUPPORT SERVICES

Task	Principal-In-Charge	Associate	Senior Engineer	Project Engineer	Drafting Staff	Clerical Services	Total Hours
<b>Construction Services</b>							
Respond to RFIs	6	36	40	36		2	120
Review Submittals and Shop Drawings	Not Included		Not Included		Not Included		
Contract Change Orders	1	6	20		12	1	40
Prepare Record Drawings	1	6	20		16		43
<b>Subtotal Hours</b>	<b>8</b>	<b>48</b>	<b>60</b>	<b>36</b>	<b>28</b>	<b>3</b>	<b>203</b>
<b>Hourly Rate</b>	<b>\$210.00</b>	<b>\$186.00</b>	<b>\$144.00</b>	<b>\$130.00</b>	<b>\$118.00</b>	<b>\$85.00</b>	
<b>Subtotal Budget</b>	<b>\$1,680.00</b>	<b>\$8,928.00</b>	<b>\$8,640.00</b>	<b>\$4,680.00</b>	<b>\$3,304.00</b>	<b>\$255.00</b>	<b>\$31,187.00</b>
<b>Reimbursable Costs</b>							
Plots							\$113
Shipping & Mailing							\$500
Printing & Reproduction							\$200
Others (Misc)							\$0
<b>TOTAL CONSTRUCTION SUPPORT SERVICES</b>							<b>\$31,180</b>

### TOTAL SERVICES (Biggs Cardosa Associates, Inc.)

Task	Principal-In-Charge	Associate	Senior Engineer	Project Engineer	Drafting Staff	Clerical Services	Total Hours
<b>Total Services</b>							
<b>Subtotal Hours</b>	<b>15</b>	<b>93</b>	<b>60</b>	<b>36</b>	<b>28</b>	<b>6</b>	<b>263</b>
<b>Hourly Rate</b>	<b>\$210.00</b>	<b>\$186.00</b>	<b>\$144.00</b>	<b>\$130.00</b>	<b>\$118.00</b>	<b>\$85.00</b>	
<b>Subtotal Budget</b>	<b>\$3,150.00</b>	<b>\$17,238.00</b>	<b>\$8,640.00</b>	<b>\$4,680.00</b>	<b>\$3,304.00</b>	<b>\$510.00</b>	<b>\$44,492.00</b>
<b>Reimbursable Costs</b>							
Plots							\$113
Shipping & Mailing							\$624
Printing & Reproduction							\$300
Others (Misc)							\$0
<b>TOTAL SERVICES</b>							<b>\$44,492</b>

# EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

## PEACH TREE ROAD BRIDGE (REPLACEMENT)

Rajappan & Meyer

### PROJECT MANAGEMENT/ ADMINISTRATION

Task	Project Manager	Senior Engineer	Assist Proj Engineer				Total Hours
<b>Project Management:</b>							
Project Management & Administration							
Attend Pre-Construction Meeting							
Attend Construction Field Meetings (total 2)							
Participate in Monthly Teleconference (total 6)							
<b>Subtotal Hours</b>	0	0	0	0	0	0	0
<b>Hourly Rate</b>	\$190.00	\$105.00	\$105.00	\$124.00	\$118.00	\$82.00	
<b>Subtotal Budget</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$0
Printing & Reproduction							\$0
Others (Misc)							\$0
<b>TOTAL PROJECT MANAGEMENT/ ADMINISTRATION</b>							\$0

### CONSTRUCTION SUPPORT SERVICES

Task	Project Manager	Senior Engineer	Assist Proj Engineer				Total Hours
<b>Construction Services</b>							
Respond to RFIs	2	16	20				38
Review Submittals and Shop Drawings	Not Included		Not Included		Not Included		
Contract Change Orders	1	4	8				13
Prepare Record Drawings	1	4	8				13
<b>Subtotal Hours</b>	4	24	36				64
<b>Hourly Rate</b>	\$190.00	\$105.00	\$105.00	\$124.00	\$118.00	\$82.00	
<b>Subtotal Budget</b>	\$760	\$3,240	\$3,780	\$0	\$0	\$0	\$7,780
<b>Reimbursable Costs</b>							
Plots							\$40
Shipping & Mailing							\$80
Printing & Reproduction							\$100
Others (Misc)							\$0
<b>TOTAL CONSTRUCTION SUPPORT SERVICES</b>							\$8,000

### TOTAL SERVICES (Rajappan & Meyer)

Task	Project Manager	Senior Engineer	Assist Proj Engineer				Total Hours
<b>Total Services:</b>							
<b>Subtotal Hours</b>	4	24	36				64
<b>Hourly Rate</b>	\$190.00	\$105.00	\$105.00	\$124.00	\$118.00	\$82.00	
<b>Subtotal Budget</b>	\$760	\$3,240	\$3,780	\$0	\$0	\$0	\$7,780
<b>Reimbursable Costs</b>							
Plots							\$40
Shipping & Mailing							\$80
Printing & Reproduction							\$100
Others (Misc)							\$0
<b>TOTAL SERVICES</b>							\$8,000



# EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

## PEACH TREE ROAD BRIDGE (REPLACEMENT)

Parikh Consultants

### PROJECT MANAGEMENT/ ADMINISTRATION

Task	Project Manager	Project Sols Eng.	Field Engineer	Contract Mgmt			Total Hours
<b>Project Management</b>							
Project Management & Administration							
Attend Pre-Construction Meeting							
Attend Construction Field Meetings (total 2)							
Participate in Monthly Teleconference (total 6)							
<b>Subtotal Hours</b>	2	12	12	1			27
<b>Hourly Rate</b>	\$250.00	\$180.00	\$168.00	\$180.00	\$0.00	\$0.00	
<b>Subtotal Budget</b>	\$500.00	\$2,160.00	\$2,016.00	\$180.00	\$0.00	\$0.00	\$4,856.00
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$0
Printing & Reproduction							\$0
Others (Misc)							\$0
<b>TOTAL PROJECT MANAGEMENT/ADMINISTRATION</b>							\$0

### CONSTRUCTION SUPPORT SERVICES

Task	Project Manager	Project Sols Eng.	Field Engineer	Contract Mgmt			Total Hours
<b>Construction Services</b>							
Respond to RFIs	2	12	12	1			27
Review Submittals and Shop Drawings	Not Included		Not Included		Not Included		
Contract Change Orders							
Prepare Record Drawings							
<b>Subtotal Hours</b>	2	12	12	1			27
<b>Hourly Rate</b>	\$250.00	\$180.00	\$168.00	\$180.00	\$0.00	\$0.00	
<b>Subtotal Budget</b>	\$500.00	\$2,160.00	\$2,016.00	\$180.00	\$0.00	\$0.00	\$4,856.00
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$80
Printing & Reproduction							\$70
Others (Misc)							\$0
<b>TOTAL CONSTRUCTION SUPPORT SERVICES</b>							\$5,000

### TOTAL SERVICES (Parikh Consultants)

Task	Project Manager	Project Sols Eng.	Field Engineer	Contract Mgmt			Total Hours
<b>Total Services</b>							
<b>Subtotal Hours</b>	2	12	12	1			27
<b>Hourly Rate</b>	\$250.00	\$180.00	\$168.00	\$180.00	\$0.00	\$0.00	
<b>Subtotal Budget</b>	\$500.00	\$2,160.00	\$2,016.00	\$180.00	\$0.00	\$0.00	\$4,856.00
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$80
Printing & Reproduction							\$70
Others (Misc)							\$0
<b>TOTAL SERVICES</b>							\$5,000

# EXHIBIT A-6 – SCOPE OF SERVICES/PAYMENT PROVISIONS

## PEACH TREE ROAD BRIDGE (REPLACEMENT)

H.T. Harvey & Associates

### PROJECT MANAGEMENT/ ADMINISTRATION

Task	Principal Wildlife Ecologist	Associate Wildlife Ecologist	Senior Herpetologist	Wildlife Ecologist	Wildlife Ecologist	Graphics	Total Hours
<b>Project Management</b>							
Project Management & Administration							
Attend Pre-Construction Meeting							
Attend Construction Field Meetings (total 2)							
Participate in Monthly Teleconference (total 6)							
<b>Subtotal Hours</b>	20	10	20	62	16	20	138
<b>Hourly Rate</b>	\$218.00	\$179.00	\$147.00	\$118.00	\$131.00	\$105.00	
<b>Subtotal Budget</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$0
Printing & Reproduction							\$0
Others (Misc)							\$0
<b>TOTAL PROJECT MANAGEMENT/ ADMINISTRATION</b>							\$0

### ENVIRONMENTAL COMPLIANCE SERVICES

Task	Principal Wildlife Ecologist	Associate Wildlife Ecologist	Senior Herpetologist	Wildlife Ecologist	Wildlife Ecologist	Graphics	Total Hours
<b>Construction Services</b>							
Preconstruction Surveys	5	10	20	62	16	20	133
On-Site Biological Monitoring	Not Included		Not Included		Not Included		
<b>Subtotal Hours</b>	5	10	20	62	16	20	133
<b>Hourly Rate</b>	\$218.00	\$179.00	\$147.00	\$118.00	\$131.00	\$105.00	
<b>Subtotal Budget</b>	\$1,075	\$1,790	\$2,940	\$7,192	\$2,096	\$2,100	\$17,193
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$800
Printing & Reproduction							\$500
Others (Misc)							\$477
<b>TOTAL ENVIRONMENTAL COMPLIANCE SERVICES</b>							\$18,770

### TOTAL SERVICES (H.T. Harvey & Associates)

Task	Principal Wildlife Ecologist	Associate Wildlife Ecologist	Senior Herpetologist	Wildlife Ecologist	Wildlife Ecologist	Graphics	Total Hours
<b>Total Services</b>							
<b>Subtotal Hours</b>	25	20	40	124	32	40	261
<b>Hourly Rate</b>	\$218.00	\$179.00	\$147.00	\$118.00	\$131.00	\$105.00	
<b>Subtotal Budget</b>	\$1,075	\$1,790	\$2,940	\$7,192	\$2,096	\$2,100	\$17,193
<b>Reimbursable Costs</b>							
Plots							\$0
Shipping & Mailing							\$800
Printing & Reproduction							\$500
Others (Misc)							\$477
<b>TOTAL SERVICES</b>							\$18,770