

FIRST AMENDMENT TO THE AGREEMENT FOR THE PROVISION OF
PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES FOR A PRIVATE
PROJECT

This first amendment ("First Amendment") to the agreement dated the 18th day of December 2018 ("the Agreement") by and between the City of Redlands, a municipal corporation ("City") and First Carbon Solutions ("Consultant"), is made and entered into this 21st day of June, 2019.

RECITALS

WHEREAS, it is the desire of the City and Consultant to amend Article 2.1 of their existing Agreement more particularly described in Exhibit "A", (Additional Scope of Services), which is attached hereto by reference; and

WHEREAS, it is the desire of the City and Consultant to amend Article 5.1 of their existing Agreement to increase the total compensation payable to Consultant by the amount of ten thousand eight hundred and eighty dollars (\$10,880);

NOW, THEREFORE, City and Consultant agree as follows:

AGREEMENT

Section 1. Article 2, Section 2.1 of the Agreement, entitled "Services of Consultant" is hereby amended to read as follows:

"2.1 The Services that Consultant shall perform are more particularly described in Exhibit "A," entitled "Additional Scope of Services," which is attached hereto and incorporated herein by reference. Consultant shall complete the Services on or before November 15, 2019."

Section 2. Article 5, Section 5.1 of the Agreement, entitled "Payment to Consultant" is hereby amended to read as follows:

5.1 The total compensation for Consultant's performance of the Services shall not exceed the amount of seventy thousand thirty-eight dollars (\$70,038). City shall pay Consultant on a time and materials basis up to the not to exceed amount, in accordance with Exhibit "B" entitled "Project Costs and Hourly Rates." Exhibit "B" is attached hereto and incorporated herein by this reference.

Section 3. All other provisions of the Agreement shall remain unchanged by this First Amendment and in effect.

IN WITNESS WHEREOF, the parties involved have executed this First Amendment to be effective as on June 21, 2019.

CITY OF REDLANDS


Janice McConnell, Assistant City Manager

FIRST CARBON SOLUTIONS


Kerri Tuttle, Senior Director

Attest:


Jeanne Donaldson, City Clerk

EXHIBIT "A"

ADDITIONAL SCOPE OF SERVICES

ADDITIONAL SCOPE OF WORK

Task 1: Peer Review the Applicant-Prepared Technical Studies—\$1,500

FCS was provided with copies of the original technical reports that were prepared by the Applicant's consultants, including an Air Quality/Greenhouse Gas Emissions Analysis, Biological Resources Assessment, Historical/Archaeological Resource Survey, Noise Study, Traffic Impact Analysis, Preliminary Water Quality Management Plan, Hydrology Study, Phase 1 Environmental Site Assessment, and Soils Investigation Report. Due to the recent modifications to the proposed Site Plan and Project Description, the Applicant has subsequently updated the Air Quality/Greenhouse Gas Emissions Analysis, Noise Study, and Traffic Impact Analysis Reports, revised copies of which were submitted to FCS on March 13, 2019. As the FCS Team had already peer reviewed the original reports, the effort required to peer review the recently revised reports is captured below.

1. Peer Review Revised Air Quality/Greenhouse Gas Emissions Analysis: \$500
2. Peer Review Revised Noise Study: \$500
3. Peer Review Revised Traffic Impact Analysis: \$500

Task 2: Consistency Updates and Revisions to the Administrative Draft IS/MND—\$3,930

The Site Plan, Project Description, and Technical Studies were updated by the Applicant after FCS initiated the preparation of the Administrative Draft IS/MND. In order to ensure the consistency and accuracy of the IS/MND content, multiple sections of the Administrative Draft IS/MND that were previously prepared will need to be revised.

This task includes additional hours for the FCS Project Director, Senior Project Manager, Assistant Project Manager, Environmental Analysts, In-House Legal Counsel, Word Processor, Editor, and GIS Specialist, as identified below, to prepare and update the environmental document.

- Project Director: 1 hour: \$240
- Senior Project Manager: 3 hours: \$570
- Assistant Project Manager: 8 hours: \$960
- Environmental Analyst: 14 hours: \$980
- Legal Counsel: 2 hours: \$350
- Word Processor: 4 hours: \$380
- Editor: 2 hours: \$200
- GIS Specialist: 2 hours: \$250

Task 3: Revise IS/MND to Reflect Updated CEQA Guidelines Appendix G

Checklist—\$4,500

The original Scope of Work outlined the process that FCS would follow to prepare the IS/MND in accordance with the then current version of the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist. On January 3, 2019, a new CEQA Guidelines Appendix G Environmental Checklist went into effect. Based on direction from City staff and the anticipated timing of the IS/MND public review period, FCS will need to update the IS/MND to reflect the updated Appendix G Environmental Checklist. This will require a comprehensive update of the document, and will require an increase in the budget that was established for the preparation of the Administrative Draft IS/MND. We have provided an estimate for our costs, based on our understanding of the level of effort required to address the new checklist questions. This estimate may need to be adjusted based on the actual level of effort required.

Energy

FCS will provide an analysis of energy impacts consistent with the current version of the CEQA checklist. The analysis will provide a brief summary of relevant federal, State, and local regulations and policies that address energy consumption and demand, alternative fuels, and nonrenewable resources. Using the model inputs and assumptions associated with the Air Quality and greenhouse gas (GHG) analyses, FCS will provide energy consumption estimates associated with construction and operation of the project.

Wildfires

The IS/MND will evaluate the project in terms of its potential to impact an adopted emergency response or evacuation plan. The proposed project is within a developed area and is not located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones. Therefore, FCS does not anticipate the project would result in a potentially significant impact related to wildfire.

Task 4: Additional Project Management and Coordination—\$950

FCS continues to coordinate closely with the City and project team. Due to the recent modifications to the Project Description and Site Plan, the need for additional rounds of peer review, and the incorporation of the updated technical studies into the IS/MND (and the additional weeks of coordination that has been required to address these issues), the original internal staff meetings budget of \$2,340 has been exhausted.

FCS will require an additional five (5) hours for the Project Director, Senior Project Manager, and the Assistant Project Manager coordinating day-to-day with the Client, the Client's representative, and the project team.

In addition to the research, analysis, communications, and writing tasks, FCS will provide ongoing support to City staff during the discussions of technical issues.

UPDATED SCHEDULE

FCS has prepared the following updated IS/MND schedule to reflect the anticipated timing of project milestones as of April 3, 2019.

Work Product/Milestone	Estimated Date of Completion
Authorization to Proceed/Project Initiation Meeting	December 12, 2018
Revise Project Description and Exhibits per Updated Site Plans (Received 3/13/2019)	March 22, 2019
Verification of Revised Applicant-Provided Technical Studies per FCS Peer Review	March 22, 2019
Prepare and Submit an Administrative Draft IS/MND with Updated Technical Studies, Site Plans, Drawings (Received 3/13/2019). Draft to be Updated with 2019 CEQA Guidelines.	March 29, 2019
City Staff Review of Administrative Draft IS/MND (2 weeks)	April 12, 2019
Revise Administrative Draft IS from City Comments	April 19, 2019
Submit Final Draft IS	April 19, 2019
Receive City Comments on Final Draft IS/MND (1 week)	April 26, 2019
Finalize IS/MND (1 week turnaround)	May 3, 2019
City Approval of Final Draft IS/MND	May 10, 2019
Begin 30-Day Public Review Period (within 5 days of City approval)	June 5, 2019
Close 30-Day Public Review Period	July 5, 2019
Prepare Draft Response to Comments and MMRP for City Review (1 week)	July 12, 2019
City Review of Draft Response to Comments and MMRP for City Review (1 week)	July 19, 2019
Submit Final Versions of Response to Comments and MMRP, Revise and Distribute	July 22, 2019
Planning Commission Hearing(s)	TBD
File Notice of Determination	(less than 5 days after project approval)

EXHIBIT "B"

Project Costs and Hourly Rates

COST ESTIMATE

The proposed fees are based upon the Scope of Work described above.

Task	Fees
Task 1: Peer Review the Applicant-Prepared Technical Studies	\$1,500
Task 2: Consistency Updates and Revisions to the Administrative Draft IS/MND	\$3,930
Task 3: Revise IS/MND to Reflect Updated CEQA Guidelines Appendix G Checklist	\$4,500
Task 4: Additional Project Management and Coordination	\$950
Total	\$10,880

Assumptions

The assumptions used in calculating the above fees are:

- The fee is valid for up to 30 days from the date of this Scope of Work, after which it may be subject to revision.
- Costs have been allocated to tasks based upon FCS's proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.
- In the event that updated project details are provided and/or changes to FCS's Scope of Work are necessary, FCS will contact the City in writing to submit a revised fee for consideration, and a contract amendment will be processed. Requests for additional work will be documented, and a completion timetable and estimated fee will be submitted to the City for approval.