

Authorization for Additional Services

This Agreement is to provide additional professional engineering services for the project identified as follows:

Project Name: Raw Water Line Replacement Project
Client Project Number: 2019-02
Consultant Project Number: FTBG18-001
Additional Services #: 4
Date of Original Agreement: January 24, 2019

The Client and the Consultant are identified as follows:

CLIENT: <u>City of Fort Bragg</u>	CONSULTANT: <u>Coleman Engineering, Inc.</u>
Name: <u>Diane O'Connor</u>	Name: <u>Chad Coleman</u>
Title: <u>Project Manager</u> <u>City of Fort Bragg, Public Works</u>	Title: <u>Principal</u>
Address: <u>Department, 416 N Franklin</u>	Address: <u>1223 Pleasant Grove Blvd., Suite 100</u>
City, ST, Zip: <u>Fort Bragg, CA 95437</u>	City, ST, Zip: <u>Roseville, CA 95678</u>
Phone: <u>707-961-2823 x 134</u>	Phone: <u>916-791-1188</u>
e-mail: <u>doconnor@fortbragg.com</u>	e-mail: <u>chad@coleman-eng.com</u>

The following Scope of Additional Services, Schedule, Budget, and Budget Summary are added to the existing agreement referenced above, are effective as of the date signed on the last page and are subject to all the terms of the original agreement.

Summary of Additional Services

The Coleman Engineering team has provided the following additional services.

1) Environmental Permitting Fees for Dewberry

Dewberry was asked by the City to submit permit applications and to pay the associated fees with the understanding that the City would execute an additional services authorization to reimburse Dewberry for the fees that were not included in the original agreement. See the attached email from Diane O'Connor to Dewberry dated April 14, 2023.

In addition, Dewberry has provided an additional Biological Assessment as required by the various agencies. A letter detailing Dewberry's additional services is attached.

2) Noyo River Lining Design

Design of the crossing of the Noyo River was not included in our original Scope of Services. Coleman Engineering was directed by the City to consider trenchless lining of the crossing pipe. However, before the effort progressed to complete design, Coleman Engineering was able to determine that the proposed application and materials were not appropriate for the site specific installation and would also not meet the City's design criteria. Design was stopped before further labor effort was incurred.

3) Newman Pump Station building permit review

The design of the Newman Pump Station was added to the agreement in Additional Services 3. Following the design of the facility, the City chose to move the location of the pump station to a new site that necessitates a retaining wall. The retaining wall design was not included in the original design or in any additional services scope or fee. Coleman Engineering coordinated with the City to outline the required geotechnical and structural engineering inputs. Alternatively, Coleman Engineering proposed a design-build solution whereby the Contractor will provide the design during construction. After consultation with Coleman Engineering staff, the City selected the design-build solution.

In addition, our Scope of Services specifically excluded design to accommodate a building permit review, including response to comments from building department officials. (See the Assumptions to Task 3 which state "City or County building permit reviews are not required.") When the City chose to submit to Humboldt County for a building permit, we were happy to provide support. But the subsequent need to revise the design to address building officials' comments has taken time that was not allocated in the agreement.

4) Lengthened Pipe in Segment 5

Our team has been diligently working on finalizing the plans and associated easements. During that process it was determined that there was a gap in the pipeline in Segment 5. While we are happy to help it is important to state our understanding that the City approved of the design as it was formerly completed. This required coordination with the surveyors to document the extended easement area.

5) SWPPP required for Environmental Permitting

The Coleman Engineering team was directed by the City to prepare a Stormwater Pollution Prevention Plan (SWPPP) which is required to respond to comments from the environmental permitting agencies. This activity is not included in our Scope of Services. It is only required as a response to comments from the permitting agency. We are happy

to help and to prepare the SWPPP so that the permit applications can be submitted in a timely manner.

6) Changes to the design of the Newman Pump Station

Following completion of the final design it was determined that several changes were desired by the City. These include the following:

- Addition of a strainer on the inlet side to protect the pumps from large debris from the Newman Reservoir.
- Removal of the existing metering vault to provide the space needed for the new strainer.

Coleman Engineering has provided these services, or continues to provide these services so that the design can be completed efficiently.

7) Bid Quantities Updates

The City requested that bid quantities be adjusted so that the City could use many more unit priced bid items rather than a lump sum approach to bidding. Coleman Engineering engaged with Aaron Smud of Alpine Summit Development to update previous services related to quantity take-offs when Mr. Smud was developing construction cost estimates.

8) Redesign of the electrical service to the Newman Pump Station

After completion of the design for the new electrical service to the Newman Pump Station, PG&E implemented a requirement that does not allow for multiple metered services on the same parcel. As a result, the electrical design for the service to the Newman Pump Station, as well as the existing service to the existing Summers Lane Reservoir requires updating. This task includes labor required to evaluate the existing site cables, breakers, and load locations; redesign of the service so that a single service can be provided; and, updates to the plans to depict the updated design sufficient for the City to resubmit the design to PG&E for approval of the service.

Schedule and Agreement End Date

Coleman Engineering will provide the services outlined in this Scope consistent with the requirements of the project and in conjunction with the overall project schedule. The Agreement End Date is amended to December 31, 2024.

Additional Services #4 Budget

Services detailed above will be provided using the following budgets. Coleman Engineering reserves the right to transfer budgets between tasks without changing the Total Additional

Services Budget. Services will be provided on a time and materials basis not to exceed the total amount summarized below. The attached spreadsheet provides a detailed breakdown of the additional fee by task.

TASK	Budget
Task 1 – Environmental Permitting Fees for Dewberry	\$34,837
Task 2 – Noyo River Lining Design	\$10,416
Task 3 – Newman Pump Station building permit review	\$10,660
Task 4 – Lengthened Pipe in Segment 5	\$9,376
Task 5 – SWPPP required for Environmental Permitting	\$15,756
Task 6 – Changes to the design of the Newman Pump Station	\$9,856
Task 7 – Bid Quantities Updates	\$2,500
Task 8 – Redesign of the electrical service to the Newman Pump Station	\$9,012
Total Budget for Additional Services #4 =	\$102,413

Project Budget Summary

Original Budget =	\$594,096
Sum of Previous Changes to Budget =	\$256,478
Budget of this Scope of Additional Services =	\$102,413
New Project Budget =	\$952,987

The above is mutually agreed to this ____ day of _____, 2024.

City of Fort Bragg

By: _____
Name: _____
Title: _____

Coleman Engineering, Inc.

By: Chad R. Coleman
Name: Chad R. Coleman, P.E.
Title: Principal
CA PE #: C56490



Chad Coleman

Subject: FW: Fort Bragg Permit application submittal

From: O'Connor, Diane <doconnor@fortbragg.com>

Sent: Friday, April 14, 2023 4:24 PM

To: Tisch, Lindsay <LTisch@Dewberry.com>; Redd, Christa <CRedd@Dewberry.com>; Bray, Jeff <jbray@Dewberry.com>; Simon Gray <simon@coleman-eng.com>

Cc: Smith, John <jsmith@fortbragg.com>

Subject: RE: Fort Bragg Permit application submittal

[CAUTION] External Email. DO NOT click links or open attachments unless expected. Please use the "Phish Alert" button to report all suspicious emails.

Hi Lindsay,

Thank you for this! I want to make sure that I understand. The fee for the 1602 is \$6,236. The fee calculator for the dredge has two separate amounts. It sounds like we only pay for the application fee of \$2,734 now, and the annual fee will be billed to us in Nov/Dec. is that correct? Does that fee cover both the 401 and 401 permit fees? That would be a total of \$8,970 to submit all of the permits, if I understand correctly.

How do you recommend we pay for the permits? It may be the most efficient to have you submit payment with the applications, rather than having us cut and mail checks. We can do a contract amendment with Coleman to include an additional \$9,000, if needed.

Thank you,

Diane

Diane O'Connor

Assistant City Engineer

416 N Franklin

Fort Bragg, CA 95437

Phone: 707-961-2823 x 134

Email: doconnor@fortbragg.com



June 16, 2023

Coleman Engineering, Inc.
Attn: Mr. Simon Gray, P.E.
1223 Pleasant Grove Boulevard #200
Roseville, CA 95678

RE: City of Fort Bragg Raw Waterline Project- Scope of Work and Fee for Additional Biological Assessment and Permitting Fees

Dear Mr. Gray:

Dewberry Engineers Inc. appreciates the opportunity to serve as a subconsultant to Coleman Engineering on the City of Fort Bragg water line project. As you are aware, there were several environmental permits and approvals needed for this project to proceed to the construction phase. These permits were submitted to the agency on April 25, 2023. During the technical assistance in preparing the permit applications on behalf of the City and coordinating with the regulatory agencies for these permits, it was discovered that separate Biological Assessments (BAs) were required for the Section 404 Permit, one for U.S. Fish and Wildlife (USFWS) and one for the National Atmospheric and Oceanic Administration Marine Fisheries (NOAA Fisheries).

At the time of the original proposal, NOAA Fisheries was accepting a combined BA that covered species for both agencies. In late 2022, NOAA Fisheries began changing their acceptance of BAs, requiring the BA to be separate from the USFWS BA. This is because USFWS and NOAA Fisheries are concerned about different species. For this project, the NOAA Fisheries BA focused on the Central California Coast Coho Salmon and Northern California Steelhead and their habitats; the USFWS BA focused on the Marbled Murrelet and the Northern Spotted Owl.

In addition, during the submittal of the permit applications, the City requested Dewberry to pay the application fees. This scope of work covers the required second BA for the Section 404 permit application and the permit application fees for the California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB).

Scope of Work

Task 1 Nationwide Permit Verification (Clean Water Act, Section 404).

As part of the Preconstruction Notification (PCN) submitted to the USACE Dewberry is required to prepare two Biological Assessments (BAs), one BA for USFWS and one for NOAA Fisheries. Dewberry will prepare a draft and final BA using existing information in the City's IS/MND to support Section 7 consultation with NOAA Fisheries. The BA will be prepared according to the *ESA Information Guidelines for the Regulatory Program*, dated March 2018, to determine the potential for the pipeline project to impact federally listed proposed, or candidate species under the Federal Endangered Species Act (FESA). The BA will describe the action area and the species and critical habitat (if any) considered. The BA will include an effects analysis and determination as to the potential for the project to affect the subject species and critical habitat, if any. We have budgeted 15 hours for responding to comments generated during client and

City review of the BA and 20 hours to assist USACE and the City throughout the Section 7 consultation process (e.g., providing additional information or analysis). The total cost for the NOAA Fisheries BA is \$16,953.50.

Task 2 Permit Fees

TASK 2.1 WATER QUALITY CERTIFICATION PROCESSING FEE

The Water Quality Certification application processing fee must be included with the submittal. The original scope indicated that the fee would be provided by City. During the preparation of the application packages in April 2023, the City requested that Dewberry pay the permit application processing fee. Dewberry has allotted 12 hours for agency coordination and will provide a payment to the State Water Resources Control Board for \$2,734. The total cost for this task is \$4,394.50.

TASK 2.2 STREAMBED ALTERATION AGREEMENT (FISH AND GAME CODE, SECTION 1602) PROCESSING FEE

The Streambed Alteration Agreement application processing fee must be included with the submittal. The original scope indicated that the fee would be provided by City. During the preparation of the application packages in April 2023, the City requested that Dewberry pay the permit application processing fee. Dewberry has allotted 12 hours for agency coordination and will provide a payment to the California Department of Fish and Wildlife, Northern Region – Coastal (Region 1) for \$6,236. The total for this task is \$7,896.50

Estimated Cost

Dewberry will perform the above scope of work based on a time and materials basis not to exceed \$29,244.50. Please call me at (916) 245-2833, or Christa Redd at (916) 231-5109, if you have any questions regarding our proposed scope of work and fee.

Sincerely,



Jeff Bray
Senior Associate



Christa Redd
Project Manager

Attachments

1. Fee Table

City of Fort Bragg Waterline Permitting					Total Hours	Total Fees*
		6/16/2023	Jeff Bray	Lindsay Tisch		
		\$246	\$138	\$97		
Task 1	Nationwide Permit Verification (Clean Water Act, Section 404)					
1.1	NOAA Fisheries Biological Assessment	16.00	40.00	60.00	132.00	\$16,953.50
Task 1 Nationwide Permit Verification (Clean Water Act, Section 404) Subtotal		16.00	40.00	60.00	132.00	\$16,953.50
Task 2	Permit Fees					
2.1	Water Quality Cerification		12.00		12.00	\$1,660.50
2.2	Streambed Alteration Agreement (Fish and Game Code, Section 1602)		12.00		12.00	\$1,660.50
Task 2 Permit Fees Subtotal		0.00	24.00	0.00	24.00	\$3,321.00
Subtotal Labor		16.00	64.00	60.00	156.00	\$20,274.50
Reimbursable Expenses						
	RWQCB 401 Certification Processing Fee					\$2,734.00
	CDFW 1602 Agreement Processing Fee					\$6,236.00
Subtotal Reimbursable Expenses						\$8,970.00
					Total	\$29,244.50