

AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MANHATTAN BEACH AND MICHAEL BAKER
INTERNATIONAL, INC.

This First Amendment ("Amendment No. 1") to that certain agreement by and between the City of Manhattan Beach, a California municipal corporation ("City") and Michael Baker International, Inc., a Pennsylvania corporation ("Consultant"), (collectively, the "Parties") is hereby entered into as of AUGUST 8TH, 2018 ("Effective Date").

RECITALS

A. On January 3, 2017, the City and Consultant entered into an agreement for professional services for the Consultant to provide design services for the Aviation Boulevard to Artesia Boulevard Southbound to Westbound Right Turn Lane Improvement Project ("Agreement");

B. The original term of the Agreement has expired, and the Scope of Services has not yet been completed;

C. The Parties now desire to amend the Agreement to extend the term, modify the Scope of Services to add additional services, and increase the Maximum Compensation to pay for the additional services.

NOW, THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereby agree as follows:

Section 1. Section 2 of the Agreement is hereby revised to extend the term of the Agreement through December 31, 2019, unless sooner terminated as provided in Section 12 of the Agreement.

Section 2. Section 3.A of the Agreement is hereby revised to increase the Maximum Compensation amount by \$55,000, for a new Maximum Compensation of \$ 199,541.

Section 3. The letter from Brian Anderson dated June 25, 2018 and attached hereto as Exhibit A is hereby incorporated into the Agreement, as a supplement to the Scope of Services (Exhibit A) and Approved Fee Schedule (Exhibit B) of the Agreement.

Section 4. Except as specifically amended by this Amendment No. 1, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 1 on the day and year first shown above.

CITY OF MANHATTAN BEACH

Michael Baker International, Inc.
(CONSULTANT)

By: _____
Bruce Moe, City Manager

By:  Michael Broz
Its:  Vice President

ATTEST:

Liza Tamura, City Clerk

APPROVED AS TO FORM:


for _____
Quinn M. Barrow, City Attorney

APPROVED BY FINANCE DEPARTMENT:

By: 

Steve S. Charellan
Interim Finance Director



We Make a Difference

June 25, 2018

JN 160287

Mr. Prem Kumar, P.E.
City Engineer
City of Manhattan Beach
3621 Bell Avenue
Manhattan Beach, CA 90266

**Subject: Contract Amendment Request Revision (June 25, 2018):
Aviation/Artesia Boulevard Southbound to Westbound Right Turn
Improvement Project – Initial Study/Mitigated Negative Declaration (ISMND),
and Phase II Subsurface Investigation**

Dear Mr. Kumar:

For your review Michael Baker is providing this environmental amendment for the Aviation Boulevard at Artesia Boulevard Right Turn Improvement Project. The attached services are specific to an Initial Study/ Mitigated Negative Declaration (IS/MND) and a Phase II Subsurface Investigation. We have removed the optional service for installation of the Maxwell Plus Drywell Infiltration System, due to the restrictions for providing ground infiltration at this site.

The scope of work includes the following:

TASK 1: INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION (ISMND): Michael Baker will prepare an Initial Study/Mitigated Negative Declaration (IS/MND) under the California Environmental Quality Act (CEQA). Based on a preliminary review of the proposed project, a scope of work for environmental services is provided below.

1.1 Special Studies

1.1.1 CULTURAL RESOURCES

Michael Baker will retain Cogstone Resource Management (Cogstone) for preparation of the cultural resources documentation for the project. The primary components of this task consist of the following:

Research. Cogstone will conduct searches through the South Central Coastal Information Center (SCCIC), Los Angeles County Museum of Natural History (LACMNH), Native American Heritage Commission (NAHC) and other local (city and county) and internet archives.

Native American Coordination. Upon receipt of the Native American Heritage Commission (NAHC) letter, Cogstone will support the City by providing draft AB-52 letters for City review and to be put on City letterhead. Upon receipt of the letter back from the City, Cogstone will send letters to tribes via U.S. Certified Mail initiating the consultation process under AB-52. Cogstone does not anticipate the need for any meetings. Cogstone will attach a summary of consultation matrix to the project report.

Site Visit. A Cogstone archaeologist/paleontologist will conduct a reconnaissance survey of the project site. The primary purpose is to document the cultural setting. The archaeologist/paleontologist will take photographs of the site and surrounding uses in order to document the project setting.

Report. Upon completion of these tasks, Cogstone will prepare a cultural/paleontological resources assessment report. The report will characterize the results of the records search and previous consultation efforts, to determine baseline conditions, assess potential impacts to cultural resources resulting from the project, and make appropriate recommendations to avoid or minimize any potentially significant impacts. The cultural resources report will focus on impacts to archaeological/Native American resources, and this task specifically excludes an analysis of paleontological resources.

1.1.2 AIR QUALITY

Fugitive dust and equipment exhaust emissions from construction activities will be quantitatively evaluated using the California Emissions Estimator Model (CalEEMod). The air pollutant emissions during construction will be compared to the SCAQMD regional thresholds of significance. Modeled construction will also be compared to the SCAQMD Localized Significance Thresholds to determine whether the localized impacts would occur. As the project is an intersection improvement and would not generate new trips, operational emissions analysis will be qualitative. The operational analysis will be based on level of service and delay times at the project intersection. Where necessary, carbon monoxide hotspots will be evaluated. Project consistency with the *2016 Air Quality Management Plan* will be evaluated. Michael Baker will also qualitatively discuss naturally occurring asbestos impacts.

1.1.3 GREENHOUSE GASES

Michael Baker will prepare an inventory of the greenhouse gas (GHG) emissions (i.e., nitrous oxide, methane, and carbon dioxide) from direct sources (i.e., construction equipment). The emissions inventory will be compiled utilizing CalEEMod. As the project is an intersection improvement and would not generate new trips, operational emissions analysis will be qualitative and will be based on level of service and delay times at the project intersection.

1.1.4 NOISE

Michael Baker will review applicable noise and land use compatibility criteria for the project area. Noise standards regulating noise impacts will be discussed for land uses adjacent to the proposed roadway improvements. The construction noise impacts will be evaluated in terms of maximum levels (L_{max}) and hourly equivalent continuous noise levels (L_{eq}) and the frequency of occurrence. A screening level operational noise assessment will be conducted to determine the change in ambient noise due to implementation of the proposed intersection improvements. Compliance with applicable noise standards will be evaluated, with recommended mitigation measures included where appropriate. This scope excludes on-site noise measurements.

1.2 Preparation of the Initial Study

Michael Baker's existing/executed scope of work includes preparation of an Initial Study that was intended to be utilized to support the conclusions of a Categorical Exemption. Based on discussions with City Staff, the use of an Exemption for the project is no longer feasible and a Mitigated Negative Declaration (MND) will be prepared. Although, this task incorporates the

Initial Study under Michael Baker's existing scope of work, the Initial Study will be modified to support preparation of an MND rather than a Categorical Exemption.

Michael Baker will submit five (5) copies of the Administrative Draft Initial Study for review and comment by the City. Should additional copies be required, additional copies will be provided by Michael Baker at an additional fee. This scope of work assumes two rounds of review by City staff prior to the 30-day CEQA public review process. Correspondingly, this scope is limited to two rounds of revisions by Michael Baker in response to City comments.

1.3 Preparation of the Public Review IS/MND

With the anticipated conclusion in the Initial Study that no significant environmental effects will occur, a Mitigated Negative Declaration (MND) will be prepared. Following this determination, Michael Baker will prepare the Notice of Intent to Adopt (NOI) and the MND for City review. The NOI and MND will be attached to the Initial Study to fully explain the proposed project and its effects. Twenty-five (25) copies, one (1) camera-ready original, and an electronic file of the IS/MND will be provided to the City. Michael Baker will submit the IS/MND to the State Clearinghouse and additional agencies/interested parties as directed by the City. This task assumes that the City would be responsible for any radius mailing or newspaper noticing required for public review. The IS/MND would be subject to a mandatory 30-day public review period.

1.4 Mitigation Monitoring & Reporting Plan/Notice of Determination

Michael Baker will prepare the Mitigation Monitoring and Reporting Program (MMRP) in accordance with Public Resources Code Section 21081.6 (AB 3180). Fifteen copies (15), one (1) camera-ready original, and an electronic file of the MMRP will be provided to the City. In addition, upon adoption of the IS/MND by the City, Michael Baker will prepare a Notice of Determination (NOD) and will file the NOD at the County Clerk's Office. This scope of work excludes any applicable CEQA filing fees required by the CDFW.

1.5 Coordination and Meetings

Mr. Alan Ashimine will be responsible for project oversight, quality assurance, and quality control. Mr. Ashimine will undertake consultation and coordination of the project and the environmental review for compliance with CEQA requirements. Mr. Ashimine will consult with State and Local Agencies regarding the environmental documents. Michael Baker will provide management services to implement the work program and coordinate the effort with City staff.

Mr. Ashimine will attend up to one (1) staff-level meeting and one (1) City Council public hearing (to consider adoption of the Final IS/MND) for the project. Mr. Ashimine will represent the project team at staff meetings and the public hearing and make a presentation as necessary. Should the City determine that additional meetings beyond those listed below are necessary, services will be provided under a separate scope of work on a time and materials basis.

- One staff-level IS/MND progress meeting; and
- One City Council public hearing with a presentation.

TASK 2: LIMITED PHASE II SUBSURFACE INVESTIGATION: Michael Baker will retain Roux Associates Inc. (Roux Associates) to perform a limited Phase II Subsurface Investigation to address potential environmental concerns for the City's need to acquire right-of-way at the

northwestern corner of Aviation Boulevard and Artesia Boulevard, in the City of Manhattan Beach as part of the proposed, Aviation/ Artesia Boulevard Southbound to Westbound Right Turn Improvement Project. The scope of work for this task comprises of shallow soil excavation and the potential export of soils that may be impacted with petroleum hydrocarbons from the former on-site gasoline service station uses.

Pre-Field Preparations, Utility Clearance and Geophysical Survey

A site-specific Health & Safety Plan will be prepared prior to initiating fieldwork to ensure worker safety. Underground Service Alert (USA) will be notified of intended subsurface work at the Site at least 48 hours prior to fieldwork, and will be engaged to identify potentially buried utility lines (i.e., natural gas, electric, water, sewer, telephone, fiber optic, etc.). Roux Associates will use a sub-contractor to conduct a geophysical investigation to clear proposed locations.

Proposed Investigation

Roux Associates will advance a maximum of five shallow, hand-augered borings at the Site. Volatile vapors will be field screened and recorded, and samples will be collected for laboratory analyses and lithologic logging. Soil samples will be collected at the surface, 2 feet below surface, and 5 feet below surface. Selected soil samples (up to 10 total) will be analyzed for total petroleum hydrocarbons (TPH) by USEPA Method 8015M, volatile organic compounds (VOCs) by USEPA Method 5035/8260B, and Title 22 Metals by USEPA 6010/7000, including total lead.

Reporting and Deliverables

Upon completion of all field activities and receipt of final laboratory reports, the findings of the Limited Phase II will be presented and included in a summary letter report. The report will include: a brief description of the investigation, including background information; sample collection and analytical methods; a description of field observations; laboratory data (in text tables, figures, and boring logs); and, interpretation of data, conclusions, and recommendations.

TASK 3: ADDITIONAL SOILS/ENVIRONMENTAL INVESTIGATION (AS AUTHORIZED BY THE CITY): At the direction of the City, and with authorization from the City, additional work may be performed on initial sampling results and/or requests for work outside of Task 2 (above). Because the scope of additional work is undefined at this time, an exact cost cannot be provided. Additional work, if any, would be expected to include deeper borings, collection and/or analysis of additional soils samples, and/or the collection of soil gas samples. If any of this work is conducted within Aviation Boulevard right of way, encroachment permits, a traffic control contractor would be needed.

An allowance of \$8,117 has been established for a not to exceed value for this task.

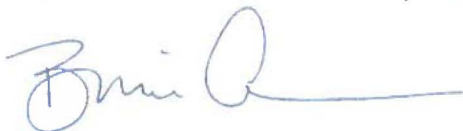
EXHIBIT B

FEE

Task Description	Project Manager \$208	Project Engineer \$155	Design Engineer \$135	Project Planner \$145	Sub Consultant	Total Hours	Total Fee
TASK 1: INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION (ISMND)	\$7,072	-	-	\$15,370	\$8,437	140	\$ 30,879
TASK 2: LIMITED PHASE II SUBSURFACE INVESTIGATION	\$1,664	-	-	\$1,740	\$12,600	20	\$ 16,004
TASK 3: ADDITIONAL SOILS/ENVIRONMENTAL INVESTIGATION (AS AUTHORIZED BY THE CITY)						-	\$6,000
Subtotal Professional Fees							\$ 52,883
Additional Reimbursable Allowance							\$2,117
Total Fees							\$ 55,000

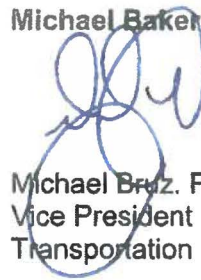
Should you have any questions and/or require additional information, please contact me directly at 949/330-4145 or briananderson@mbakerintl.com.

Sincerely
Michael Baker International, Inc.



Brian Anderson, P.E.
Senior Project Manager
Transportation

Michael Baker International, Inc.



Michael Bruz, P.E.
Vice President
Transportation