

**AMENDMENT NO. 9 TO THE AGREEMENT  
FOR CONSULTANT SERVICES  
BETWEEN THE CITY OF MORRO BAY  
AND CAROLLO ENGINEER, INC.**

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This Amendment No. 9 is entered by and among the CITY OF MORRO BAY, a municipal corporation (“City”) and CAROLLO ENGINEERS, INC., a Delaware Corporation (“Consultant”). City and Consultant are sometimes collectively referred to as the “Parties.”

**RECITALS**

WHEREAS, City and Consultant entered into an agreement as of April 10, 2018, for consulting services related to the Program Management for the Water Resources Center (WRC Project), which was approved by the City Council for a total not-to-exceed amount of \$292,000 (the “Agreement”); and

WHEREAS, the Parties understood the Agreement was to cover completion of the Project Confirmation phase of the WRF Project (Phase 1); and

WHEREAS, the Parties amended the Agreement on November 27, 2018, to include additional services for a portion of the Project Implementation phase of the WRC Project (Phase 2) and established a total not-to-exceed amount of \$1,898,948.00 for the Agreement; and

WHEREAS, the Parties amended the Agreement on November 7, 2019, to include additional services for a portion of the Project Implementation and Project Oversight phases of the WRC Project (Phase 2 and 3) and established a total not-to-exceed amount of \$4,280,916 for the Agreement; and

WHEREAS, the Parties amended Agreement on June 23, 2020, to include additional services for Project Oversight phases of the WRC Project (Phase 3) and established a total not-to-exceed of \$6,354,049 for the Agreement; and

WHEREAS, the Parties amended Agreement on June 22, 2021, to include additional services for Project Oversight phases of the WRC Project (Phase 3) and established a total not-to-exceed of \$11,808,401 for the Agreement, and

WHEREAS, the Parties amended Agreement as of July 1, 2021, to expand the entities protected by the hold harmless clause in the Agreement; and

WHEREAS, the Parties amended Agreement as of June 14, 2022, to extend the contract expiration date to June 30, 2023 in the Agreement; and

WHEREAS, the Parties amended Agreement as of August 23, 2022, to include additional services for Project Oversight phases of the WRC Project (phase 3) established a total not-to-exceed of \$13,508,401 for the agreement; and

WHEREAS, the Parties amended Agreement as of May 24, 2023, to extend the contract expiration date to June 30, 2024 in the Agreement; and

WHEREAS, the Agreement and the November 27, 2018, November 7, 2019, June 23, 2020, June 22, 2021, July 1, 2021, June 14, 2022, August 23, 2022, and May 24, 2023 amendments are hereinafter referred to as the “Amended Agreement;” and

WHEREAS, due to the completion of both the WRC and the Lift Stations and Offsite Pipelines projects the scope of services and fee schedule shall be amended as outlined in the attached Exhibit A at no cost to the City and the expiration of the Amended Agreement must be extended, as well.

NOW, THEREFORE, City and Consultant mutually agree to further amend the Amended Agreement as follows:

1. The expiration date of the Amended Agreement shall be extended to December 31, 2026.
2. The effective date of this Amendment No. 9 shall be deemed to be June 11, 2024.
3. Consultant’s expanded scope of services and fee schedule, as outlined in Exhibit A attached hereto, shall take effect as upon the effective date of this Amendment No. 9 (the “Additional Work”). The Additional Work attached hereto in Exhibit A is additive to, and not a replacement of, work stated in the Amended Agreement.
4. Except as expressly stated herein, all terms and conditions in the Amended Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment No. 9 to be executed by their duly authorized representatives.

CITY OF MORRO BAY  
a municipal corporation

CONSULTANT

CAROLLO ENGINEERS, INC.

By: \_\_\_\_\_  
Yvonne Kimball, City Manager

By: \_\_\_\_\_  
Anne Prudhel, Executive Vice President

Dated: \_\_\_\_\_, 2024

Dated: \_\_\_\_\_, 2024

Attest:

\_\_\_\_\_  
Dana Swanson, City Clerk

By: \_\_\_\_\_  
Ryan Sellman, Vice President

Approved As To Form:

\_\_\_\_\_  
Chris Neumeyer, City Attorney

## Water Reclamation Facility (WRF) Program Management Services

**Project No.:** 11100A60  
**Date:** 5/24/2024  
**Prepared By:** Anthony Cemo and Elaine Simmons  
**Reviewed By:** Anne Prudhel, Lydia Holmes, and Andrew Salveson  
**Subject:** Carollo Amendment No. 9 Scope of Services Request (References Contract Schedule Extension in Amendment No. 8)

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### Project Budget Summary (Budget Remaining Anticipated through May 31, 2024)

Total Contract Value (Through Amendment No. 7)	Total Carollo Budget	Total Subconsultant Budget	Total Budget Remaining (Carollo + Subconsultant)
\$13,508,401	\$10,561,957	\$2,946,444	\$646,510

This Contract Amendment No. 9 requests a reallocation of remaining budget between Tasks 1 through 19 to reflect Carollo's remaining scope of work as discussed with City staff (Public Works Director and Utilities Division Manager) and the City's current Program Manager (Confluence Engineering Solutions). Note Amendment No. 8 did not change Carollo's scope or budget but extended the contract expiration date through June 30, 2024. All scope of services and budget were last defined in Carollo's Contract Amendment No. 7. A summary table of the re-allocated tasks and their respective budget is shown below:

Task	Description	Amendment No. 9 Budget Allocation
1	Program Assessment	\$ -
2	Technical Evaluation	\$ -
3	Design-Build Procurement Support	\$ -
4	Program Controls Plan	\$ -
5	Program Team Integration Plan	\$ -
6	Routine Project Update Meetings	\$ -
7	Program Management Oversight	\$ 40,845
8	Project Controls	\$ 37,300
9	Funding Support	\$ 181,000
10	Permitting Support	\$ 292,000
11	Public Outreach	\$ -
12	Conveyance Facilities Design Oversight	\$ -
13	WRF Onsite Design-Build Support	\$ -
14	Outfall Management Plan	\$ 5,355
15	Coastal Development Permit Compliance	\$ -
16	Operations Support	\$ -
17	Recycled Water Facilities Design Support	\$ 40,000
18	WRF Construction Support	\$ -
19	Conveyance Facilities Construction Management	\$ 50,000
<b>Total</b>		<b>\$ 646,500</b>

**Tasks 1 through 5**

Tasks 1 through 5 Total Budget	Budget Remaining as of March 2024
\$266,474	\$0

**Completed Scope Items**

- These five tasks were completed with Amendment No. 3.

**Task 6 – Routine Program Update Meetings**

Task 6 Total Budget	Budget Remaining as of May 2024	Proposed Budget for Amendment No. 9
\$626,802	\$33,813	\$0

Amendment No. 7 Subtasks 6.1, 6.2, and 6.3 were originally scoped for completion from September 2022 through February 2023. Services from March 2023 through current (May 2024) were not specifically identified in the original scope of work but have continued to support closeout of WRF and Conveyance Facilities construction, as directed by the City.

**Amendment No. 9 Scope of Services**

- **Task 6 can be closed as all remaining meetings and coordination will be covered under the remaining tasks.**

**Task 7 – Program Management Oversight**

Task 7 Total Budget	Budget Remaining as of March 2024	Proposed Budget for Amendment No. 9
\$375,560	\$(104,934)	\$40,845

Amendment No. 7 Subtasks 7.1, 7.2 and 7.3 were originally scoped for completion from September 2022 through February 2023. Services from March 2023 through current (May 2024) were not specifically identified in the original scope of work but have continued to support closeout of WRF and Conveyance Facilities construction, as directed by the City.

**Completed Scope Items Through June 2023**

- Subtask 7.2 – Management and Coordination of City Consultants Resources and Contracts.
- Subtask 7.3 – Program Monitoring of Scope, Schedule and Budget; Progress Reporting and Invoicing.

**Active Scope Items from Amendment No. 7**

- Subtask 7.1 – Management and Coordination of Carollo and Subconsultant Resources & Contracts.

**Amendment No. 9 Scope of Services**

- **Task 7 will continue; however, the remaining scope of services will be to manage Carollo’s staff and subconsultants and not the City’s consultants. This task will be renamed to “Project Management Oversight.” A total of 157 hours have been allotted to this task.**

**Task 8 – Program Controls**

Total Task 8 Budget	Budget Remaining as of March 2024	Proposed Budget for Amendment No. 9
\$724,047	\$6,357	\$37,300

Amendment No. 7 Subtasks 8.1, 8.2 and 8.3 were originally scoped for completion from September 2022 through February 2023. Services from March 2023 through current (May 2024) were not specifically identified in the original scope of work but have continued to support closeout of WRF and Conveyance Facilities construction, as directed by the City. Historically this task covers project stakeholder reporting (e.g. City's Public Works Advisory Board [PWAB] quarterly report, funding agencies quarterly report, annual USFWS report and RWQCB TSO reports), MS SharePoint project website maintenance, and City expenditures tracking, cashflow projections, and budget preparations.

**Completed Scope Items**

- Subtask 8.1 – MS SharePoint Website Maintenance.
- Part of Subtask 8.2 – Project Stakeholder Reporting to RWQCB, TSO Reports. TSO Reports were confirmed to be completed on April 27, 2023 by the City Utilities Division Manager.

**Active Scope Items from Amendment No. 7**

- Part of Subtask 8.2 – Project Stakeholder Reporting to City PWAB (one closeout quarterly report) and funding and regulatory agencies quarterly report which would be supporting the Program Manager in developing one final of quarterly report to close out the WRF and Conveyance Facilities projects in FY23/24 Q4. This report is anticipated to be due on July 31st, 2024.
- Subtask 8.3 – City Expenditures Tracking, Cashflow Projections and Budget Preparations through one City PWAB closeout quarterly report.

**Out of Scope Deliverables Requested by City**

- FY 2022-2023 Q3 PWAB and Funding Quarterly Reports (completed).
- FY 2022-2023 Q4 PWAB and Funding Quarterly Reports (completed).
- FY 2023-2024 Q1 Funding Quarterly Report (Completed).
- FY 2023-2024 Q2 Funding Quarterly Report (Completed).
- FY 2023-2024 Q3 Funding Quarterly Report (Completed).
- 2023 USFWS Annual Report (with support from Kevin Merk and Associates).
- 2023 EPA/SHPO Programmatic Agreement Annual Report (with support from Far Western).
- FY 2023-2024 Q1/Q2/Q3/Q4 PWAB and Q4 Funding Quarterly Report (not yet completed).

**Amendment No. 9 Scope of Services**

- **No additional anticipated scope of services will be required for this task. The Project Sharepoint site will be managed by the City's information technology department. Upon final completion of the WRF and the conveyance facilities, quarterly reporting will be completed by the City's Recycled Water Program Manager, Confluence Engineering Solutions. Carollo will assist the Program Manager in completing the FY 2023-2024 Q4 Funding and Regulatory Agency**

**Quarterly Report No. 17, due July 31, 2024. Carollo will lead and develop one last PWAB quarterly report that includes the closeout of the WRF and the Conveyance Facilities project. Upon completion and acceptance of that report by the City Council, this task will be closed. A total of 46 hours as been allotted to the Funding and Regulatory Agency Quarterly Report No. 17 and 75 hours have been allotted to the Final PWAB Quarterly Report.**

**Task 9 – Funding Support**

Task Budget	Budget Remaining	Proposed Amendment No. 9 Budget
\$1,116,221	\$181,083	\$181,100

Amendment No. 7 Subtask 9.2 was originally scoped for completion by Spring 2023. Subtasks 9.3, 9.4, 9.5 and 9.6 were originally scoped for completion from September 2022 through June 2023. Subtask 9.7 was originally scoped for completion from September 2022 through December 2023. Services for Subtasks 9.2, 9.3, 9.4, 9.5, and 9.6 from March 2023 through current (May 2024) were not specifically identified in the original scope of work but have been continued to close out WRF and Conveyance Facilities construction, as directed by the City.

**Completed Scope Items Through March 2023**

- Subtask 9.2 – U.S. Bureau of Reclamation (USBR) Title XVI WIIN Grant Application (Spring 2023). This scope item is no longer needed, since the full grant amount in the FY 22/23 grant application was awarded to the City. Instead, the City and current Program Manager (Confluence) has requested that Carollo use the remaining scope and budget to support the City in execution of the USBR Title XVI WIIN Program agreement (Subtask 9.3).
- Subtask 9.7 – RWF Budgetary Project Cost Estimate for SRF Amendment.

**Active Scope Items from Amendment No. 7**

- Subtask 9.3 – USBR Funding Agreement Support (Title XVI WIIN Program).
- **NEW** – Subtask 9.3.1 – Title XVI Disbursement Package Assembling support for only the WRF, Conveyance Facilities, and Carollo contracts.
- Subtask 9.4 – WIFIA Funding Coordination, Tracking Oversight and Reporting.
- Subtask 9.5 – SRF Funding Coordination, Disbursements, Tracking, and Reporting.

**Amendment No. 9 Scope of Services and Assumptions**

**A total of approximately 648 hours is allocated to task 9. Individual hour allocations for each subtasks is described below.**

#### Subtask 9.3 - Title XVI

**This subtask includes supporting the City and its Program Manager, Confluence, on the Title XVI WIIN grant with USBR. Carollo will provide support in the development of the Title XVI agreement with USBR by participating in discussions related with past construction of the WRF and Conveyance Facilities and prior program management services. This scope does not include contract negotiations or contract review of the forthcoming Title XVI agreement between the City and USBR.**

**Title XVI reimbursement requests including preparation or transmittal of the reimbursement documentation packages is not included in this subtask. Carollo will provide invoices related with the design and construction of the WRF and Conveyance Facilities. Carollo will serve as a resource to City staff and Program Manager on questions related with the WRF and Conveyance Facilities invoices. This effort is estimated to require approximately 287 hours to complete.**

**This subtask does not include a second USBR Title XVI or similar new funding application.**

#### Subtask 9.4 - WIFIA

**The City has been managing the reimbursement request packages for the WIFIA low-interest loan and anticipates continuing to do so for the remainder of the Project. With this subtask, Carollo will continue supporting the WIFIA loan activities through Q2 FY24/25 (December 31, 2024) by participating in discussions related with past construction of the WRF and Conveyance Facilities and prior program management services. This scope does not include leading any contract negotiations between the City and U.S. EPA.**

**This subtask does not include any deliverables and provides an allowance of 4 hours per month over 6 months in coordination, meetings, and discussions with the Program Manager for two Carollo staff members, resulting in a total of 104 hours allotted.**

#### Subtask 9.5 - SRF

**This subtask includes supporting the City and its Program Manager, Confluence, on the executed SRF low interest construction loan and planning loan and their associated amendments which are pending execution (anticipated by Summer 2024). Carollo will provide support by participating in discussions related with the execution of the SRF amendments between SWRFB and the City. Carollo will also assist the Program Manager with mapping out the construction loan amendment's Final Budget Approval categories with project scope activities to maximize reimbursement potential. This effort is estimated to require approximately 114 hours to complete.**

**Carollo has assembled and transmitted all of the reimbursement request packages on behalf of the City to-date, with the last reimbursement requested in July 2023. After amendment execution, Carollo anticipates that up to four reimbursement request packages will need to be assembled and submitted for the WRF and Conveyance construction expenses that are currently being held while the SRF construction loan amendment is pending. This effort is estimated to require approximately 40 hours to complete.**



**After completion of the reimbursement request packages for the WRF and Conveyance construction expenses, future reimbursement request packages related with Recycled Water Facilities design and construction are anticipated to be completed by the City. Carollo will train City staff and perform review services during the task transition period. Carollo will no longer provide staff augmentation services for facilitating the disbursement package assembly, coordination, and submittals for the WRF Program upon completion of training. Carollo will continue to support this role until end of Q2 FY24/25 – December 31, 2024. A total of 10 hours per month will be allotted, resulting in a total of 60 hours allotted for training.**

**Subtask 9.6 – SRF Amendment Support – Strategy, Budget Coordination, Agreement Terms**

**This subtask includes hours for the Carollo funding team to coordinate with SRF staff prior to the execution of the SRF Construction Loan Amendment regarding SRF disbursement forms and budget line item evaluations. A total of 48 hours will be allotted to this subtask.**

**Task 10 - Permitting Support**

Task Budget	Budget Remaining as of March 2024	Proposed Amendment No. 9 Budget
\$1,892,234	\$236,861	\$292,000

Amendment No. 7 Subtasks 10.1 and 10.4 were originally scoped for completion from September 2022 through February 2023. Subtasks 10.2 and 10.3 were originally scoped for completion from September 2022 through June 2023. Services for Subtask 10.2 from July 2023 through current (May 2024) and Subtask 10.4 from March 2023 through current (May 2024) were not specifically identified in the original scope of work but have been continued to close out WRF and Conveyance Facilities construction and to transition to Recycled Water Facilities design, as directed by the City.

**Completed Scope Items Through April 2023**

- Subtask 10.1 – WRF and Conveyance Facilities Land Use Permitting and Biological Monitoring.
- Subtask 10.2 – Title 22 and Report of Waste Discharge (ROWD) Permitting Support for Indirect Potable Reuse (IPR).
  - » Subtask 10.2.2 Report of Waste Discharge.
    - Subtask 10.2.2.1 ROWD for Ocean Discharge.
  - » Subtask 10.2.3 – Brine Analysis Management.
  - » Subtask 10.2.4 – Permitting Guidance and Regulatory meetings – **This scope of work will be lumped into subtask 10.2.2 Report of Waste Discharge, subtask 10.2.2.2.**
- Subtask 10.3 – As-Needed Pretreatment Ordinance Support.
- Subtask 10.4 - Conveyance Facilities Archeological/Paleontological Monitoring and Tribal Representation

#### Active Scope Items as of Amendment No. 7

- Subtask 10.2 – Title 22 and ROWD Permitting Support for Indirect Potable Reuse.
  - » A total of 342 hours has been allotted to task 10.2 for the following subtasks:
    - Subtask 10.2.1 – Title 22 Engineering Report.
    - Subtasks 10.2.2 Report of Waste Discharge:
      - Subtask 10.2.2.1 – ROWD for Ocean Discharge – COMPLETE.
      - Subtask 10.2.2.2 – ROWD for groundwater recharge of the potable reuse program.
- **NEW** - Task 10.5 – Permitting support for non-potable reuse permitting for the City of Morro Bay Recycled Water Facility Program.
  - » A total of 532 hours has been allotted to task 10.5 for the following subtasks:
    - Subtask 10.5.1 – Title 22 Engineering Report.
    - Subtask 10.2.2 – Report of Waste Discharge for non-potable reuse.
- **NEW** - Task 10.6 – Quality Assurance/Quality Control (QAPP) Document.
  - » A total of 152 hours has been allotted to task 10.6

#### Additional Out of Scope Work (Completed; March 2023 to September 2023)

- Casa De Flores Pre-Treatment Permitting.

#### Amendment No. 9 Scope of Services

**The scope of services included in Task 10 include the recycled water permitting for the Recycled Water Facilities Program, which includes the ROWD for the groundwater recharge and the permitting of the non-potable reuse components of the project. Work shall include the completion of the ROWD's for both the potable reuse and non-potable reuse components as well as the Title 22 Engineering Reports, coordination, meetings, and assemblance of the necessary documents and guidance throughout the design of the recycled water infrastructure. This scope shall also include the development of a Quality Assurance and Quality Control Plan (QAPP) for the Recycled Water Facilities project. Furthermore, work shall also include the supporting post construction commissioning permitting support for the project which shall include tracer study reporting and permitting document and the commissioning start up records. Approximately 1,026 hours have been allotted to Task 10 for Amendment No. 9.**

#### Assumptions for Amendment No. 9

**At this time the project identified includes the permitting of the indirect potable reuse components of the project as understood in the Amendment No. 7 scope of work. Project shall connect to the recycled water facilities pipeline constructed in the Conveyance Facilities project and use recycled water produced at the WRF to injection into the Morro groundwater basin for consumption via IPR. Furthermore the non-potable reuse components include the potential to provide recycled water for landscape irrigation to the Morro Bay Golf Course and Morro Bay High school.**

### Task 11 – Public Outreach

Task Budget	Budget Remaining as of March 2024	Proposed Amendment No. 9 Budget
\$753,782	\$12,765	\$0

Amendment No. 7 Subtasks 11.3 and 11.5 were originally scoped for completion from September 2022 through January 2023. Subtask 11.6 was scoped to occur in Spring 2023 and Subtask 11.7 was originally scoped for completion from February 2023 through June 2023. All services were completed with the schedules indicated in Amendment No. 7 with no out-of-scope work completed.

#### Completed Scope Items Through June 2023

- Subtask 11.3 – Monthly Coordination Meetings.
- Subtask 11.5 – Public Outreach Activities (September 2022 through January 2023).
- Subtask 11.6 – WRF and Conveyance Facilities Completion Event.
- Subtask 11.7 – As-needed Public Outreach Activities (February 2023 to June 2023).

#### Amendment No. 9 Scope of Services

**This task has been completed and no anticipated scope activities are necessary. Any and all public outreach services will be contracted directly with the City or a sub to Confluence Engineering Solutions. Remaining budget for this task will be reallocated and this task will be closed.**

### Task 12 – Conveyance Facilities Design Oversight

Task Budget	Budget Remaining	Proposed Budget for Amendment No. 9
\$252,392	\$0	\$0

#### Completed Scope Items

- This task was completed with Amendment No. 5.

### Task 13 – WRF Onsite Design-Build Support

Task Budget	Budget Remaining as of March 2024	Proposed Budget for Amendment No. 9
\$855,480	\$108,965	\$0

Amendment No. 7 Subtasks 13.7 and 13.9 were originally scoped for completion from September 2022 through June 2023. Subtask 13.8 was originally scoped for completion from September 2022 through January 2023. Services for Subtask 13.7 and 13.8 passed June 2023 were not specifically identified in the original scope of work but have been continued to close out WRF construction, as directed by the City.

#### Completed Scope Items Through March 2024

- Subtask 13.9 – WRF Operations Optimization Plan (OOP) – Final Plan and Regulatory Coordination.
- Subtask 13.7 – General Technical Support and Additional Startup Support.
- Subtask 13.8 – WRF IPR Startup and Commissioning Support

Amendment No. 9 Scope of Services

**All scope of services under this task are complete. No additional work will be assigned to this task. All of the remaining budget shown in the above table will be transferred to Task 19 and this task will be closed.**

**Task 14 – Outfall Management Plan**

Task Budget	Budget Remaining as of March 2024	Proposed Budget for Amendment No. 9
\$465,835	\$206,035	\$5,200

Amendment No. 7 Subtask 14.5 was originally scoped for completion from September 2022 through December 2023. Subtask 14.6 was originally scoped for completion from September 2022 through June 2023. Services for Subtasks 14.5 from January 2023 through August 2023 and Subtask 14.6 from July 2023 through August 2023 were ongoing but were put on hold as directed by the City and Confluence pending the outcome of the ongoing Conveyance Facilities discharge effluent pipeline hydraulics investigation (Task 19, additional out of scope effort).

Active Scope Items as of Amendment No. 7

- Subtask 14.5 – Outfall Management Plan Report. This report will be renamed to “Outfall Modeling and Cleaning Recommendations Report” and is separate and distinct from the Outfall Management Plan submitted to and approved by the California Coastal Commission on April 17<sup>th</sup>, 2020. The purpose of the Outfall Modeling and Cleaning Recommendations Report is to identify and recommend improvements and actions by the City that will be implemented as described in Subtask 14.6, which is now a separate project covered under the City’s Capital Improvement Plan (CIP).
- Subtask 14.6 - Outfall and Air Gap Structure Inspection, Cleaning, and Repair Bid Services. The outfall and air-gap structure inspection, cleaning, and repair project was moved into the City’s CIP and will no longer be funded through the WRF Program budget.

Amendment No. 9 Scope of Services

**Services related to the City’s Outfall and Air Gap Structure are now under a separate project included with the City’s Capital Improvement Project (CIP) list. The scope of work under Amendment No. 9 for this task will be to only complete the Outfall Modeling and Cleaning Recommendations Report under Subtask 14.5. Subtask 14.6 will be removed from this scope of work. Upon completion of Task 14.5, this task will be closed. Approximately 20 hours have been allotted to Task 14 for Amendment No. 9.**

**Task 15 – Coastal Development Permit Compliance**

Task Budget	Budget Remaining as of March 2024	Proposed Budget for Amendment No. 9
\$145,966	\$84,500	\$0

Amendment No. 7 Subtask 15.1 was originally scoped for completion from September 2022 through June 2023. Services for Subtask 15.1 after June 2023 were not specifically identified in the original scope of work; however, there has been no additional level of effort associated with this task.

Active Scope Items as of Amendment No. 7

- Subtask 15.1 – Revised Coastal Development Permit (CDP) Special Conditions:
  - » Special Condition No. 8 – Ocean Outfall Assessment Plan, this scope is related with Subtask 14.6. This work has been transferred out of the WRF Project, to be completed as part of the City’s CIP program. It is anticipated that as part of the future permitting associated with the project, the City will be required to submit a revised Special Conditions No. 8 report to the Coastal Commission.
  - » Special Conditions No. 6 – Recycled Water Management Plan Revisions, this scope is to describe changes to the Recycled Water Facilities component of the program to the California Coastal Commission.

Amendment No. 9 scope of services

**The revision to Special Condition No. 8 will be performed by the City as part of a separate City CIP project. The revision to Special Condition No. 6 will be completed by the City and/or design engineer of record for the Recycled Water Facilities. Carollo does not anticipate that any additional level of effort will be required for Task 15. Remaining budget has been reallocated and this task will be closed.**

Task 16 – Operations Support

Task Budget	Budget Remaining	Proposed Amendment No. 9 Budget
\$32,790	\$2,282	\$0

Completed Scope Items

- This task was completed with Amendment No. 6.

Task 17 – Recycled Water Facilities Design Support

Task Budget	Budget Remaining as of March 2024	Proposed Amendment No. 9 Budget
\$332,720	\$114,961	\$40,000

Amendment No. 7 Subtask 17.1 was originally scoped for completion from August 2022 through October 2022. Subtask 17.2 was originally scoped for completion from September 2022 through December 2022 (Typo in contract; budgeted 22 hours for Carollo and \$20,000 hours for Rincon). Subtask 17.3 was originally scoped for completion from September 2022 through February 2023. Services for Subtask 17.2 from January 2023 through June 2023 were not originally identified in the scope of work but were completed. Services for Subtask 17.3 from March 2023 to current (May 2024) were not specifically identified in the original scope of work but have been continued to support RWF program management transition through closeout of WRF and Conveyance Facilities construction, as directed by the City.

Completed Scope Items Through January 2023

- Subtask 17.1 – Pilot Injection Well Construction and Testing.
- Subtask 17.2 – CEQA Permitting and Document Review and Strategy Development.
- Subtask 17.3 – Land Use Permitting Transitioning of Services.
- **New** – Subtask 17.4 – Recycled Water Facilities Staff Augmentation

Amendment No. 9 scope of services

**The scope of services under this task includes approximately 150 hours of staff augmentation services to the Recycled Water Program Manager, Confluence Engineering Solutions, to support the implementation of the Recycled Water Facilities Program. Work under this task will be tracked through Subtask 17.4 – Recycled Water Facilities Staff Augmentation. Upon request from the Program Manager, Carollo will provide an estimated level of effort and defined scope of work associated with the requested task, to be documented via email. Carollo reserves the right to decline requested tasks for any reason. Approximately 126 hours have been allotted to task 17 for Amendment No. 9.**

**Task 18 – WRF Construction Support**

Task Budget	Budget Remaining as of March 2024	Proposed Amendment No. 9 Budget
\$1,985,490	\$66,602	\$0

Amendment No. 7 Subtasks 18.2, 18.3, 18.5, 18.6, 18.7, 18.10, and 18.11 were originally scoped for completion from September 2022 through January 2023. Subtask 18.12 scope was limited to 60 hours. Services for Subtasks 18.2 to 18.11 listed above completed from February 2023 to May 2024 were not specifically identified in the original scope of work but have been continued to close out WRF construction, as directed by the City.

Completed Scope Items Through March 2024

- Subtask 18.3 – Supplemental Construction Inspection Services.
- Subtask 18.5 – Biological Mitigation Support.
- Subtask 18.6 – Construction Progress Reporting.
- Subtask 18.7 – Construction Progress Meetings.
- Subtask 18.10 – Monthly Progress Payment Review.
- Subtask 18.11 – Certified Payroll Review.

Active Scope Items as of Amendment No. 7

- Subtask 18.2 – Construction Oversight Services.

Deleted Scope Items

- Subtask 18.12 – Potable Water Distribution System Hydraulic Model Update. This task was not needed.

Additional Out of Scope Work Completed

- IPR-Advanced Treatment Staffing Analysis.
- Advanced Treatment System Standard Operating Procedure (SOPs).
- The hydraulic assessment and investigation of the WRF Outfall pump station.

Amendment No. 9 Scope of Work (Completed through April 2024)

**The scope of services under Task 18 will be closed. FBV’s contract close out was approved by City council on April 9<sup>th</sup>, 2024, therefore there is no additional level of effort anticipated under this scope of work. FBV was issued final payment on May 9<sup>th</sup>, 2024, therefore this task will be completed and closed, and no additional scope of services will be provided.**

**Task 19 – Conveyance Facilities Construction Management**

Task Budget	Budget Remaining	Proposed Amendment No. 9 Budget
\$3,682,608	\$(291,325)	\$50,000

Amendment No. 7 Subtasks 19.2 was originally scoped for completion from September 2022 through January 2023 with limited additional services from February 2023 to March 2023. Subtask 19.3 scope was originally scoped for completion from September 2022 through January 2023. Services for Subtasks 19.2 and 19.3 completed from February 2023 onward (unless otherwise noted) were not specifically identified in the original scope of work but have been continued to close out WRF and Conveyance Facilities construction, as directed by the City.

Completed Scope Items Through March 2024

- Subtask 19.3 – Material Testing.
- Subtask 19.2 – Construction Services. Work ongoing on this task include:
  - » Subtask 19.2.7 – Review Monthly Progress Payment Requests.
  - » Subtasks 19.2.9 - Review Change Order Requests.
  - » Subtasks 19.2.17 – Review Certified Payroll.
  - » Subtask 19.2.19 – Monitor and Review Record Drawings.

Active Tasks as of Amendment No. 7

- Subtask 19.2 – Construction Services. Work ongoing on this task include:
  - Subtask 19.2.16 – Monitor Contractor’s Compliance with Contract Documents.

Additional Out of Scope Work

- Hydraulic assessment and investigation of the WRF Outfall discharge effluent pipeline.

Amendment No. 9 Scope of Services (Completed through April 2024)

**The scope of services under Task 19 will only include the coordination and consultation activities regarding the outfall effluent discharge pipeline capacity deficiencies. This task shall cover any continued discussions regarding the WRF discharge effluent pipeline. The level of effort will include approximately 145 hours of work which shall include, but is not limited to, coordination meetings with Anvil, the City, the City’s legal team, the Conveyance Facilities Design Engineer and internal team meetings. Work shall also include preparation for one public meeting with City Council and the Public Works Advisory Board (PWAB) to present the final closeout of the effluent discharge line resolution, if needed. Approximately 144 hours have been allotted to task 19 for Amendment No. 9.**

## ASSUMPTIONS AND CLARIFICATIONS

- **DELIVERABLE USE AND REUSE.** Any reuse of completed documents or use of partially completed documents without written verification or concurrence by Consultant for the specific purposes intended will be at the City's sole risk and without liability or legal exposure to Consultant. Consultant's instruments of service hereunder are the printed hard copy of technical memorandums and reports issued for the Project, whereas electronic media, including Computer Aided Design and Drafting (CADD) or modeling files, are tools for their preparation. As a convenience to the City, Consultant shall furnish to the City both printed hard copies and electronic media (where scoped). In the event of a conflict in their content, the printed hard copies shall take precedence over the electronic media. Because data stored in electronic media form can be altered, inadvertently, it is agreed that the City shall hold Consultant harmless from liability arising out of changes or modifications to Consultant's data in electronic media form in the City's possession or released to others by the City.
- **STANDARD OF CARE.** Consultant shall perform the services required hereunder in accordance with the prevailing engineering standard of care by exercising the skill and ability ordinarily required of engineers performing the same or similar services, under the same or similar circumstances, in the State of California. Additionally, Consultant shall not be responsible for acts and decisions of third parties, including governmental agencies, other than Consultant's Subconsultants, that impact project completion and/or success.
- **CITY-PROVIDED INFORMATION AND SERVICES.** The City shall furnish Consultant available studies, reports and other data pertinent to Consultant's services; obtain or authorize Consultant to obtain or provide additional reports and data as required; furnish to Consultant services of others required for the performance of Consultant's services hereunder, and Consultant shall be entitled to use and rely upon all such information and services provided by the City or others in performing Consultant's services under this Agreement.
- **ESTIMATES AND PROJECTIONS.** In providing opinions of cost, financial analyses, economic feasibility projections, schedules, and quantity and/or quality estimates for potential projects, Consultant has no control over cost or price of labor and material; unknown or latent conditions of existing equipment or structures that may affect operation and maintenance costs; competitive bidding procedures and market conditions; time or quality of performance of third parties; quality, type, management, or direction of operating personnel; the way the City's plant(s) and/or associated processes are operated and/or maintained; and other economic and operational factors that may materially affect the ultimate project elements, including, but not limited to, cost or schedule. Therefore, Consultant makes no warranty that the City's actual project costs, financial aspects, economic feasibility, schedules, and/or quantities or quality realized will not vary from Consultant's opinions, analyses, projections, or estimates.
- **THIRD PARTIES.** The services to be performed by Consultant are intended solely for the benefit of the City. No person or entity not a signatory to this Agreement shall be entitled to rely on Consultant's performance of its services hereunder, and no right to assert a claim against Consultant by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement of the performance of Consultant's services hereunder.



**CAROLLO ENGINEERS, INC.  
FEE SCHEDULE**

**As of January 1, 2024  
California**

	<u>Hourly Rate</u>
<b>Engineers/Scientists</b>	
Assistant Professional	\$223.00
Professional	274.00
Project Professional	324.00
Lead Project Professional	340.00
Senior Professional	360.00
<b>Technicians</b>	
Technicians	168.00
Senior Technicians	233.00
<b>Support Staff</b>	
Document Processing / Clerical	149.00
<b>Project Equipment Communication Expense (PECE) Per DL Hour</b>	<b>15.00</b>
<b>Other Direct Expenses</b>	
Travel and Subsistence	at cost
Mileage at IRS Reimbursement Rate Effective January 1, 2024	\$0.67 per mile
Subconsultant	cost + 10%
Other Direct Cost	cost + 10%
Expert Witness	Rate x 2.0

This fee schedule is subject to annual revisions due to labor adjustments.