



Council Agenda Report

To: Mayor Grisanti and the Honorable Members of the City Council

Prepared by: Troy Spayd, Assistant Public Works Director

Reviewed by: Rob Duboux, Public Works Director/City Engineer

Approved by: Steve McClary, City Manager

Date prepared: July 21, 2021

Meeting date: August 9, 2021

Subject: Amendment to Professional Services Agreement with Woodard and Curran

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Woodard and Curran in the amount of \$47,227 for a total not to exceed \$3,529,593 for additional design services for the Civic Center Water Treatment Facility (CCWTF) Phase 2.

FISCAL IMPACT: Funding for this amendment was included in the Adopted Budget for Fiscal Year 2021-2022 in Account No. 310-9075-5100 (Civic Center Water Treatment Facility Phase 2) through a funding agreement with HRL Laboratories. These costs will ultimately be borne by the assessment district for Phase 2.

WORK PLAN: This item was included as item 5a in the Adopted Work Plan for Fiscal Year 2020-2021.

DISCUSSION: On August 12, 2019, the City entered into an agreement with Woodward and Curran to provide engineering design services for CCWTF Phase 2. During the early design phase of this project, it was discovered that additional design work was needed.

On March 22, 2021, Council approved Amendment No. 1, which amended the scope of work to include additional geotechnical investigations, modifications of the initial design based upon comments from the Regional Board, and additional structural design and permitting requirements requested by Caltrans. Woodard and Curran had to perform additional survey work to obtain easements and complete additional environmental work

to amend the Environmental Impact Report. Woodard and Curran also needed to prepare and submit a Coastal Development Permit.

Amendment No. 2 consists of Woodard and Curran preparing a new Historic Properties Identification Report (HPIR) that is consistent with the State guidelines at the request of the State Water Resources Control Board (SWRCB). The original scope of work did include updating the ICF International's 2014 search of the California Historical Resources Information System. However, during the City's State Revolving Fund (SRF) application review, the SWRCB cultural resources staff indicated that a new HPIR would be required. The new HPIR was not part of the original scope but is required for the City to receive an SRF loan.

ATTACHMENTS: Amendment No. 2 to Agreement with Woodard and Curran

AMENDMENT NO. 2 TO AGREEMENT

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on August 9, 2021, by and between the CITY OF MALIBU, hereinafter referred to as City, and Woodard and Curran, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

A. On August 12, 2019, the City entered into an Agreement with Consultant for engineering design services for the Civic Center Water Treatment Facility Phase 2 (the "Agreement").

B. On March 22, 2021 the City amended the Agreement to conduct further geotechnical testing, additional work to develop easements, make revisions to the treatment plant and wastewater collection system design, and additional work to submit and obtain a Coastal Development Permit.

C. The City desires to amend the Agreement to prepare an updated Historical Properties Identification Report as part of the City's State Revolving Fund Loan, and Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 1.0 – Scope of the Consultant's Services, of the Agreement, is hereby amended as set forth in Exhibit A attached hereto.
2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended as set forth in Exhibit B attached hereto.
3. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
4. All terms and conditions of the Agreement not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on _____, 2021, at Malibu, California, and effective as of August 9, 2021.

CITY OF MALIBU:

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, Acting City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

JOHN COTTI, Interim City Attorney

CONSULTANT:



By: Scott Goldman
Title: Sr. Principal, Woodard and Curran

EXHIBIT A

SCOPE OF WORK

APPROACH TO THE SCOPE OF WORK

Woodard and Curran's subconsultant SWCA has identified a scope of work to provide additional cultural resources support for Phase 2 of the City of Malibu Civic Center Water Treatment Facility Project (project), located in the Malibu, California. The proposed scope of work defines the tasks required to produce a Historic Properties Identification Report (HPIR) consistent with State Water Resources Control Board (SWRCB) guidelines and pursuant to Section 106 of the National Historic Preservation Act (NHPA). The scope of work is divided into two phases. Phase 1 includes pre-field tasks critical to initiate quickly to maintain the project schedule. Phase 2 comprises some follow-up background research, fieldwork, and reporting tasks. Together, the six tasks in Phases 1 and 2 outline the minimal steps required to fulfill due diligence background research, conduct fieldwork, and prepare a technical report. These tasks compose the baseline services proposed in this change order request. Under the proposed change order request, the work authorized under the original contract will be designated as Task 1.

SWCA's original scope of work included labor and direct costs to update ICF International's (ICF's) 2014 search of the California Historical Resources Information System (CHRIS). As a cost saving measure, SWCA revised the original scope of work to only include a search of cultural resources and exclude previous cultural resource studies. These results were received on February 20, 2021. After comparing the results of the CHRIS search to the 2014 ICF report, SWCA identified a number of discrepancies between the ICF report and CHRIS data that required additional time to address that was beyond the original scope of work. To-date, SWCA's review of the 2014 ICF report and recently acquired CHRIS data has identified one historic property (CA-LAN-264, known as the Chumash village site of Humaliwo) and one archaeological site (CA-LAN-387) directly within proposed pipeline routes; two additional archaeological sites (CA-LAN-1417 and CA-LAN-2936) have also been recorded in relatively close proximity to proposed pipeline routes. The Humaliwo village site (CA-LAN-264) is listed on the National Register of Historic Places (NRHP, Reference No. 76000492) and has not been evaluated for the California Register of Historical Resources (CRHR).

Since completing the updated CHRIS search, SWRCB cultural resources staff indicated that a new HPIR would be required and provided specific instructions for the project, a guidance document for preparing an HPIR, and additional verbal guidance during a virtual meeting on May 5, 2021.

The proposed scope of work incorporates labor costs for services already provided that were not included in our original scope of work. The out-of-scope services already provided include the following tasks conducted between March 15 and May 17, 2021: basic project management, consultation, and planning support; additional analysis of cultural resources records search; preliminary analysis of project area of potential effect (APE) and cultural resources fieldwork plan; attending a meeting with SWRCB (May 5, 2021); archaeological monitoring during bore drilling (May 17, 2021). The labor required to complete these services are included in the cultural resources tasks under Phase 1.

Memorandum of Agreement

Preliminary results identified one historic property within the proposed alignment of sewer pipeline. If it is determined that the project would have an adverse effect on any eligible properties, then a Memorandum of Agreement (MOA) would need to be negotiated with the Office of Historic Preservation (OHP) and interested parties in order to resolve those adverse effects. Additional consultation is needed with SWRCB to confirm that no support will be needed to prepare an MOA or an attached treatment plan, if required, and assess how the preparation of the MOA could affect the timing of the environmental review and overall approval process for the grant approval under the Clean Water State Revolving Fund Program. The need for an MOA will depend on the results of background research tasks, fieldwork, and tribal consultation. We have included time to consult with the SWRCB on up to three occasions: in

association with the submittal of the area of potential effects under Task 2 and following the pedestrian survey (Task 5). Preparation of the MOA and any attached treatment plan would occur only after a final draft of the HPIR has been approved. SWCA assumes that if an MOA is required the document will be prepared by SWRCB cultural resources staff and will be subject to review by OHP; therefore, the scope of work does not include support to prepare the MOA, but some consultation support is included in various tasks to assist in the coordination and minimize any potential for delays.

SCOPE OF WORK

The following section describes the specific details of the tasks included in the baseline scope of work. Each of the proposed tasks includes specific considerations given to identify, evaluate, and provide appropriate measures to avoid or reduce potentially significant effects to any historic properties and present the results in an HPIR consistent with SWRCB guidelines, Section 106 of the NHPA. All tasks will be conducted by SWCA staff who meet the Secretary of the Interior (SOI) Professional Qualification Standards (PQS) in archeology, or SWCA staff who are working under the direction of SWCA staff who meet the SOI PQS.

PHASE 1. PRE-FIELD TASKS

TASK 1. SUPPLEMENTAL RECORDS SEARCH, PRELIMINARY BACKGROUND RESEARCH, AND BORE MONITORING

Under this task SWCA will complete the background research tasks needed to inform the methodological approach to fieldwork and complete the HPIR. The scope of work is based on the results of SWCA's initial CHRIS search, preliminary analysis of previous studies and resources within the Phase 2 project area, guidance from SWRCB, and standard approaches to NHPA compliance. This task includes a supplemental CHRIS data request to obtain copies of a specific studies previously conducted within the APE. SWCA has identified 32 previous studies that may contain information needed to inform the identification of historic properties within the proposed pipeline routes. Specifically, these reports will inform the geoarchaeological assessment, which determines the likelihood of buried archaeological components of known sites (e.g., CA-LAN-264) within the proposed pipeline routes, as well as the potential for previously unidentified sites to be encountered during excavation of the pipeline trench or other ground disturbing activities proposed by the project. Additional background research tasks will include summarizing archaeological work completed during Phase 1 of the project as specifically requested by SWRCB, e.g., excavation and boring near site CA-LAN-1417. In addition to the focused investigation of the two previously mentioned archaeological sites (CA-LAN-264 and CA-LAN-1417), SWCA's background research will also focus on the two other archaeological sites plotted within or very near proposed pipeline routes: CA-LAN-387 and CA-LAN-2936.

SWRCB requires the entire resource (not only the portion plotted within the APE) to be evaluated as a historic property, i.e., for listing on the National Register of Historic Places (NRHP). However, SWRCB considers exceptions where evaluation of the entire boundary is infeasible provided there is appropriate justification, which may include lack of access to private property or that the scope of the resource is outside the scope of the undertaking. In such cases, SWRCB allows for estimated resource boundaries to be used to set reasonable limits as long as the boundaries are based on historic maps or other documentation and the reasoning behind the estimations is explained. Of the two archaeological sites intersecting proposed pipeline routes, CA-LAN-264 has already been determined to be a historic property and CA-LAN-387 has not been previously evaluated as a historic property but appears to be potentially eligible. CA-LAN-264 measures 1,365 by 960 feet across and extends more than 600 feet from the two intersecting pipeline routes proposed for Phase 2. Because CA-LAN-264 has already been determined to be a historic property, background research tasks will focus on identifying the potential for project effects. SWCA assumes CA-LAN-264 will not require re-evaluation as a historic property under Section 106 of the NHPA.

CA-LAN-387 is mapped at the intersection of five proposed pipeline segments, approximately 1,480 feet of which are within the site boundary. The CA-LAN-387 site boundary measures 888 by 537 feet across and extends up to 400 feet away from the intersecting pipeline routes and into parcels containing private properties fronting Cross Creek Road and

Palm Canyon Lane. SWCA assumes that assessing the full site boundary for CA-LAN-387 will not be feasible because access will not be granted to the portions of the mapped site boundary that are outside of the APE or publicly accessible easements. Background research tasks include the time needed to validate the site boundary for CA-LAN- 387 and determine appropriate fieldwork methods to complete the NRHP evaluation for the accessible portions.

Fieldwork tasks needed to complete the evaluation includes pedestrian survey (Task 5) but may include additional subsurface presence/absence testing not included in this scope of work, the need for which will depend on the results of background research and the pedestrian survey, as well as consultation with SWRCB cultural resources staff.

CA-LAN-1417 and CA-LAN-2936 were recorded as deposits of Native American artifacts buried in discrete concentrations near segments of proposed pipelines. Both of the sites are small compared with the two sites mapped within proposed pipeline routes, measuring 163 by 217 feet and 2 by 262 feet, respectively. The sites are mapped between 45 and 60 feet from the nearest proposed pipeline segment. Because the sites are located outside of any proposed pipeline trenches or other areas likely to be included in the APE, SWCA assumes NRHP-evaluation will not be required. However, because of their proximity to the proposed pipeline segments and because the sites demonstrate the potential for subsurface archaeological deposits, background research tasks for Task 1 include more detailed inspection of the site components in order to inform the geoarchaeological assessment of the APE. The need for additional work such as subsurface presence/absence testing in the portions of the APE nearest the site boundaries will be determined based on the results of the background research and pedestrian survey, and through consultation with SWRCB cultural resources staff.

A series of bores were drilled throughout the greater project area for geotechnical assessment and installation of monitoring wells, among possible other purposes. Boring for a monitoring well was conducted within the site boundary of CA-LAN-264 on May 17, 2021. Per SWCA's recommendations, the excavation of the well was monitored by an archaeologist. Task 1 includes labor for coordinating and conducting the monitoring, as well as preparing a short summary of the monitoring results. SWCA assumes no additional boring will be conducted that requires archaeological monitoring. The time required to interpret the sediment profiles from bore logs as part of the geoarchaeological assessment is included in Task 4.

TASK 2. DELINEATING AREA OF POTENTIAL EFFECTS (APE)

SWCA will prepare a map and narrative description of the proposed APE based on the latest project design, descriptions of the proposed undertaking, and the results of the CHRIS records search. The delineation of the APE will be based on standard approaches for compliance with Section 106 of the NHPA and will incorporate SWRCB's guidance. SWRCB indicated that the APE should only include the areas directly intersected by the proposed construction work (e.g., the pipeline trenches and staging areas on unpaved surfaces), which excludes the adjacent home parcels, and that the APE should include the entire boundary of any intersecting cultural resources. SWRCB guidance also states that the project description will provide an explicit account of the proposed work, including sewer pipeline replacement methods, where those methods will be used, and horizontal and vertical dimensions for each project element. Additionally, any work being completed at the wastewater treatment facility, including horizontal and vertical elements, and any planned staging areas, will also be considered. SWCA assumes that project plans and description of the proposed work will be provided at a sufficient resolution to define a horizontal and vertical areas where ground disturbance is expected to occur during the construction proposed under Phase 2 of the project. SWCA will provide one set of maps that show the areas of ground disturbance that will compose the proposed APE. SWCA assumes no more than one set of revisions will be made to the draft APE maps and narrative.

Deliverables

- Multi-page mapbook depicting the APE on USGS 7.5-minute (1:24,000 scale) topographic quadrangles.
- Multi-page mapbook depicting the APE on contemporary aerial photographs at less than or equal to 1:5,000 scale.
- Written description of the proposed APE.
- One draft and one final version for all of the above.

TASK 3. TRIBAL CONSULTATION LETTERS

36 Code of Federal Regulations (CFR) Part 800.4(a) requires outreach to certain Native American tribal parties to assist in identifying historic properties. SWRCB guidelines provide some specific guidance on the tribal consultation process that includes completing a Sacred Lands File (SLF) through the Native American Heritage Commission (NAHC) and outreach to Native American contacts identified by the NAHC. The SLF is a confidential inventory of sites with significance to Native American groups that is maintained by the NAHC. The NAHC's SLF results will include a list of California Native American tribal contacts who may have knowledge of resources not listed in the CHRIS or SLF. Requesting information from NAHC-listed tribes will be conducted outside of any formal consultation process such as those required under Senate Bill 18 (SB 18) and is necessary to demonstrate due diligence through compliance with the NAHC recommendations. Under Task 3, SWCA will submit an SLF search request to the NAHC and prepare letters to the tribal parties identified in the NAHC's contact list. SWCA assumes that no more than 10 groups will be included in the contact list that require outreach letters. The outreach letters will be prepared in coordination with Woodard & Curran and SWRCB cultural resources staff and the results will be summarized in the HPIR.

PHASE 2. RESEARCH, FIELDWORK, AND REPORTING TASKS

TASK 4. BACKGROUND RESEARCH AND TRIBAL CONSULTATION FOLLOW-UP

Additional background research included in this task will consist of compiling the necessary information on the environmental setting (e.g., reviewing geotechnical studies to identify where native soils are present) and cultural context based on relevant technical reports, published literature, and other archival sources of information. SWCA assumes that all background research tasks beyond the CHRIS request will be conducted using existing archival materials on-file or available online, and that no in-person visits to archives or other repositories will be required. The results of the background research will be presented in the HPIR and preliminary results will be used to inform consultations with SWRCB. For purposes of the scope of work and cost estimate, SWCA assumes no more than one virtual meeting will be required with SWRCB cultural resources staff to discuss the findings of the background research prior to any fieldwork tasks (Task 5).

Under Task 4, SWCA will conduct an additional round of correspondences with tribal parties who received notification letters prepared under Task 3 and have yet to respond to the initial letters or first round of follow-up correspondences. The final round of follow-up correspondence will be conducted 30 days after the initial letters were sent. SWCA assumes the total time required to complete the phone calls will not exceed 5 hours. If replies are received after 30 days can be reasonably incorporated into the HPIR, SWCA will append the Native American outreach as appropriate.

SWCA assumes that the SLF results will be positive and that at least one tribal party will request consultation. Should additional correspondence with tribal parties be required to address specific concerns or develop more detailed project mitigation, additional tribal consultation support may be provided through a supplemental scope of work. If any consulting tribe(s) request to be included the pedestrian survey (Task 5) or other fieldwork, SWCA assumes the time required to coordinate with the tribe(s) can be completed under the respective proposed task. (Any costs associated with a tribal monitor are not included in the current proposal and would need to be compensated under a separate scope of work and budget.)

TASK 5. PEDESTRIAN SURVEY

SWRCB's review of the Phase 2 project area identified the need to conduct a pedestrian survey by an archaeologist as a means of identifying historic properties that could be in the project APE. The survey will identify the presence or absence of cultural resources (i.e., artifacts and features) on the surface and provide information on the physical setting to assist in the geoarchaeological assessment. Where the project APE is located beneath paved roads, pedestrian survey will be conducted within the nearest unpaved shoulders and easements (survey area), functioning as a proxy for the APE. We assume both sides of the road within the publicly accessible easement will require pedestrian survey. Access to some portions of the survey area may be restricted due to slope, standing water, or

dense vegetation. Overall vegetation coverage may also limit the surface and present a constraint in for purposes of identifying whether archaeological materials are present. Access restrictions and low surface visibility areas will be documented and assessed in terms of determining whether additional work will be required to demonstrate a good faith effort in identifying historic properties or measures may be required to account for the constraints. If additional fieldwork including but not limited to subsurface presence/absence archaeological testing be required that is not included in this scope of work.

For purposes of the scope of work and cost estimate, SWCA assumes that no resources will be identified within the survey area. Should any new archaeological resources be identified by the pedestrian survey or components of known sites be identified, a change order may be required to complete the recordation and additional reporting, depending on the size and nature of the resource. If it is possible to complete recordation of a new resource concurrent with the survey, SWCA will proactively coordinate with the client to obtain necessary approval and minimize additional costs of recording. We assume access to the APE and survey area will not be restricted and that the overall survey will not require more than two non-sequential calendar days to complete. Finally, we assume that time to coordinate or provide support for Native American monitoring or participation during the survey is not included.

TASK 6. HISTORIC PROPERTIES IDENTIFICATION REPORT (HPIR)

After completing Tasks 1 – 5, SWCA will prepare an HPIR as a means of demonstrating compliance with Section 106 of the NHPA. The report preparation will be overseen and reviewed by an SWCA principal investigator who meets the SOI PQS in archeology. The format and content of the report will incorporate the SWRCB guidelines for preparing an HPIR, which identify a list of required topics to be addressed.

Specifically, the HPIR will describe the proposed undertaking, APE (description and map), regulatory setting, environmental and cultural context, and the methods and results of efforts to identify historic properties within the project APE (i.e., background research, Native American outreach, archaeological fieldwork, and geoarchaeological assessment). The report will include a summary of cultural resource work associated with Phase 1 of the project, including but not limited to the bore drilling in and near the wastewater treatment plant site and CA-LAN-1417 (mapped outside the proposed Phase 2 pipeline routes).

SWCA assumes no more than the two previously identified resources (CA-LAN-264 and CA-LAN-387) will be identified within the APE and that no new components of those resources will be identified during fieldwork. CA-LAN- 264 has been previously determined to be a historic property and SWCA assumes that no further work will be required to evaluate the significance of the resource for listing on federal, state, or local registers; furthermore, SWCA assumes that the information obtained during the background research, pedestrian survey, and if required, subsurface presence/absence testing will be sufficient for assessing the potential for effects. Per the request of SWRCB, the HPIR will include a detailed discussion of the potential for impacts to CA-LAN-264.

CA-LAN-387 has not been previously evaluated for significance at the federal or state levels and updating the full extent of the previously recorded boundary would be infeasible under the current circumstances; therefore, SWCA assumes that the resource recording and evaluation for CA-LAN-387 will be completed based on the results of background research, pedestrian survey, and if required, subsurface presence/absence testing within the accessible portions of the previously mapped boundary. SWCA assumes no components of CA-LAN-387 will be identified and that no further work will be needed to record, evaluate, or assess the potential for effects to the resource.

If subsurface archaeological excavation is required to identify historic properties or evaluate any identified resources, the results will either be incorporated into the HPIR or attached to the HPIR as a supplemental report(s), such as an extended Phase I (XPI) or Phase II study. For purposes of the scope of work and cost estimate, Task 6 excludes any effort required to update the HPIR with the results of these studies.

The report will provide an analysis of the potential for the proposed undertaking to affect CA-LAN-264 and CA-LAN-387. The analysis will then provide a basis for determining whether mitigation measures are required to be developed to avoid or reduce potentially adverse effects. Based on the preliminary information, it appears that measures addressing the potential for inadvertent discoveries will likely need to be put forth; however, whether any such measures are sufficient

for mitigating adverse effects or if more substantial measures will need to be developed cannot be determined at this time. For purposes of the scope of work and budget, SWCA assumes that the HPIR will include mitigation to address the potential for inadvertent discoveries but if more substantial measures are required to address the potential for adverse effects to CA-LAN-264, a supplemental scope of work may be required to provide the support. If adverse effects to a historic property cannot be avoided or reduced to less than significant levels, then an MOA is required. Any additional work needed to resolve the adverse effects, including but not limited to the preparation of an MOA, would be completed by the SWRCB as described above.

SWCA will produce five drafts of the report to address no more than four rounds of comments from Woodard & Curran, SWRCB cultural resources staff, the City of Malibu, and the OHP, respectively. We assume each round of review will not require substantive revisions to the report such that additional research, fieldwork, or consultation with various parties would be required. If the need for additional work is required that is beyond the scope of the HPIR, an addendum report may be required and would require a supplemental scope of work and funds. We assume digital copies all report drafts will be accepted, i.e., no printed copies of the report will be required. We also assume that the report will be marked as confidential and that no redacted versions of the report will be required to be prepared for public circulation.

Deliverables

- Draft HPIR, version 1—administrative draft submitted to Woodard & Curran.
- Draft HPIR, version 2—draft submitted to City of Malibu.
- Draft HPIR, version 3—draft submitted to SWRCB.
- Draft HPIR, version 4—draft submitted to OHP.
- Final HPIR, version 5—final copy circulated to all parties.

SCHEDULE

After careful consideration, SWCA has prepared a detailed schedule with estimated durations based on providing a notice-to-proceed for tasks in Phase 1 by June 21, 2021, and Phase 2 by August 2, 2021 (assuming the City of Malibu requires no more than 6 weeks to authorize the full scope of work). A detailed breakdown of the estimated schedules to prepare the HPIR based only on the pedestrian survey is provided below in Table 1. These dates are considered approximations and small variations in the specific dates for tasks is expected to occur, for example to accommodate weekends and holidays. However, differences between calendar days and business days have been incorporated into overall duration estimates, e.g., 7 days are given for a task expected to be completed within 5 business days. Other accommodations are made to account for variability in review time and availability (described below). SWCA estimates that if sub-surface testing is not required, a final draft of the HPIR can be completed as soon as **November 20, 2021**. If sub-surface testing is required, the HPIR could be completed as soon as **December 17, 2021**. Importantly, this schedule does not account for the need to prepare an MOA. The need for and timing of the MOA preparation will depend on fieldwork results and input from SWRCB and consulting tribal parties, which is discussed further below.

Table 1. Estimated Schedule and Based on Variable Dates for Notice-to-Proceed:Phase 1 (6/21/21) and Phase 2 (8/2/21).

PROJECT TASKS	DURATION	START	END
PHASE 1. PRE-FIELD TASKS (AUTHORIZED 6/21/21)			
Task 1. Supplemental Records Search and Monitor Boring	41 days	6/21	8/2
Submit Request	1 day	6/21	6/22
SCCIC Processing	40 days	6/22	8/2
Task 2. Delineate APE	10 days (SWRCB review)	6/21	8/1
First Draft (Narrative + Maps)	3 days	6/21	6/24
SWRCB	7 days	6/24	7/1
SHPO and Tribal Review	TBD	--	--
Task 3. Tribal Consultation Letters	49 – 79 days	6/21	8/10 – 9/9
Sacred Lands File (SLF) search	21 days	6/18	7/9
Draft Outreach Letters	10 days (w/ 7-day SWRCB review)	6/21	7/1
Send Letters	1 day	7/10	7/10
Follow-Up Tribal Correspondence No. 1 (@14 days)	1 day	7/25	7/26
PHASE 2. RESEARCH, FIELDWORK, AND REPORTING (AUTHORIZED 8/2/21)			
Task 4. Background Research and Tribal Consultation Follow-Up	38 days	8/2	9/9
Literature Review	7 days	8/2	8/9
Geoarchaeological Assessment	3 days	8/10	8/13
Follow-Up Tribal Correspondence No. 2 (@30 days)	1 day	8/9	8/10
Task 5. Pedestrian Survey	9 days	8/10	8/19
Fieldwork	2 days	8/10	8/12
SWRCB Consultation (Need for Testing, MOA)	1 day (7-day notice)	8/12	8/19
Task 6. Historic Properties Identification Report (Survey Only)	99 days	8/13	11/20
Prepare administrative draft	21 days	8/13	9/3
Draft 1 (Woodard & Curran review)	3 days (2-day review)	9/3	9/6
Draft 2 (City review)	9 days (7-day review)	9/6	9/15
Draft 3 (SWRCB review)	28 days (21-day review)	9/15	10/13
Draft 4 (SHPO review)	37 days (30-day review)	10/13	11/19
Final Draft	1 day	11/20	11/20
Memorandum of Agreement (SWRCB)	TBD	After 11/20	

The proposed schedule accounts for some scheduling constraints that are outside of SWCA's control and assumes review times that may vary. The SCCIC may require up to 6 weeks to fulfill the records search request needed to complete Task 1; however, sufficient data are available to delineate a proposed APE and proceed with additional tasks while the records search request is being fulfilled. Once the proposed APE is submitted to SWRCB, additional time will be required to complete their review.

Outreach to Native Americans requires the results of the sacred lands file (SLF) search by the NAHC, which could require up to 4 weeks but is typically fulfilled within 3 weeks. We plan to proceed with preparing the notification letters and submitting to SWRCB for review while the NAHC is processing the SLF search. Once outreach letters are sent, 30 days is typically given for a response to be received, although some lead agencies are allowing for up to 60 days because of COVID-19. SWCA proposes to conduct follow-up replies over the phone and through email 10 days after the letters are sent and again after 30 days for any parties that have not replied. We assume that any requests by tribal parties to participate in the archaeological fieldwork (pedestrian survey or sub-surface testing) will either correspond to the scheduled dates or would be coordinated to occur independently from SWCA's proposed fieldwork schedule. The timing of the fieldwork task may be contingent on access to the project site and this schedule assumes the timing of any fieldwork will not be significantly altered by access to portions of the project area.

The report schedule assumes that review of the respective drafts will be completed by the City of Malibu within 7 days, the SWRCB within 21 days, and OHP within 30 days. SWCA will coordinate with staff at each of the agencies to help minimize the total time required to complete the final consultation with the OHP.

Time to consult with SWRCB cultural resources staff has been incorporated following the results of the pedestrian survey and, if needed, sub-surface testing. Because of the potential need for an MOA, we have incorporated two scheduled times to consult with SWRCB to assess the need for the document and timing in relation to overall environmental compliance and project approval. Should an MOA be required, additional time for preparation by SWRCB may extend the time needed to fulfill the environmental compliance.

ASSUMPTIONS

For budgeting purposes, we are making the following assumptions because some of these items are beyond SWCA's control and because these factors could significantly affect project schedule and cost:

All Tasks

1. This scope and price quote are valid for 90 days from the date of this proposal letter.
2. Staff working on the project will be billed based on their current standard title and default rate at the time the work is completed.
3. All cultural resources work will satisfy compliance with Section 106 of the NHPA.

Task 1—Supplemental Records Search and Bore Monitoring

4. Direct costs associated with the CHRIS records search from the SCCIC will not exceed \$700.00. The SCCIC will be observing COVID-19 measures at the time the records search is requested; therefore, SCCIC staff will perform the CHRIS search, the time required for completion will be based on the order in which the request is received, and expedited requests will not be honored.
5. No additional boring will be conducted that requires archaeological monitoring.

Task 2—Delineation Area of Potential Effects (APE)

6. Project plans and description of the proposed work will be provided at a sufficient resolution to define a horizontal and vertical areas where ground disturbance is expected to occur during the construction proposed

under Phase 2 of the project. SWCA will provide one set of maps that show the areas of ground disturbance that will compose the proposed APE. SWCA assumes no more than one set of revisions will be made to the draft APE maps and narrative.

Task 3—Tribal Consultation Letters

7. The SLF results will be positive and that at least one tribal party will request consultation.
8. No more than 10 groups will be included in the contact list and that no more than two rounds of phone calls per group will be necessary to satisfy due diligence. The total time required to complete the phone calls will not exceed 5 hours.
9. If any consulting tribe(s) request to be included the pedestrian survey (Task 3) or other fieldwork, the time required to coordinate with the tribe(s) can be completed using the authorized funds.

Task 4—Background Research and Tribal Consultation Follow-Up

1. All background research tasks beyond the CHRIS request will be conducted using existing archival materials on-file or available online, and that no in-person visits to archives or other repositories will be required.
2. CA-LAN-264 will not require re-evaluation as a historic property under Section 106 of the NHPA.
3. Assessing the full site boundary for CA-LAN-387 will not be feasible because access will not be granted to the portions of the mapped site boundary that are outside of the APE or publicly accessible easements; SWRCB and OHP will concur with a site boundary delineation that is based on available information.
4. No more than one virtual meeting will be required with SWRCB cultural resources staff to discuss the findings of the background research prior to any fieldwork tasks.

Task 5—Pedestrian Survey

5. Both sides of the road within the publicly accessible easement will require pedestrian survey. Access to the APE and survey area will not be restricted and the overall survey will not require more than two non-sequential calendar days to complete. Access to some portions of the survey area may be restricted due to slope, standing water, or dense vegetation.
6. No new resources or new components of previously recorded resources will be identified within the survey area.

Task 6—HPIR

7. SWCA assumes no more than the two previously identified resources (CA-LAN-264 and CA-LAN-387) will be identified within the APE and that no new components of those resources will be identified during fieldwork. The information obtained during the background research, pedestrian survey, and if required, subsurface presence/absence testing will be sufficient for assessing the potential for effects. The HPIR will include mitigation to address the potential for inadvertent discoveries and will not include substantial measures to address the potential for adverse effects to CA-LAN-264.
8. No more than one virtual meeting will be required with SWRCB cultural resources staff to discuss the impact analysis and approach to mitigation and the finding of effect.
9. No stand-alone Finding of Effect document will be required.
10. SWCA will address no more than four rounds of comments to the HPIR from Woodard & Curran, the City of Malibu, SWRCB cultural resources staff, and OHP. Comments will not require substantive revisions to the report such that additional research, fieldwork, or consultation with various parties would be required.
11. All documents will be delivered electronically (Microsoft Word and PDF); no hard copies will be provided.

12. The report will be marked as confidential; no redacted versions of the report will be required to be prepared for public circulation.
13. If an MOA is required, SWRCB will prepare the document based on HPIR and no additional support will be required. Additional support is not included in this scope of work and would require a change order or a supplemental scope of work.
14. SWRCB will prepare Section 106 consultation letter(s) to SHPO and no support will be required.

EXHIBIT B COMPENSATION

Based on our correspondence, we have prepared the tasks so that a limited scope of work could be authorized prior to authorizing the full scope of work and any optional tasks. The tasks included in Phase 1 include out-of-scope consulting services already provided to-date and the tasks required to maintain the project schedule. Table below shows abreakdown of the estimated costs to complete the baseline scope of work in Phases 1 and 2 (Tasks 1 – 6) that are included in the change order request. The budget for the tasks included in **Phases 1 and 2 is a not-to-exceed estimate of \$47,227.**

PROJECT TASKS	FEE
PHASE 1 – PRE-FIELD TASKS	
Task 1. Supplemental Records Search and Bore Monitoring	\$1,489
Task 2. Delineating Area of Potential Effects (APE)	\$4,564
Task 3. Tribal Consultation Letters	\$1,341
Subtotal	\$7,394
PHASE 2 – RESEARCH, FIELDWORK AND REPORTING	
Task 4. Background Research and Tribal Consultation Follow-Up	\$10,836
Task 5. Pedestrian Survey	\$3,817
Task 6. Historic Properties Identification Report (Survey Only)	\$25,180
Subtotal	\$39,833
GRAND TOTAL	\$47,227