

RESOLUTION NO. 2003-218

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT
TO CONTRACT NO. C-03-087 FOR T.Y. LIN, INTERNATIONAL TO PROVIDE
CONSULTANT SERVICES FOR THE BOND ROAD WIDENING PROJECT**

WHEREAS, the City of Elk Grove requires additional professional services for preparation of environmental documents for the Bond Road Widening Project; and

WHEREAS, the City of Elk Grove has placed a Request for Proposal for the professional services required for these additional services; and

WHEREAS, T.Y. Lin, International is currently providing consultant services for the Bond Road Widening Project under Contract No. C-03-087; and

WHEREAS, T.Y. Lin, International has been determined to be the most qualified firm to provide these additional services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City Manager to execute a Contract Amendment to Contract No. C-03-087 for T.Y. Lin, International to provide consultant services for the Bond Road Widening project.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 19th day of November 2003.



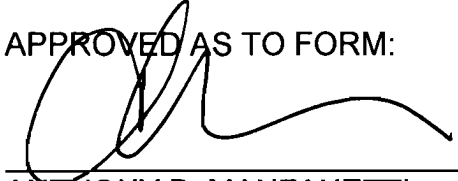
SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



PEGGY E. JACKSON, CITY CLERK

APPROVED AS TO FORM:



ANTHONY B. MANZANETTI,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2003-218**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

I, Peggy E. Jackson, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on the 19th day of November 2003 by the following vote:

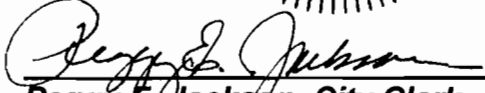
AYES 5: COUNCILMEMBERS: Scherman, Soares, Briggs, Cooper, Leary

NOES 0: COUNCILMEMBERS:

ABSTAIN 0: COUNCILMEMBERS:

ABSENT 0: COUNCILMEMBERS:





**Peggy E. Jackson, City Clerk
City of Elk Grove, California**

CITY OF ELK GROVE



AMENDMENT TO CONTRACT C-03-087 FOR T.Y. LIN INTERNATIONAL CONSULTANT



AMENDMENT TO CONTRACT C-03-087 FOR
T.Y. LIN INTERNATIONAL - CONSULTANT

THIS AMENDMENT TO CONTRACT C-03-087 is made and entered into between City of Elk Grove, a Municipal Corporation (“City”) and T.Y. LIN INTERNATIONAL (“Consultant”). City and Consultant agree as follows:

1. ALL TERMS AND CONDITIONS OF CONTRACT C-03-087 INNCORPORATED IN THIS AMENDMENT TO THE CONTRACT :

Consultant shall do all work, attend all meetings, produce all reports and carry out all activities necessary to complete the services described in the Contract identified by the City of Elk Grove as Contract Number C-03-087 entered into by the City and Consultant on May 21, 2003 . This AMENDMENT shall incorporated all of the terms of that original contract identified by the City as Contract C-03-087 and that original contract shall be amended as follows, without in any way diminishing the obligations of the parties under the original contract.

A. Paragraph 4.A. of the Original Contract is Amended. Paragraph 4.A of the original contract identified by the City as C-03-087, is hereby amended to read:

“4. COMPENSATION:

A. TERMS. Compensation to the Consultant shall be as set forth in Exhibit B attached hereto and made a part hereof. Total compensation to Consultant for the work originally identified in the original contract shall not exceed \$1,232,000.00 without the advance written consent of City. Total compensation to Consultant for the work identified in this amendment to the contract shall not exceed \$32,000.00 without the advance written consent of City.”



B. Scope of Work – Exhibit A to the original Contract is hereby modified to add the following, with out in any way diminishing the Exhibit A to the original Contract:

“SCOPE OF WORK - ENVIRONMENTAL STUDIES

Scope of Work:

- Project Management
- Environmental Studies:
 - Environmental Site Assessment;
 - Biological Resource Evaluation;
 - Wetlands Delineation;
 - Noise Impact Assessment;
 - Air Quality Impact Assessment;

These studies will be provided to the City of Elk Grove (City) for their use in preparing the environmental documentation for the Bond Road Widening Project.

TASK 1 — PROJECT MANAGEMENT

The City will provide project management for the environmental studies and direct the work of each subconsultant including but not limited to the delivery schedule, control and monitoring of the scope of work, quality control, and tracking and approval of invoicing by each subconsultant.

T. Y. Lin International (TYLI) will monitor the progress of the environmental studies, review the subconsultant invoicing, and process the payments approved by the City.

TYLI is not responsible for the scope, schedule and budget of the subconsultants and studies identified in this Amendment. Payments made for each study will be restricted to the invoices approved by the City and to the approved contract limit.

TASK 2 – ENVIRONMENTAL SITE ASSESSMENT

ENGEO Incorporated (ENGEO) will prepare an environmental site assessment in connection with an Initial Study Assessment (ISA). The site assessment will conform to the Phase I Work Scope detailed below. In addition to this, ENGEO will include the following additional information in order to comply with the California Department of Transportation ISA report format:

- ENGEO will report data in units of feet/pounds/seconds and of meters/kilograms/seconds.
- ENGEO will summarize our findings using text and tables.



- ENGEO will include review of available Polk Directories to research past occupants of neighboring properties.

Phase I Work Scope

Review Property History - ENGEO use the following sources of information to identify the historical use of the property:

- Obtain and review readily-available historical aerial photographs of the site for evidence of illegal disposal, hazardous material storage, and changes in topographic features
- Obtain and review historical topographic maps of the site, for indications of historical land use and topographic features. We will attempt to establish site use at least 40 years prior.
- Interview current/prior site owners for land use information, if the individuals are available.
- Interview environmental regulatory agency, fire department, and city/county personnel
- Review environmentally sensitive permits which may be on file for the site
- Review title documents for the property, if you provide us with these documents.

Review Government Records - ENGEO will review federal, state, and county governmental records and databases to determine whether the site or identifiable neighboring properties are listed. The ENGEO scope of services either includes evaluating the listed site's relevance to the subject property, or simply stating that certain sites are listed.

Interview Occupants/Owner(s) - ENGEO will interview the current occupants and land owners by telephone or in person to obtain information on the current and past uses of the subject property and surrounding properties. ENGEO will also ask about potential prior environmental investigations or environmental incidents on the subject property. The ENGEO inquiries will include requesting the nature and quantity of on-site chemical storage, use, and disposal at the present time and historically.

Conduct Site Visit - ENGEO will visit the site to observe visual evidence of hazardous materials use, and provide a professional opinion on the likelihood of impact from currently-observed and historical land use of the site.

ENGEO will only observe publicly-accessible portions of surrounding properties for indications of hazardous materials use, and provide a professional opinion on ENGEO observations.

ENGEO will determine and report the site's geologic setting, addressing hydrogeologic conditions such as groundwater depth and regional flow direction. ENGEO will then use the information to determine whether, for example, a plume of groundwater contamination is likely to move towards or away from the site.



ENGEO does not propose to do invasive exploration of the site, such as test pits and borings, nor water testing. If it appears that sampling or other Phase II investigation is necessary, ENGEO will discuss those options with you, and perform that work for an additional fee.

Prepare Report - ENGEO will analyze and summarize the generated data in a Phase I Environmental Site Assessment report, providing conclusions and recommendations. If ENGEO identifies suspected contamination on the site, the associated remediation plan and clean-up estimate would be provided under a separate Phase II work scope.

ENGEO work scope is not designed to identify wetlands, endangered species, nor provide asbestos, lead-based paint, or radon gas surveys for structures.

Review Prior Reports - If City provides them, ENGEO will review prior Phase I Site Assessment reports on the subject property. ENGEO will incorporate pertinent historical land use and development information, known environmentally related issues relevant to the site, and prior conclusions and recommendations.

Prepare Checklist Report - ENGEO will prepare a checklist report that summarizes information gathered during the site visit and government file search. This report format provides "yes" or "no" responses to a pre-determined set of questions, elaborating only when obviously warranted.

Deliverable: Five (5) copies of the completed Environmental Site Assessment.

TASK 3 – BIOLOGICAL RESOURCE EVALUATION & WETLANDS DELINEATION

Bole & Associates (BOLE) will prepare a Biological Resources Evaluation within the proposed Environmental Study Area (ESL) provided by the City. The evaluation will include the following items and will be completed in accordance with the detailed descriptions below.

- Biological Assessment
- Corps Certified Wetland Delineation
- Mitigation & Monitoring
- Agency (USCOE) Negotiation (404 Permit preparation and submission)
- California Department of Fish & Game (1601 Permit prep and submission)
- Regional Water Quality Control Board (401 Permit prep and submission)

Compile and Review Project Information - Pertinent information regarding the proposed project will be compiled and reviewed. Information will include:

- Department of Fish and Game (DFG) Natural Diversity Data Base (NDDB) record search of the project area;



- California Native Plant Society (CNPS) inventory of sensitive plant species of the local area;
- A list of federally listed plant and wildlife species with potential to occur in the project area requested from the U.S. Fish and Wildlife Service;
- Review pertinent project documents and other project information provided by the City and;
- Review unpublished files and documents from BOLE regarding biological resources occurring in the project area;

Site Investigations - Onsite biological and botanical surveys of the entire ESL will be conducted to evaluate any sensitive biological resources (i.e. elderberry shrubs, raptor nests, listed plant or wildlife species, etc.) that may be present within or immediately adjacent to the ESL. If sensitive biological resources are found within or immediately adjacent to the ESL, these resources will be mapped on an aerial photograph and submitted as part of the Biological Resources Evaluation Report.

Biological Resources Evaluation Report - A report that complies with the designated format provided by City will be produced. This report will provide the necessary CEQA level evaluation required for the completion of the biological portion of the Initial Study. This report will summarize the results of the NDDDB record search, a review of the CNPS inventory, and the USFWS list of federally listed species with potential for each species identified in the USFWS list to be affected by the proposed project. The report will also describe the methods and results of the onsite investigations and biological resources evaluation.

Wetlands – If sensitive habitats are found to be present on the site (i.e. vernal pools, riparian/wetland areas, etc.) these areas will be delineated on an aerial photograph and provided to the City.

Permits – The 404, 1601 and 401 permit applications will be prepared and submitted for the City. The permit applications will contain the current project information and will be completed in full. Upon approval of each permit by the reviewing agencies, copies will be provided to the City.

Assumptions - This Scope of Work does not include conducting protocol level surveys for special status plants or wildlife

Deliverable:

- **Five (5) copies of the completed Biological Resources Evaluation Report;**
- **Five (5) copies of the completed Wetlands Delineation;**
- **Five (5) copies of the completed 404, 1601 and 401 Permits.**

TASK 4 — NOISE IMPACT ASSESSMENT

VRPA Technologies (VRPA) will prepare a Noise Impact Assessment including a description of the environmental setting, project impacts, mitigation measures and



impacts after mitigation. Mitigation measures will be prepared in a manner to facilitate monitoring and reporting in order to meet CEQA requirements. Mitigations will be stated in a positive, achievable manner and will list the City, or other agency, jurisdiction or individual responsible for monitoring, as well as an approximate time frame for completion of the recommended mitigation and, if necessary, the threshold or triggering mechanism for the institution of a mitigation measure.

Conduct Traffic Noise Level Measurements

Conduct twelve (12) traffic noise level measurements and use concurrent traffic counts along the affected roadways at the exterior of houses or other sensitive receptors. The purpose of the measurements is to determine if adjustments to the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model are required. The FHWA Model is the standard methodology for calculating traffic noise levels.

If a secure location for equipment is available, conduct continuous traffic noise level measurements for 24 hours or more along the road. The purpose of the 24-hour measurements is to obtain the day/night proportions of traffic noise, which is used to calculate noise exposure in terms of the L_{dn} .

Determine Existing and Future Traffic Noise Exposure

Determine existing and future traffic noise exposure with and without the Project using the FHWA Model. Traffic noise exposure will be calculated in terms of L_{dn} , which is used by affected agencies to determine noise compatibility. Traffic data used in the Model will be provided from the Traffic Impact Assessment for the Project. Noise contours will be prepared illustrating noise impacts.

Project Alternatives

Feasible project alternatives will be presented in the Draft Noise Impact Assessment. Two alternatives will be prepared, as mutually agreed with the City. It is anticipated that the following alternatives will be addressed in the document:

- The mandatory "No Project" alternative, which will consider that the facility will remain in its present condition.
- The proposed widening project. submitted site development plan for the property.

Each alternative will be reviewed from an environmental perspective. To the fullest extent feasible, quantitative analysis will be performed. Where precise, quantitative data is not available, the Bond Road Widening EA will make qualitative assessments for each of the alternatives. A table of expected impacts for each of the alternatives will also be prepared, summarizing anticipated environmental impacts.

Determine Significant Traffic Noise Impacts

Determine if significant traffic noise impacts will result from the Project. Significance will be based on various Noise Element standards and CEQA requirements.

Identify Mitigation Measures



Recommend mitigation measures, including the provision of sound walls or other noise attenuation measures will be identified that are appropriate to reduce any significant impacts.

Mitigation Monitoring Program

A Mitigation Monitoring Program will be developed identifying steps that will need to be taken to ensure that required mitigation measures are implemented and are effective.

Prepare the Technical Report

Prepare a technical report, which summarizes the methods, data, findings and recommendations for mitigation for inclusion in the Draft Initial Study/Environmental Assessment.

Deliverables:

- **Five (5) copies of the completed Noise Impact Assessment.**

TASK 5 — AIR QUALITY IMPACT ASSESSMENT

VRPA will prepare an Air Quality Impact Assessment that meets City objectives and applicable requirements of the California Environmental Quality Act (CEQA). The Impact Assessment will include sufficient information from readily available sources; an assessment of environmental impacts associated with implementation of the Bond Road Widening Improvement (Project); development of appropriate mitigation measures, as applicable; and assistance with preparation of a mitigation monitoring program for incorporation into the Project Environmental Assessment (EA).

Review of Scope of Work/Project Alternatives

Meet with appropriate City staff and other Consultant Team representatives to discuss components of the approved Project Scope of Work and Project Alternatives. VRPA intends to discuss relevant environmental issues or concerns and gather pertinent documents or other information that may assist in the development of the Air Quality Impact Assessment.

Preparation of the Air Quality Impact Assessment/Environmental Analysis

A description of the environmental setting, project impacts, mitigation measures and impacts after mitigation will be included for the topical issues outlined below. Mitigation measures will be prepared in a manner to facilitate monitoring and reporting in order to meet State law requirements. Mitigations will be stated in a positive, achievable manner and will list the appropriate City agency or other agency, jurisdiction or individual responsible for monitoring, as well as an approximate time frame for completion of the recommended mitigation and, if necessary, the threshold or triggering mechanism for institution of a mitigation measure.

Air Quality Analysis



Because Sacramento County is currently non-attainment for Ozone (O₂) and Particulate Matter, 10 microns or less in size (PM₁₀), an Air Quality Impact Assessment of potential impacts associated with the Project must be prepared. In general, there are five major sources of air pollutant emissions which can be produced by new development and include: motor vehicles, area-wide and indirect sources, industrial plants and other stationary sources, agricultural activities, and construction activities. Motor vehicles account for significant portions of regional gaseous and particulate emissions. In addition, construction activities can generate significant temporary gaseous and particulate emissions (dust, ash, smoke, etc.)

To insure proper implementation and compliance with air quality statutes, an Air Quality Impact Assessment (consistent with CEQA requirements), to be incorporated into the EA, would be prepared. This task contains the following major components:

- VRPA will review and document the following applicable plans, including: the Sacramento Valley Air Quality Attainment Plan, the Sacramento Valley TCM Program and recently developed Reasonably Available Control Measures (RACM) process, the PM₁₀ Non-attainment Plan, the Rate of Progress Plan, and the 2001 Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) Air Quality Conformity Package. In addition, VRPA will review and document applicable Air Quality Rules adopted by the Sacramento County Metropolitan Air Pollution Control District (SCMAPCD). The Plans and Rules will be reviewed for their applicability to the proposed Project.
- Air quality impacts of constructing the proposed project will be estimated, including those related to short-term construction activities, and the potential for emissions attributable to project-related vehicle trips. Vehicular emissions will be estimated based upon traffic projections prepared by the traffic consultant, utilizing CALINE and other state-of-the-art computer models to predict emissions of carbon monoxide. Predicted emissions will be compared with State standards (1-hour and 8-hour) and results recorded. PM₁₀ emissions will also be predicted caused by dust raised by grading and earth-moving activities.
- Mitigation measures will be proposed to reduce air quality emissions from all sources to acceptable levels, to the fullest extent possible. Mitigations will likely include incorporation of feasible controls on construction activity.

Project Alternatives

Feasible project alternatives will be presented in the Draft Air Quality Impact Assessment. Two alternatives will be prepared, as mutually agreed with the City. It is anticipated that the following alternatives will be addressed in the document:

- The mandatory "No Project" alternative, which will consider that the facility will remain in its present condition.
- The proposed widening project submitted site development plan for the property.

Each alternative will be reviewed from an environmental perspective. To the fullest extent feasible, quantitative analysis will be performed. Where precise, quantitative data is not available, the Bond Road Widening EA will make qualitative assessments



for each of the alternatives. A table of expected impacts for each of the alternatives will also be prepared, summarizing anticipated environmental impacts.

Revise the Draft Air Quality Impact Assessment Document

Based upon review and comment received from various agencies on the Draft Air Quality Impact Assessment, VRPA will revise the Assessment for incorporation in the Bond Road Widening EA.

Deliverables:

- **Five (5) copies of the completed Air Quality Impact Assessment.**

SCHEDULE

The schedule for these studies shall be in accordance with the requirements of the City for the completion of the environmental document.”

2. **AUTHORITY TO EXECUTE.** The person or persons executing this Contract on behalf of

Consultant warrant and represent that they have the authority to execute this Contract on behalf of their agency and further warrant and represent that they have the authority to bind Consultant to the performance of its obligations hereunder.

AGREED to this 5th day of November 2003, by the parties as follows.

Approved as to form:

N/A
Counsel for consultant

CONSULTANT

By: Craig Drake
Craig Drake – Vice President
T.Y. Lin International

Approved as to form:

[Signature]
By: Anthony B. Manzanetti, City Attorney

CITY OF ELK GROVE

By: [Signature]
John Danielson, City Manager