

**SUPPLEMENTAL AGREEMENT- CITY MANAGER APPROVAL**

**Project Title and Job Number: SUTTER'S LANDING (LS13)**  
**Purchase Order #: 8LS13C1339**

**Date: 11-30-07**  
**Supplemental Agreement No.: 01**

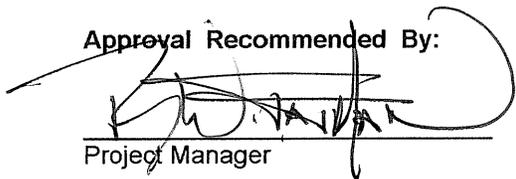
The City of Sacramento ("City") and CALLANDER ASSOCIATES LANDSCAPE ARCHITECTURE ("Consultant"), as parties to that certain Consultant and Professional Services Agreement designated as Agreement Number 2007-0869, including any and all prior supplemental agreements modifying said agreement (said agreement and supplemental agreements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:  
**[Describe additional and/or revised services or refer to Attachment describing additional and/or revised services, including any time extension]**
2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Consultant's fees and expenses, is **increased by \$126,250**, and said maximum not-to-exceed amount is amended as follows:

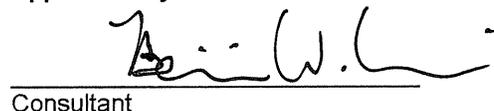
Agreement's original not-to-exceed amount :	161,600.00
Net change by previous supplemental agreements:	0.00
Not-to-exceed amount prior to this supplemental agreement:	161,600.00
<b>Increase</b> by this supplemental agreement:	<u>126,250.00</u>
New not-to exceed amount including all supplemental agreements:	287,850.00

3. Consultant agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Consultant for any and all direct and indirect costs that may be incurred by Consultant in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Consultant.
4. Consultant warrants and represents that the person or persons executing this supplemental agreement on behalf of Consultant has or have been duly authorized by Consultant to sign this supplemental agreement and bind Consultant to the terms hereof.
5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Consultant shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

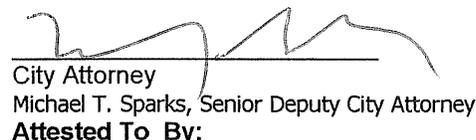
**Approval Recommended By:**

  
\_\_\_\_\_  
Project Manager

**Approved By:**

  
\_\_\_\_\_  
Consultant

**Approved As To Form By:**

  
\_\_\_\_\_  
City Attorney  
Michael T. Sparks, Senior Deputy City Attorney  
**Attested To By:**

\_\_\_\_\_  
City Clerk

**Approved By:**

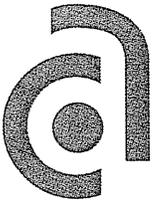
\_\_\_\_\_  
Ray Kerridge, City Manager

ATTACHMENT 1 TO EXHIBIT A.doc

REVISED PHASE 1 DESIGN DEVELOPMENT PLAN- ADDITIONAL SERVICES  
LUMP SUM

1.0 DESIGN DEVELOPMENT	\$ 8,100.00
Revise plan based on additional scope from the City of Sacramento	
2.0 ENVIRONMENTAL CONSULTANT	\$ 45,600.00
Conduct additional environmental studies and permitting services in support of the revised design	
3.0a CONSTRUCTION DOCUMENTS	\$ 57,050.00
Revise construction documents due to revised plan	
3.0b STRUCTURAL ENGINEER	\$ 11,500.00
Design and construction services due to revised plan	
3.0c GEOTECHNICAL ENGINEER	\$ 2,000.00
Develop geotechnical recommendations for improvements due to revised plan	
4. REIMBURSIBLE EXPENSES	<u>\$ 2,000.00</u>
<u>TOTAL PRICE:</u>	\$126,250.00

Callander Associates 1/20/0



Callander Associates  
Landscape Architecture, Inc.

*Via Email Only*

October 25, 2007

**ADDITIONAL SERVICES AUTHORIZATION #1**

**TO:** Mr. Roy Tatman  
City of Sacramento,  
Department of Parks and Recreation  
915 I Street, 5th Floor  
Sacramento, CA 95814  
Phone: (916) 808-5326  
Fax: (916) 264-8266

**RE: SUTTERS LANDING PHASE 1 IMPROVEMENTS / additional scope items**

We have prepared this Additional Services Authorization to include the additional park improvements we discussed at our meeting on October 5, 2007. The scope of work is based on providing the City with improvement plans that consist of the items described below in addition to those indicated in the original scope. Services will include providing and indicating those improvements that exceed the City's 1.2 million dollar budget as add alternate bid items. Only improvements indicated in this scope and the original scope are anticipated at this time. If any additional improvements are added to the project, further additional services authorizations to include those improvements may be required. The following additional services will be provided on this project in accordance with our agreement dated May 5, 2007 and are considered an amendment thereto:

*Scope*

**1.0 Design Development**

- a) Revise Phase 1 Design Development plan based on additional scope items listed below and as described in Attachment A – Sutter's Landing Park, dated September 4, 2007.

Increasing the size of the dog park from 2 acres to 4 acres.  
(2) Hand ball courts enclosed by walls on three sides and above.  
Giant chess board (see Attachment A)  
Basketball court plaza including bleachers & shade canopies  
Existing parking lot regrade & striping (parking lot near trail head and parking lot next to baler building)

311 Seventh Avenue  
San Mateo, CA 94401-4259  
T 650.375.1313  
F 650.344.3290  
www.callanderassociates.com

11180 Sun Center Drive, Suite 104  
Rancho Cordova, CA 95670-6167  
T 916.631.1312  
F 916.635.9153  
www.callanderassociates.com

Landscape Architecture  
Urban Design  
Land Planning  
Park and Recreation Planning  
Environmental Planning

Peter Callander, ASLA Principal  
Mark Slichter, ASLA, Principal  
Brian G. Fletcher, ASLA, Principal  
Erik Smith, ASLA, Principal  
Benjamin W. Woodside, ASLA, Principal

- Traffic control (see Attachment A)
- Planter improvements (see Attachment A)
- Arbor at baler building (see Attachment A)
- Rehab existing shade shelter
- b) Review with City staff in one (1) work session. Provide meeting summary.
- c) Incorporate above listed items in to tasks 1.08 through 1.11 of the original scope.

## 2.0 Permitting

- a) Provide additional permitting and environmental documentation as outlined in the attached ESA land management supplemental scope, dated October 22, 2007.

## 3.0 Construction Documents

- a) Incorporate items listed in items 1.0(a) above into tasks 3.01 through 3.12 of the original scope.
- b) Provide Structural Engineering tasks as outlined in the attached in the attached Biggs Cardosa Associates Inc. proposal, dated October 10th, 2007.
- c) Provide Geotechnical Engineering assistance to develop geotechnical recommendations for improvements on the existing asphalt parking lot.
  - Review existing subsurface data and current site improvement plans.
  - Prepare geotechnical recommendations for proposed improvements.

## Compensation

1.0 Design Development (lump sum).....	\$8,100
2.0 Environmental Consultant (lump sum) .....	\$45,600
3.0a) Construction Documents (lump sum) .....	\$57,050
3.0b) Structural Engineer (lump sum) .....	\$11,500
3.0c) Geotechnical Engineer (lump sum) .....	\$2,000
<u>4.0 Reimbursable expenses (allowance of).....</u>	<u>\$2,000</u>
<b>Total Estimated Compensation .....</b>	<b>\$126,250</b>

*Schedule*

Callander Associates will proceed to commence the above services upon receipt of a signed copy of this authorization.

*Signatures*

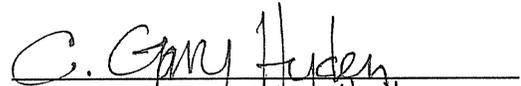
Landscape Architect



10-25-07

\_\_\_\_\_  
Melissa Ruth, Project Manager      date  
Callander Associates  
Landscape Architecture, Inc.

Agreed and authorized to proceed  
for City of Sacramento:

  
\_\_\_\_\_  
~~Roy Tatman~~ C. Gary Hayden      date  
Associate Landscape Architect  
City of Sacramento

- Attachments: - Attachment A - Sutters Landing Park, Additional Elements, dated September 4, 2007  
- Biggs Cardoza Proposal, dated October 10, 2007  
- ESAProposal, dated October 22, 2007

October 10, 2007

Callander Associates  
11180 Sun Center Drive, Suite 104  
Rancho Cordova, CA 95670-6167

Attention: Ms. Melissa Ruth

Subject: Sutters Landing Phase I, Sacramento, CA

Dear Melissa:

Biggs Cardosa Associates, Inc is pleased to offer the following proposal for engineering services for the subject project. We understand the project scope to include construction drawings and calculations for a cast concrete handball court, repairs to existing shade structure, and foundations for basketball hoops, entry arbor, APP artwork, and site lighting. Biggs Cardosa Associates, Inc proposes the following scope of services:

***Design Services***

1. Review geotechnical data and architectural design development drawings, and establish design criteria.
2. Prepare structural calculations to support new designs.
3. Prepare construction drawings and specifications to be included in contract documents as part of permit submittal package.
4. Perform independent quality control check of structural drawings, specifications and calculations.
5. Make modifications to structural calculations as required, in accordance with building official review comments, Callander Associates comments, and independent quality control check comments as required to obtain a building permit.

***Construction Services***

1. Clarify construction documents as required and respond to RFI's.
2. Check shop drawings requested by Biggs Cardosa Associates, Inc.

***Assumptions***

1. Design will be per 2001 California Building Code
2. Specifications for the basketball hoops, arbor, artwork, and light standards, including dimensions and weights, will be provided by Callander Associates prior to beginning design.

Biggs Cardosa Associates, Inc. will provide the above scope of design and construction services for a fixed fee of \$11,500.00. Reimbursable expenses for this project are anticipated not to exceed \$750.00, without prior written authorization.

The feasibility report published by Callander Associates on 2/23/05 includes a description of the subject site by the geotechnical engineering firm of Treadwell & Rollo, wherein they emphasize that the site is still settling and can be anticipated to continue settling under new and existing loads. Given that Treadwell & Rollo's report does not provide specific design parameters for the site, and that no geotechnical report offering specific design criteria will be provided for this project, Biggs Cardosa Associates, Inc will be designing all foundations using minimum Code design values. All foundation designs will be shallow spread footings in order to minimize disturbance of the "cap" materials overlaying the landfill. However, Biggs Cardosa Associates, Inc cannot assume any responsibility for settlement of structures built on this site.

Should you have any questions, please do not hesitate to call.

Sincerely,

BIGGS CARDOSA  
ASSOCIATES, INC.

AGREED TO BY: \_\_\_\_\_  
Callander Associates



Adam L. Nye, SE  
Senior Structural Engineer

DATE: \_\_\_\_\_



8950 Cal Center Drive  
Building 3, Suite 300  
Sacramento, CA 95826  
916.564.4500 phone  
916.564.4501 fax

www.esassoc.com

October 22, 2007

Ms. Melissa Ruth  
Project Manager  
Callander Associates  
11180 Sun Center Drive, Suite 104  
Rancho Cordova, CA 95670-6167

**Subject:** Supplemental Scope of Work in Support of Sutter's Landing Park Improvements

Dear Ms. Ruth:

Environmental Science Associates (ESA) is pleased to submit this proposal to Callander Associates to conduct additional environmental studies and permitting services in support of the proposed Sutter's Landing Park improvement project. Following informal reconnaissance visit on September 24, 2007, ESA identified the studies and permits would be required to achieve permit compliance (see Table 1). This supplemental scope of work identifies the work that will be required to fulfill project goals.

## Project Understanding

With funding from Sacramento County (County), the City of Sacramento will build a park located within the City of Sacramento, on the south bank of the American River. The proposed park improvements would be constructed in the portion of the Former 28<sup>th</sup> Street Landfill know as the "west site", with a river access trail provided from the top of the levee to the south bank of the American River.

Most of the proposed environmental studies and permit requirements are associated with the river access trail. The trail would be constructed using stabilized decomposed granite. Although the trail itself will not enter the river, a portion of the trail would likely extend below the Ordinary High Water Mark (OHWM) as defined by the U.S. Army Corps of Engineers (Corps). Signage, a bench, and a small section of wooden retaining wall will also be constructed.

## Permitting Strategy

During a site reconnaissance visit on September 24, 2007, ESA biologists identified blue elderberry shrubs (*Sambucus mexicana*), which serves as the host plant for the federally threatened valley elderberry longhorn beetle (VELB), within 100 feet of the proposed trail. The United States Fish and Wildlife Service (USFWS) generally assumes presence of the beetle wherever the shrubs are present. In addition, the American River provides habitat for listed fish species, including *salmonids*. Since construction activities associated with the river access trail could result in the "taking" of a species that is currently listed as threatened or endangered, formal consultation with USFWS and NOAA Fisheries (NMFS) must be initiated to comply with the Federal Endangered Species Act. In order to procure the necessary permits for compliance with Federal Endangered Species Act, the following strategy is recommended:

Ms. Melissa Ruth  
October 22, 2007  
Page 2

- Conduct a wetland delineation as required by the U.S. Army Corps of Engineers (Corps) to identify jurisdictional features within the project area, including the location of the OHWA on the American River bank.
- Prepare and submit a Biological Assessment (BA) to the USFWS and NMFS regarding potential effects to threatened or endangered species. The project will qualify for compliance under Section 7 of the Federal Endangered Species Act through this federal nexus with the Corps. Following review of the BA, the USFWS and NMFS will issue a Biological Opinion (BO), which may allow for the incidental “take” of protected species. The BO usually identifies all of the necessary mitigation measures and compensation that would be associated with the proposed action.

Since it is likely that the proposed trail will extend below the OHWM, the following additional permits and consultations would likely be required for the construction:

- Corps Clean Water Act Section 404 Permit (Nationwide Permit)
- Water Quality Certification from the RWQCB (Clean Water Act Section 401)
- Corps Rivers and Harbors Act Section 10 Permit
- Corps Section 10 Letter of Permission (differs from above)
- National Historic Preservation Act (NHPA) Section 106 Consultation (based on the results of the wetland delineation)

## Scope of Work

ESA’s scope of work currently includes the preparation of a biological resources report. This report would provide sufficient information to prepare the biological resource portions of the County’s CEQA study. Also included in ESA’s current scope of work is the preparation of the following permit applications: a CDFG Streambed Alteration Agreement, biological documentation required for the application for a Reclamation Board Encroachment Permit, and the preparation of a Stormwater Pollution Prevention Plan (SWPPP), which is required to support a RWQCB General Construction Permit. The following scope of services describes the specific additional tasks that ESA will complete for trail construction. Our scope of work is based on our understanding of the project elements described and our previous experience preparing similar documents.

Ms. Melissa Ruth  
October 22, 2007  
Page 3

## **Task 1 – Wetland Delineation**

ESA will conduct a formal wetland delineation to delineate jurisdictional features within the project area. The delineation will include a survey to identify the OHWM on the south bank of the American River within the project area. ESA will prepare a wetland delineation report for inclusion with appropriate Corps permits.

This task assumes that one administrative draft wetland delineation will be prepared, and that comments on the administrative draft will be consolidated into one (1) copy for ESA's use.

### ***Deliverables***

- *Two (2) copies of the Draft Wetland Delineation Report for review by the City and applicable parties;*
- *Submittal of Wetland Delineation Report to Corps and up to two (2) copies distributed among the City and applicable parties.*

### ***Cost***

ESA proposes to prepare the Wetland Delineation Report for a not-to-exceed fee of \$9,000.

## **Task 2 – Additional Permits and Consultations**

### **Task 2A – Permit Applications: Preparation and Submittal**

ESA proposes to assist the City by preparing and filing permit applications to satisfy requirements that are known currently pursuant to the Clean Water Act Section 404, Clean Water Act Section 401 Water Quality Certification from the RWQCB, Rivers and Harbors Act Section 10, and NHPA Section 106 consultation.. ESA will prepare the appropriate wetlands permit package and conduct a cultural resources investigation and consultation pursuant to Section 106 of the NHPA.

This task assumes that one administrative draft application package will be prepared, and that comments on the administrative draft will be consolidated into one (1) copy for ESA's use.

### ***Deliverables***

- *Submittal of the appropriate permit package to the Corps, RWQCB, and up to two (2) copies distributed among the City and applicable parties;*
- *Two (2) copies of a cultural resources report for review by the City and applicable parties;*

Ms. Melissa Ruth  
October 22, 2007  
Page 4

### ***Cost***

ESA proposes to prepare the permit application package for a not-to-exceed fee of \$10,000.

## **Task 2B – Biological Assessment**

ESA will prepare a Biological Assessment (BA) document to assess potential effects to Federal- and State-listed threatened and endangered species that may result from Phase Two of the proposed project. The BA will include information collected for preparation of the biological resources report included in our original scope. ESA will submit the BA to USFWS and NMFS on behalf of the City and the Corps in support of Section 7 consultation.

This task assumes that one administrative draft Biological Assessment will be prepared, and that comments on the administrative draft will be consolidated into one (1) copy for ESA's use.

### ***Deliverables***

- *Two (2) copies of the Administrative- draft Biological Assessment for review by the City and applicable parties;*
- *Submittal of the Draft BA to the Corps and up to two (2) copies distributed among the City and applicable parties.*
- *Submittal of the Final BA to the Corps.*

### ***Cost***

ESA proposes to prepare the Biological Assessment for a not-to-exceed fee of \$11,500.

## **Task 2C – Stormwater Pollution Prevention Plan (SWPPP) for Trail**

Per the requirements of the RWQCB for proposed projects that would conduct grading of areas over 1 acre in size, ESA proposes to prepare a SWPPP for the Phase Two development. The SWPPP will address erosion control measures to protect surface water quality including recommendations for tools such as silt fencing. The SWPPP will utilize Best Management Practices (BMPs) as identified in the CalTrans BMP manual, and will take specific recommendations on the locations, placements, and types of BMPs to be employed during construction to protect water quality.

### ***Deliverables***

Ms. Melissa Ruth  
October 22, 2007  
Page 5

- *Two (2) copies of the Draft SWPPP for review by the City and applicable parties;*
- *Submittal of Final SWPPP and up to five (5) copies distributed among the City and applicable parties.*

#### ***Cost***

ESA proposes to prepare the SWPPP for a not-to-exceed fee of \$6,500.

### **Task 3 –Agency Meetings and Coordination**

Throughout the preparation of the permit applications and consultation documents, ESA's Project Manager will conduct meetings with the project team to address issues as they arise. The Project Manager will work directly with the project team to ensure that the project is adequately addressed and that proposed design strategies are feasible, including up to three (3) meetings with the prime consultant and up to three (3) meetings with the City of Sacramento. This task also includes preparing and submitting up to two (2) technical memoranda to the prime consultant or City related to project progress or compliance. Additional meetings required by the project will be conducted on a time and materials basis.

#### ***Deliverables***

- *Two (2) meetings with the prime consultant, three (3) meetings with the prime consultant and City staff, and up to three (3) technical memorandum progress reports.*

#### ***Cost***

ESA proposes to conduct project management, meetings, and consultations for a not-to-exceed fee of \$8,600.. *Any additional meetings required by the project will be conducted on a time and materials basis.*

### **Estimated Schedule**

ESA is prepared to start work immediately upon receipt of an executed contract. ESA will work with the prime contractor and appropriate City staff to perform a site reconnaissance within two weeks (10 business days) from contract execution. ESA will provide draft copies of deliverables associated with the above tasks within 12 weeks of contract execution, and provide final versions of these reports within 3 weeks upon receiving review and comments by the prime consultant and the City. This schedule is based on the following assumptions:

- Agency files, if necessary for review, will be available within the time allotted to complete these studies and analyses;

Ms. Melissa Ruth  
October 22, 2007  
Page 6

- ESA will be granted access to the subject property;
- A recent digital aerial photograph of the study area will be made available to ESA.

## Project Assumptions

The project scope of work, estimated budget, and schedule of this proposal are based on several assumptions that are summarized below to further define the proposed scope of work.

- One version of an administrative draft will be prepared for review by Callander Associates and the City. Callander will provide ESA with one copy of the draft comments, which will consolidate all proposed changes from the Callander Associates and the City of Sacramento.
- Protocol-level special-status species surveys will be required only for VELB. If additional surveys are required, this work will be performed on a time-and-materials basis.
- The City of Sacramento will be responsible for payment of all permit application fees.
- This proposal is valid for forty-five (45) days and contingent on ESA and the client executing a mutually agreeable contract.

ESA recognizes that these assumptions may be subject to change by the client during the course of the project. While such changes would not necessarily result in modification of the scope, schedule, or cost, ESA must reserve the right to propose such modifications in the event of such changes.

## Estimated Budget

Based on the proposed scope of work above, ESA can complete the Tasks 1 through 3 for a total lump sum cost of \$45,600. This lump sum cost includes all direct costs associated with equipment rental, document and map production, and other incidental costs.

## Schedule

As previously stated, ESA is prepared to begin work immediately to support the proposed project.



Ms. Melissa Ruth  
October 22, 2007  
Page 7

ESA appreciates this opportunity for ongoing work with Callander Associates. Should you need additional information or have any questions, please do not hesitate contact me by telephone (916.564.4500) or email (lharmon@esassoc.com).

Sincerely,

Lisa Harmon  
Senior Project Manager

**Table 1**  
**Sutter's Landing: Project Permitting/Documentation Needs**

Permit	Project Need / Authority
<b>Trail Improvements</b>	
Section 404 Permit (Nationwide Permit)	Comply with Clean Water Act / Army Corps of Engineers (Corps)
Section 401 Water Quality Certification	Comply with Clean Water Act / Central Valley Regional Water Quality Control Board
Section 10 Permit	Comply with Rivers and Harbors Act / Corps
Section 10 Letter of Permission (differs from above)	Comply with Rivers and Harbors Act / Corps
National Historic Preservation Act (NHPA) Section 106 Consultation	Comply with NHPA; Required as part of compliance with Section 404 of the Clean Water Act.
Tree Removal Permit from the City of Sacramento	Comply with city tree ordinance / City of Sacramento
CDFG Streambed Alteration Agreement	Comply with CA Fish and Game Code / California Department of Fish and Game
Stormwater Pollution Prevention Plan (SWPPP)	Comply with Regional Water Quality Control Board requirements for grading greater than 1 acre
Wetland Delineation (Report)	Support Corps permits
Biological Assessment	Compliance with Section 7 of the Federal Endangered Species Act
<b>Other Improvements</b>	
Stormwater Pollution Prevention Plan (SWPPP) – Phase 1	Comply with Regional Water Quality Control Board requirements for grading greater than 1 acre in area
Biological Resources Report (includes database search and field investigation) – Phase 1	Support CEQA document to be prepared by the City of Sacramento
Biological documentation required for the application for a Reclamation Board Encroachment Permit	Support Reclamation Board Encroachment Permit application – required for projects with may affect levees