

**AMENDMENT NO. 1 TO THE  
AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR WITH PADRE ASSOCIATES, INC.  
(Lower Mission Creek Reach 2B2 and 3 Project, BC NO. 20-126)**

Pursuant to Paragraph 25 of the Agreement for Services of Independent Contractor (hereinafter AGREEMENT) entered into on August 25, 2020, as BC No. 20-126, between the Santa Barbara County Flood Control and Water Conservation District (hereafter COUNTY), and Padre Associates, Inc. having its principal place of business at 1861 Knoll Drive, Ventura, CA 93003 (hereafter CONTRACTOR), the COUNTY and CONTRACTOR amend the AGREEMENT as follows:

**1. Exhibit A, Statement of Work is hereby amended to include:**

Work as described in the attached Statement of Work from CONTRACTOR, attached as EXHIBIT A1, incorporated by this reference.

**2. Exhibit B, paragraph A and B is hereby amended to read:**

A. For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed **\$168,473**.

B. Extra Work required to complete the project may be authorized only if CONTRACTOR receives written approval by the County's designated representative as identified in Paragraph 1 of the Agreement at the same rate per unit as defined in Attachment B1. The total amount of contingency fund is 10% of the agreement amount or **\$16,847.30**.

**3. Attachment B1, is hereby amended to include:**

Costs as described in the attached Fee Schedule from CONTRACTOR, attached as Attachment B2.

In all other respects, the AGREEMENT remains unchanged and in full effect.

**IN WITNESS WHEREOF**, the parties have executed this Agreement to be effective on the date executed by COUNTY.

**ATTEST:**

Mona Miyasato  
County Executive Officer  
Ex Officio Clerk of Board of Directors of the  
Santa Barbara County Flood Control and  
Water Conservation District

**SANTA BARBARA COUNTY FLOOD  
CONTROL & WATER CONSERVATION  
DISTRICT:**

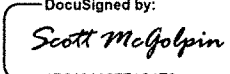
By:   
Deputy Clerk

By:   
Bob Nelson, Chair, Board of Directors

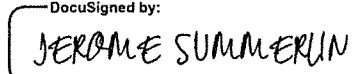
Date: 7/13/2021

**RECOMMENDED FOR APPROVAL:**

Santa Barbara County Flood Control &  
Water Conservation District

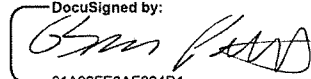
By:   
1D6104A97F1C4E8...  
\_\_\_\_\_  
Scott D. McGolpin  
Public Works Director

**CONTRACTOR:**  
**Padre Associates, Inc.**

By:   
FCBCC30312A749A...  
\_\_\_\_\_  
Authorized Representative  
Name: JEROME SUMMERLIN  
\_\_\_\_\_  
Title: President  
\_\_\_\_\_

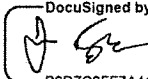
**APPROVED AS TO FORM:**

Rachel Van Mullem  
County Counsel

By:   
61A92FE8AE994D1...  
\_\_\_\_\_  
Deputy County Counsel

**APPROVED AS TO ACCOUNTING FORM:**

Betsy M. Schaffer, CPA  
Auditor-Controller

By:   
B9D7C9FF7A414AE...  
\_\_\_\_\_  
Deputy

**APPROVED AS TO FORM:**

Ray Aromatorio, ARM, AIC  
Risk Manager

By:   
D3DB8526E16EA7E...  
\_\_\_\_\_  
Risk Management

EXHIBIT A1



June 1, 2021  
Project No. 1601-1184

Santa Barbara County Flood Control & Water Conservation District  
130 East Victoria Street, Suite 200  
Santa Barbara, CA 93101

Attention: Mr. Matthew Griffin, P.E.  
Civil Engineer Specialist

Subject: Proposal for Additional Environmental Support Services, Construction of the Lower Mission Creek Improvement Project, Reach 2B-2 and Reach 3, Santa Barbara, Santa Barbara County, California

Dear Mr. Griffin:

Padre Associates, Inc. (Padre) has prepared this proposal and associated cost estimate for the additional scope of services at the Lower Mission Creek Improvement Project, Reach 2B-2 and Reach 3 in Santa Barbara, Santa Barbara County, California (Project Site). This addendum and associated cost estimate have been developed as result of unforeseen conditions discovered during the course of construction activities conducted at 315 Chapala Street and 123 West Gutierrez Street, Santa Barbara, Santa Barbara County, California at the Project.

Presented herein is a summary of the additional scope of services and associated costs for Padre to provide environmental consulting support to the Santa Barbara County Flood Control & Water Conservation District (SBCFCWCD). The additional tasks are described below, and the cost estimates are provided on the attached Table 1 - Cost Estimate for Additional Scope of Services. The estimated costs include Padre's incurred costs for the additional scope of services, as well as estimated costs to continue providing additional support to the project activities.

**Additional Task No. 1 - 315 Chapala Street, Groundwater Monitoring Well Permitting and Abandonment**

During the course of excavation activities at the Project Site, one groundwater monitoring well constructed with 4-inch diameter polyvinyl chloride (PVC) casing was identified within the northern sidewall of the excavation area at 315 Chapala Street. Review of the available data on the State Water Resources Control Board (SWRCB) GeoTracker database, the groundwater monitoring well is associated with soil and groundwater assessment activities previously completed at 315 Chapala Street as part of the permanent abandonment of two underground storage tanks (USTs) and 12 hydraulic lifts historically located at the Former Automotive Shop (Global ID T0608300497), which was issued case closure status by the County of Santa Barbara Environmental Health Services Division (SBCEHD) on December 14, 1994.

Santa Barbara County Flood Control & Water Conservation District  
June 1, 2021 (1601-1184)



Padre's additional scope of services includes procurement of the required monitoring well abandonment permit from SBCEHD, observation of field activities to permanently abandon the groundwater monitoring well, and preparation of a letter-report to document the permanent abandonment of the groundwater monitoring well. Padre estimates the field activities will require one day complete. The letter-report will be submitted to SBCEHD within two-weeks following permanent abandonment of the groundwater monitoring well.

**Additional Task No. 2 - 315 Chapala Street, Soil Assessment and Waste Management Support Services Associated with One Waste Oil Drum, Debris, and Petroleum Hydrocarbon-containing Soil**

During the course of soil excavation activities at 315 Chapala Street on May 12, 2021, one 55-gallon drum containing what appeared to be waste oil, as well as abundant debris consisting of brick, concrete, and trash were discovered in the eastern slope of Lower Mission Creek. Additionally, soil excavation activities located at 315 Chapala Street between Lower Mission Creek and the north side of U.S. Highway 101 identified the presence of petroleum hydrocarbon containing soil at depths ranging from approximately 10-feet to 12-feet below ground surface. The drum is likely the result of unauthorized disposal of waste associated with the Former Automobile Shop previously located at the Project Site, and the debris was likely historically utilized to stabilize the bank of Lower Mission Creek.

Padre collected soil samples from each of the three areas for waste classification based on the chemicals of concern. The chemicals associated with the drum included total lead and soluble lead at concentrations that are classified as non-Resource Conservation and Recovery Act (non-RCRA) hazardous waste in accordance with California Code of Regulations (CCR) Title 22 requirements for characterizing hazardous waste. Additional assessment of the soil beneath the area of the drum completed by Padre indicated elevated total lead concentrations that require analyses for the presence of CCR Title 22 soluble threshold limit concentration (STLC) analyses and Code of Federal Regulations (CFR) Title 40 toxicity characteristic leaching procedure (TCLP) for characterization of the waste pending disposal offsite at a fully licensed hazardous waste landfill. The sample is undergoing STLC and TCLP analyses and the results are pending.

The laboratory analytical results for the soil mixed with the debris indicated the presence of slightly elevated total lead concentrations; however, the laboratory analytical results indicated soluble (STLC) lead concentrations that were less than the CCR Title 22 limits for hazardous waste.

The laboratory analytical results for the petroleum hydrocarbon-containing soil associated with the Former Automobile Shop indicated the presence of slightly elevated total petroleum hydrocarbon (TPH) concentrations. The petroleum hydrocarbon-containing soil is classified as Non-Hazardous Soil that will be disposed of offsite at a fully licensed non-hazardous solid waste landfill.

Santa Barbara County Flood Control & Water Conservation District  
June 1, 2021 (1601-1184)



Padre's scope of services associated within the identified areas of concern at 315 Chapala Street include incurred costs for soil assessment, monitoring of soil excavation activities, collection of soil samples for chemical analyses, support of waste classification, and waste profiling for disposal activities. Additionally, Padre's continued support services includes the estimated costs for excavation monitoring to support the segregation of contaminated versus non-contaminated soil, preparation of waste manifest documentation for transportation of the lead and petroleum hydrocarbon-containing soil offsite for disposal, and collection of verification soil samples for chemical analyses to document the resulting soil conditions at the Project Site. Padre will prepare a letter-report to document the resulting soil conditions, and the management and disposal of the identified wastes at the Project Site.

Padre estimates three weeks of excavation monitoring and project support activities at the Project Site for the excavation and disposal of the petroleum hydrocarbon-containing soil and the California-hazardous lead-containing soil identified at the Project Site.

#### **Additional Task No. 3 - 123 West Gutierrez Street, Assessment of Debris in Shallow Soil and Assessment of PCE in Drill Holes Along the Planned Secant Wall**

During the course of soil excavation activities at 123 West Gutierrez Street on the western bank of Lower Mission Creek, debris consisting of concrete, brick, and trash were identified in shallow soil at the Project Site. On May 27, 2021 Padre collected one soil sample for CCR Title 22 metals analyses, including CCR Title 22 STLC analyses and CFR Title 40 TCLP analyses. The results are pending. Following receipt of the laboratory analytical results, Padre will assist the project team with profiling the waste and preparation of waste manifest documentation for transportation and disposal of the waste, as needed.

In preparation for pile drilling activities for the planned Secant Wall, SBCFCWCD requested that Padre conduct pre-construction assessment of the subsurface materials to determine the potential presence of tetrachloroethene (PCE) and trichloroethene (TCE) in subsurface materials identified in Padre's report title *Phase II Environmental Site Assessment Activities for Lower Mission Creek Flood Control Project, Reach 3, at 324 De La Vina Street, Santa Barbara, Santa Barbara County, California*", dated December 4, 2019 (Phase II ESA).

The planned scope of services includes the advancement of three hollow-stem auger drill holes to maximum depths of 50-feet, or to practical refusal, and the collection of discrete soil samples for chemical analyses at approximate 5-foot depth intervals. Up to 15 soil samples will be chemically analyzed for the presence of volatile organic compounds (VOCs) by U.S. Environmental Protection Agency (EPA) method 8260B. A Padre geologist will log the earth materials encountered in accordance with Unified Soil Classification System (USCS). Soil cuttings will be screened for the presence of VOCs using a field-portable hand-held photoionization detector (PID). The drill hole locations will be surveyed with a Trimble hand-held global positioning system (GPS) with sub-meter accuracy. The drill holes will be backfilled with cement grout. The soil cuttings will be encased in plastic at the Project Site pending receipt of the laboratory analytical results. Padre will prepare a technical memorandum to describe the

Santa Barbara County Flood Control & Water Conservation District  
June 1, 2021 (1601-1184)



---

completed field activities, laboratory analytical results, and will provide recommendations for management of soil cuttings during secant wall pile drilling activities.

Padre estimates that the drilling activities will require two days to complete. Support of construction activities at 123 West Gutierrez Street, including monitoring of excavation and secant pile drilling activities, and preparation of waste manifest documentation for transportation of the lead and petroleum hydrocarbon-containing soil offsite for disposal will require two weeks to complete.

**Additional Task No. 4 – 315 Chapala Street and 123 West Gutierrez Street, Property Acquisition Support**

Padre will provide technical support to SBCFCWCD for the acquisition of the properties located at 315 Chapala Street and 123 West Gutierrez Street. The support will likely include discussions and explanations of the Phase II ESA report, the results of soil excavation and disposal activities completed at the Project Site, and the regulatory requirements for the development of the properties.

**COST ESTIMATE**

Padre proposes to provide the Additional Environmental Support Services described herein on a time and materials basis for a not-to-exceed fee of \$115,913. The costs are detailed in the attached Table 1 - Cost Estimate for Additional Scope of Services.

**ASSUMPTIONS**

The additional scope of services described herein include the environmental consulting support services for the project activities conducted at 315 Chapala Street and 123 West Gutierrez Street, Santa Barbara, California. The original scope of services and cost estimate for 324 De La Vina Street, Santa Barbara, California described in Padre letter-report titled *Updated Statement of Work to Provide Environmental Support Services for Construction of the Lower Mission Creek Improvement, Reach 2B-2 and Reach 3, Santa Barbara, Santa Barbara County, California*, dated July 7, 2020 remains as-is with no change to the scope of cost estimate at this time.

Several assumptions have been made in developing this proposal and cost estimate and, if not valid, will constitute a change in the scope of services, requiring an adjustment in project cost. Padre will notify you of any such changes in writing.

Assumptions and limitations to our scope of services are presented below.

- Access to the Project Site for field monitoring and sampling activities will be provided.

Santa Barbara County Flood Control & Water Conservation District  
June 1, 2021 (1601-1184)



- Assumes prevailing wage rates.
- Laboratory analytical results will be provided on an expedited turnaround time, unless otherwise requested by SBCFCWCD.

**CLOSING**

Padre appreciates the opportunity to assist the Santa Barbara County Flood Control & Water Conservation District with this project. If you have any questions regarding this proposal and cost estimate, please contact me at rzukor@padreinc.com or (805) 644-2220 ext. 34.

Sincerely,  
PADRE ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Ryan M. Zukor".

Ryan M. Zukor, P.G.  
Principal

A handwritten signature in black ink, appearing to read "Jerome K. Summerlin".

Jerome K. Summerlin, C.E.G., C.Hg.  
President

JKS:RMZ:av

Attachment

## ATTACHMENT B2

Santa Barbara County Flood Control Water Conservation District  
June 1, 2021 (1601-1184)



**Table 1 - Cost Estimate for Additional Scope of Services  
Lower Mission Creek Reach 2B-2 and Reach 3**

**Additional Task No. 1 - 315 Chapala Street, Groundwater Monitoring Well Abandonment**

<i>Personnel/Item</i>	<i>Rate</i>	<i>Incurred Hours/Units</i>	<i>Estimated Hours/Units</i>	<i>Cost</i>
Principal Professional	\$ 160.00	1	4	\$ 800.00
Senior Professional	\$ 130.00	2	6	\$ 1,040.00
Staff Professional	\$ 95.00	--	8	\$ 760.00
Drafting	\$ 70.00	--	2	\$ 140.00
Project Assistant	\$ 65.00	--	2	\$ 130.00
Truck	\$ 85.00	--	0.5	\$ 42.50
SBCEHD Well Permit (+15%)	\$ 655.00	1	--	\$ 753.25
Subtotal:				\$ 3,665.75

**Additional Task No. 2 - 315 Chapala Street, Area of Drum, Debris, and TPH-containing Soil**

<i>Personnel/Item</i>	<i>Rate</i>	<i>Incurred Hours/Units</i>	<i>Estimated Hours/Units</i>	<i>Cost</i>
Principal Professional	\$ 160.00	10	20	\$ 4,800.00
Senior Professional	\$ 130.00	65	80	\$ 18,850.00
Project Professional	\$ 110.00	46	75	\$ 13,310.00
Staff Professional	\$ 95.00	35	75	\$ 10,450.00
Drafting	\$ 70.00	--	4	\$ 280.00
Project Assistant	\$ 65.00	--	3	\$ 195.00
Field Equipment	\$ 140.00	9	15	\$ 3,360.00
XRF Analyzer	\$ 2,000.00	1	3	\$ 8,000.00
Truck	\$ 85.00	11	20	\$ 2,635.00
Laboratory Analyses (+15%)	\$ 1,100.00	6	5	\$ 13,915.00
Subtotal:				\$ 75,795.00

**Additional Task No. 3 - 123 W.Gutierrez Street, Debris and PCE Assessment**

<i>Personnel/Item</i>	<i>Rate</i>	<i>Incurred Hours/Units</i>	<i>Estimated Hours/Units</i>	<i>Cost</i>
Principal Professional	\$ 160.00	3	10	\$ 2,080.00
Senior Professional	\$ 130.00	5	30	\$ 4,550.00
Project Professional	\$ 110.00	4	10	\$ 1,540.00
Drafting	\$ 70.00	--	4	\$ 280.00
Project Assistant	\$ 65.00	--	4	\$ 260.00
Field Equipment	\$ 140.00	--	2	\$ 280.00
Truck	\$ 85.00	--	2	\$ 170.00
Laboratory Analyses - VOCs (+15%)	\$ 340.00	--	15	\$ 5,865.00
Laboratory Analyses - Metals (+15%)	\$ 380.00	--	4	\$ 1,748.00
SBCEHD Drill Hole Permit (+15%)	\$ 535.00	1	--	\$ 615.25
Driller (+15%)	\$ 11,360.00	--	1	\$ 13,064.00
Subtotal:				\$ 30,452.25



Santa Barbara County Flood Control Water Conservation District  
June 1, 2021 (1601-1184)



Table 1 - continued.

**Additional Task No. 4 - 315 Chapala St. and 123 W. Gutierrez St., Property Acquisition Support**

<i>Personnel/Item</i>	<i>Rate</i>	<i>Incurred Hours/Units</i>	<i>Estimated Hours/Units</i>	<i>Cost</i>
Principal Professional	\$ 160.00	--	5	\$ 800.00
Senior Professional	\$ 130.00	--	40	\$ 5,200.00
			Subtotal:	\$ 6,000.00

**Total Estimated Cost: \$ 115,913.00**