

BOARD OF SUPERVISORS CONTRACTOR AMENDMENT
NO. 2 TO
AGREEMENT BETWEEN COUNTY OF SANTA
BARBARA AND RINCON CONSULTANTS, INC.

This Contract Amendment (hereinafter referred to as Amendment No. 2) constitutes a modification to the original Agreement between County of Santa Barbara (COUNTY) and Rincon Consultants, Inc. (CONSULTANT), Contract No. **BC19097**, which was entered into on September 11, 2018.

Effective as of August 25, 2020, the original agreement is modified as follows:

1. The following work is added to Exhibit A of the Agreement as attached hereto and incorporated herein by reference:

As described in the Rincon Consultants, Inc. letters to Santa Barbara County Planning and Development dated August 4, 2020 which are included herein as Appendix 1-A02.

2. Additional funding of \$20,060.00 in base funds are being added to the Agreement. Additional funding of \$15,000.00 in contingency costs are being added to the agreement. Exhibit B of the Agreement, Section "A" is deleted and replaced in its entirety as follows:

For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid a total base contract amount, including cost reimbursements, not to exceed \$167,624.00. Upon written approval by the Director of Planning and Development, or designee, up to a 22.86% contingency cost of the initial Agreement may be approved beyond the total base amount in an amount not to exceed \$38,314.00, making the overall Agreement total, including cost reimbursements, not to exceed a cost of \$205,938.00.

3. Contractor agrees to comply with the specific compensation budgets for each task as listed in Appendix 1-A02.

CONSULTANT understands and agrees that the compensation granted herein constitutes the total and entire compensation for these changes in the work. All other terms and conditions of the original agreement, as previously amended, if applicable, shall remain in full force and effect.

ATTEST:

CLERK OF THE BOARD


By _____
Deputy Clerk of the Board

Chair, Board of Supervisors

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
County Counsel

By _____
Digitally signed by: Susan McKenzie
DN: cn = Susan McKenzie email = smckenzie@co.
santa-barbara.ca.us C = AD O = County of Santa
Barbara OU = Office of County Counsel
Date: 2020.08.05 13:02:49 -07'00'

 FOR

Consultant
Richard Daulton, Principal
Rincon Consultants, Inc.

RAY AROMATORIO
Risk Manager


By  _____

APPROVED AS TO FORM:

BETSY SCHAFFER, CPA
Auditor-Controller

By  _____

LISA PLOWMAN, Director
Planning and Development

By  _____



APPENDIX 1-A02

RINCON ASSOCIATES INC.
LETTER DATED AUGUST 4, 2020





Rincon Consultants, Inc.

1530 Monterey Street, Suite D
San Luis Obispo, California 93401

805 547 0900 OFFICE AND FAX

info@rinconconsultants.com
www.rinconconsultants.com

August 4, 2020
Project No: 18-05780

Sean Stewart, Planner
County of Santa Barbara
Planning & Development
123 E. Anapamu Street
Santa Barbara, California 93101
Via email: SeStewart@CountyofSB.org

Subject: Scope of Work and Budget Amendment Request to Prepare a Revision Letter for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project

Mr. Stewart:

The purpose of this letter is to request an amendment to the September 2018 contract scope of work and budget between Rincon Consultants, Inc. (Rincon) and the County of Santa Barbara for environmental services for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project. This amendment is intended to address the need for a Revision Letter to supplement the County of Santa Barbara staff report and Final Subsequent Environmental Impact Report (SEIR) for the project. This letter includes a summary of the scope of work for the Revision Letter and a breakdown of the staff hours required to complete this task.

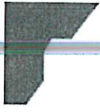
Since Rincon completed the Final SEIR, the project has been revised to reduce the number of residential lots, similar to Alternative 4 evaluated in the Final SEIR. This revision to the project has been made to eliminate development on slopes over 30 percent consistent with County of Santa Barbara Comprehensive Plan Land Use Element and Seismic Safety Element policies and Orcutt Community Plan policies and development standards. The revised project description would reduce the number of new residential lots on Key Site 21 from 146 to 132. Other important changes since completion of the Final SEIR include updated regulatory requirements and revised CEQA Guidelines associated with transportation impact analysis and vehicle miles traveled (VMT) and new County of Santa Barbara guidance to address VMT impacts. As a result of these changes, there is a need for additional discussion of potential transportation impacts and VMT.

The revised scope of work associated with this request, as well as the breakdown of costs, are described in detail below.

Revised Scope of Work

Our amended scope of work accounts for the fact that data gathering and analysis to complete the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project Final SEIR has been completed and assumes no additional County or applicant comments on the responses to comments or Final SEIR. Additional environmental review is required to address the residential lot reduction associated with the revised project description.

Tasks 1 through 4 include additional level of effort beyond what was included in our original contract. Additional work is required to prepare a Revision Letter that describes the revised Project Description,



new regulatory requirements, and County guidance since public circulation of the Draft SEIR in 2019, and updates impact discussions and mitigation as necessary. These tasks assume that no new quantitative modeling, field surveys, site visits, or records searches will be required to address potential impacts associated with the revised project. Therefore, to complete the environmental review for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project Rincon proposes to conduct the following tasks:

- Task 1: Rincon will prepare a Revision Letter Project Description that incorporates the most recent project description information, including updated figures and plans prepared by the project applicant (assumes up to four new figures in the revision letter; no changes to the Final SEIR associated with this task);
- Task 2: Rincon will prepare a Revision Letter that addresses the changes to the project from the Final SEIR described in the revised Project Description, as well as new regulatory requirements, CEQA Guidelines, and County guidance for environmental review of transportation impacts that have come into effect since the Draft SEIR was circulated for public review in 2019;
 - The reduction in residential lots will require qualitative discussion of potential impacts to air quality, biological and cultural resources, energy and greenhouse gas emissions, geologic and hydrologic processes, public services and utilities, transportation/circulation, and potential construction impacts, as well as an updated discussion of the project's consistency with applicable County Comprehensive Plan and Orcutt Community Plan policies.
 - New regulatory requirements and revised CEQA Guidelines that have come into effect since 2019 will require an updated discussion of transportation and circulation impacts. Section 15064.3(a) of the CEQA Guidelines identifies vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts. As of July 1, 2020, the County may no longer use automobile delay as the basis for determining the significance of transportation impacts. The County is currently updating the methodologies and thresholds of significance for transportation impacts to shift from LOS to VMT-based metrics. In the interim, the County has published guidelines that recommend, but do not require, that CEQA documents distributed for public review before July 1, 2020 use VMT-based metrics to analyze the significance of a project's transportation impacts (*Advisory for Determining the Significance of Transportation Impacts under CEQA*, June 2020). Because the Draft EIR was publicly circulated in 2019, the County may determine the appropriate metric to use to analyze traffic impacts pursuant to section 15064.3(b). Rincon will prepare a qualitative discussion of the project's potential to generate new vehicle miles traveled (VMT) consistent with the County's *Advisory for Determining the Significance of Transportation Impacts under CEQA*. This task will include a discussion for informational purposes of the project's VMT based on transportation data developed for the Final SEIR and a comparison of the revised project's potential to generate new VMT to the original project evaluated in the Final SEIR. Our scope for this task assumes there will not be an updated traffic analysis that identifies new previously unidentified impacts and that the cumulative project list will not be changed from that used in the Final SEIR.
- Task 3: Rincon will update the in-progress administrative draft of the CEQA Findings and Statement of Overriding Considerations for the revised Project; and
- Task 4: Rincon will provide project management and oversight, including administration of the amended contract. The level of effort identified for this task reflects project management and contract administration as well as up to six additional bi-weekly conference call meetings with

County staff which we anticipate will be required for the remainder of the schedule to complete the Final SEIR.

- Task 5: The County anticipates additional effort associated with completion of Milestone #4 identified in Rincon's September 2018 contract.

Contingency

The County has recommended re-instating the contingency balance to a total of \$18,530 to account for the possibility of unanticipated work that may be required to complete the Final Subsequent EIR. Therefore, this request also includes a recommendation to increase the contingency by \$15,000.

Cost and Schedule

Our estimate for completion of the revised work scope tasks described above and completing the Final SEIR is \$20,060. Reinstatement of the original contingency balance would increase the contingency by \$15,000. Therefore, authorization of this request would increase Rincon's currently authorized not-to-exceed amount by \$35,060, increasing the total contract threshold from \$170,878 to \$205,938. The detailed budget associated with this request is shown below.

If authorized, Rincon anticipates that completion of the scope described in this request would require one week from authorization to complete the Revision Letter Project Description and three weeks from approval of the Revision Letter Project Description to complete the Revision Letter.

Thank you for providing guidance for developing the updated budget and schedule to complete the Revision Letter and Final SEIR. Rincon Consultants is pleased to continue providing professional services to the County of Santa Barbara for the Neighborhoods of Willow Creek and Hidden Canyon (Key Site 21) Project. We look forward to completing the Final SEIR and supporting the County during the public hearing process for the project. Please contact me or Richard Daulton if you have any questions about our proposed scope, budget, or schedule.

Sincerely,

Rincon Consultants, Inc.

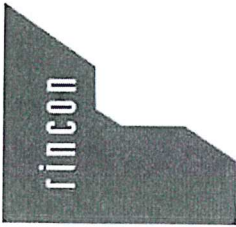


Chris Bersbach, MESM
Senior Environmental Planner/Program Manager



Richard Daulton, MURP
Principal/Vice President





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RINCON CONSULTANTS, INC.

Neighborhoods of Willow Creek & Hidden Canyon Residential Project Subsequent EIR

Cost Estimate

Tasks	Labor Classification →		Hours	Principal I	Senior Professional II	Professional III	Technical Editor	GIS/CADD Specialist I	Clerical/Administrative Assistant I
	Labor Cost	Hours							
Revised Scope Items									
Task 1: Revision Letter Project Description	\$2,060	16		1	4	4	1	6	
Task 2: Revision Letter <i>Updates Due to Changes to Project Description (residential lot reduction)</i>	\$7,235	55		2	12	36	1	4	
<i>Updates Due to Changes to Regs & Guidelines (transportation/County VMT Advisory)</i>	\$1,855	11		2	8		1		
Task 3: Revisions to CEQA Findings/Statement of Overriding Considerations	\$1,300	8		2	4		2		
Task 4: Project Management	\$4,080	24		6	16		1		2
Task 5: September 2018 Contract Milestone #4 Effort	\$3,530	27		2	5	16	1	1	2
	SUBTOTAL COST	141	\$	\$ 3,225	\$ 8,085	\$ 6,720	\$ 630	\$ 1,100	\$ 300

Summary

Professional Fees Subtotal	\$	20,060
Contingency Increase	\$	15,000
TOTAL PROJECT BUDGET	\$	35,060



P&D Board Letter Rincon Contract AMD 2 (002)

Final Audit Report

2020-08-13

Created:	2020-08-12
By:	Ed Price (EPrice@co.santa-barbara.ca.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAtvBZGu7PQFtGY5RyKeVn27N34aGFMdJ

"P&D Board Letter Rincon Contract AMD 2 (002)" History

-  Document digitally presigned by Susan McKenzie (smckenzie@co.santa-barbara.ca.us)
2020-08-05 - 8:02:49 PM GMT- IP address: 161.213.140.40
-  Document created by Ed Price (EPrice@co.santa-barbara.ca.us)
2020-08-12 - 10:29:06 PM GMT- IP address: 161.213.140.40
-  Document e-signed by Ed Price (EPrice@co.santa-barbara.ca.us)
Signature Date: 2020-08-12 - 10:30:03 PM GMT - Time Source: server- IP address: 161.213.140.40
-  Document emailed to Ray Aromatorio (raromatorio@countyofsb.org) for signature
2020-08-12 - 10:30:06 PM GMT
-  Email viewed by Ray Aromatorio (raromatorio@countyofsb.org)
2020-08-12 - 10:59:45 PM GMT- IP address: 72.23.108.237
-  Document e-signed by Ray Aromatorio (raromatorio@countyofsb.org)
Signature Date: 2020-08-13 - 1:07:07 PM GMT - Time Source: server- IP address: 161.213.140.68
-  Signed document emailed to Ray Aromatorio (raromatorio@countyofsb.org), crider@co.santa-barbara.ca.us, tharris@co.santa-barbara.ca.us, dvillalo@co.santa-barbara.ca.us, and 3 more
2020-08-13 - 1:07:07 PM GMT

For use with Expenditure Contracts submitted to the Board for approval. Complete information below, print, obtain signature of authorized departmental representative, and submit this form, along with attachments, to the appropriate departments for signature. See also: Auditor-Controller Intranet Policies->Contracts.

D1.	Fiscal Year	FY20/21
D2.	Department Name	Planning & Development
D3.	Contact Person	Tess Harris
D4.	Telephone	805-568-3319

K1.	Contract Type (check one): <input checked="" type="checkbox"/> Personal Service <input type="checkbox"/> Capital	
K2.	Brief Summary of Contract Description/Purpose	Completion of an Environmental Impact Report
K3.	Department Project Number	3015
K4.	Original Contract Amount	\$ 164,058.00
K5.	Contract Begin Date	September 11, 2018
K6.	Original Contract End Date	December 31, 2019
K7.	Amendment? (Yes or No)	Yes
K8.	- New Contract End Date	June 30, 2021
K9.	- Total Number of Amendments	2
K10.	- This Amendment Amount	\$ 35,060.00
K11.	- Total Previous Amendment Amounts	\$ 6,820.00
K12.	- Revised Total Contract Amount	\$ 205,938.00

B1.	Intended Board Agenda Date	August 18, 2020
B2.	Number of Workers Displaced (if any)	N/A
B3.	Number of Competitive Bids (if any)	N/A
B4.	Lowest Bid Amount (if bid)	N/A
B5.	If Board waived bids, show Agenda Date	N/A
	and Agenda Item Number	N/A
B6.	Boilerplate Contract Text Changed? (If Yes, cite Paragraph)	Sections 33-36 of the contract

F1.	Fund Number	0076
F2.	Department Number	053
F3.	Line Item Account Number	7510
F4.	Project Number (if applicable)	210
F5.	Program Number (if applicable)	3015
F6.	Org Unit Number (if applicable)	3000
F7.	Payment Terms	Periodic payments at milestones

V1.	Auditor-Controller Vendor Number	670900
V2.	Payee/Contractor Name	Rincon Consultants, Inc.
V3.	Mailing Address	1530 Monterey Street, Suite D
V4.	City State (two-letter) Zip (include +4 if known)	San Luis Obispo, CA 93401
V5.	Telephone Number	(805) 547-0900
V6.	Vendor Contact Person	Richard Daulton
V7.	Workers Comp Insurance Expiration Date	2/1/2021
V8.	Liability Insurance Expiration Date	12/17/2020
V9.	Professional License Number	
V10.	Verified by (print name of county staff)	

V11 Company Type (Check one): Individual Sole Proprietorship Partnership Corporation

I certify information is complete and accurate; designated funds available; required concurrences evidenced on signature page.

Date: _____ Authorized Signature: _____