

**BOARD OF SUPERVISORS CONTRACT AMENDMENT NO. 3
TO
CONTRACT (BC 10073)
BETWEEN COUNTY OF SANTA BARBARA
AND RINCON CONSULTANTS, INC.**

This Amendment (hereinafter referred to as Amendment No. 3) constitutes a modification to the original agreement between County of Santa Barbara (COUNTY) and Rincon Consultants Inc. having its principal place of business at 180 N. Ashwood Avenue, Ventura, CA, 93003 (hereafter CONTRACTOR), Contract No. BC-10073, which was entered into on October 13, 2009.

Effective as of August 2, 2011 the original agreement is modified as follows:

1. Replace Article 1 with the following:

1. **DESIGNATED REPRESENTATIVE.** John Zorovich at phone number (805) 934-6297 is the representative of COUNTY and will administer this Agreement for and on behalf of COUNTY. ~~Richard Daulton~~ Mike P. Gialketsis at phone number (805) 644-4455 ~~(805) 547-0900~~ is the authorized representative for CONTRACTOR. Changes in designated representatives shall be made only after advance written notice to the other party.

2. Replace Article 2 with the following:

2. **NOTICES.** Any notice or consent required or permitted to be given under this Agreement shall be given to the respective parties in writing, by first class mail, postage prepaid, or otherwise delivered as follows:

To COUNTY: County of Santa Barbara
Planning & Development
123 East Anapamu Street
Santa Barbara, Ca, 93101
Attn: Elisa Moser

To CONTRACTOR: ~~Richard Daulton~~
Mike P. Gialketsis
Rincon Consultants
~~1530 Monterey Street, Suite D~~
~~San Luis Obispo, Ca, 93401~~
180 N. Ashwood Avenue
Ventura, CA 93003

3. Adjust the Scope of Service identified in Article 3 and referenced in Exhibit B to include revised Task 5A, 6A and 6B as follows:

Task 5A Additional Project Hearings. Rincon's existing scope of work provided for preparation for and attendance at a total of three (3) decision-maker hearings: one on the Draft SEIR, one hearing on the project and Final SEIR before the Planning Commission, and one hearing on the project and Final SEIR before the County Board of Supervisors.

The Draft SEIR hearing and first Planning Commission hearing on the project have taken place, and it is anticipated that up to two additional Planning Commission meetings will be required as well as one Board of Supervisors hearing on the project. This contract amendment request allows for Rincon's attendance at and preparation for a total of 3 additional decision-maker hearings.

Task 6A Analysis of Additional Project Revisions and Preparation of Revision

Letters. The add-services request would allow analysis of new project revisions in the form of one or more Revision Letters to the Final SEIR. The Revision Letter or Letters would provide the necessary additional environmental review of the new project alternatives pursuant to the California Environmental Quality Act (CEQA). A Revision Letter is required to accompany the latest staff-recommended project revision, and subsequent Revision Letters may be needed should Planning Commission or Board of Supervisors direction support the consideration of other project revisions. Each Revision Letter is estimated to require two to four weeks to prepare.

This amendment would provide for the analysis of up to three revisions to the project description and preparation of up to three Revision Letters for use in the Planning Commission and Board of Supervisors hearings. As the project revisions are anticipated to: 1) be similar to existing alternatives that have been evaluated in the Final SEIR, and 2) have smaller development envelopes than the project evaluated in the Final SEIR, no additional field work is anticipated in this supplemental scope of work. Similarly, supplemental technical studies such as new noise, biological, cultural, or health risk assessments are not anticipated to be needed, as there is ample existing information to allow for the evaluation of environmental impacts of the new alternatives. It is assumed that the Revision Letter(s) will be incorporated by County staff into the staff report for the project, and that County staff will also be responsible for preparing revised findings to reflect the new recommended alternative(s). One round of County review of an administrative draft of each Revision Letter is included in the cost estimate.

Task 6B Additional Project Management Costs. Additional project management budget is included in this contract amendment request to cover additional meetings, oversight of new tasks, and contract management duties. It is anticipated that Rincon's project manager will participate in additional meetings and discussions with County staff and the applicant team to receive information on and discuss the new project alternatives. The analysis of additional project revisions and the need for preparation of one or more Revision Letters were not anticipated in Rincon's original scope of work. Hence, budget for additional project management is included in this request.

4. Adjust the compensation of contractor identified in Article 5 and discussed in Paragraph A of Exhibit B as follows:
 - A. For CONTRACTOR services to be rendered under this contract, CONTRACTOR shall be paid on a cost reimbursements on a time and material basis, not to exceed \$157,909 148,464.

This Amendment No. 1 to BC 10073 between the County of Santa Barbara and CONTRACTOR is executed at Santa Barbara, California, on the above signed date.

COUNTY OF SANTA BARBARA

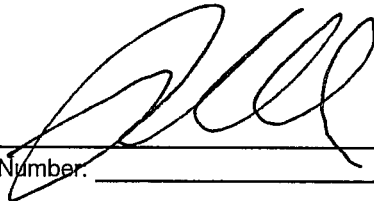
By: _____
Chair, Board of Supervisors

Date: _____

ATTEST:
CHANDRA WALLAR
CLERK OF THE BOARD


CONTRACTOR

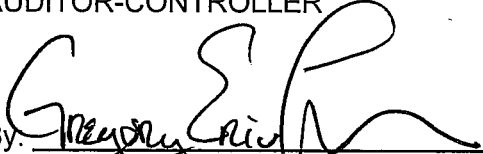
By: _____
Deputy

By:  _____
Tax ID Number: _____

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W GEIS, CPA
AUDITOR-CONTROLLER

By:  _____
Deputy County Counsel

By:  _____
Deputy
Adv. Deputy for RUD G.

APPROVED AS TO FORM:
RAY AROMATORIO,
RISK PROGRAM MANAGER

By:  _____
Risk Program Manager

Complete data below, print, obtain signature of authorized departmental representative, and submit this form (and attachments) to the Clerk of the Board (>\$100,000). If less than (<\$100,000) submit a Purchasing Requisition to the Purchasing Division of General Services. See "online purchasing manual" under General Services, Purchasing, Policies and Procedures. Form not applicable to revenue contracts.

D1. Fiscal Year : FY 11/12
 D2. Budget Unit Number : 053
 D3. Requisition Number : N/A
 D4. Department Name : Planning and Development
 D5. Contact Person : Doug Anthony
 D6. Phone : (805) 934-6559

K1. Contract Type (check one): Personal Service Capital Project/Construction
 K2. Brief Summary of Contract Description/Purpose : Key Site 3 EIR
 K3. Original Contract Amount : \$98,909.00 (CN08042)
 K4. Contract Begin Date : June 17, 2008
 K5. Original Contract End Date : June 30, 2009
 K6. This Amendment Number : 03
 K7. Total Previous Amendments : 02
 K8. This amendment Amount : \$9,445.00
 K9. Revised Total Contract Amount : \$157,909.00

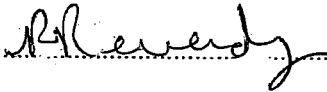
B1. Is this a Board Contract? (Yes/No) : Yes
 B2. Number of Workers Displaced (if any) : N/A
 B3. Number of Competitive Bids (if any) : N/A
 B4. Lowest Bid Amount (if bid) : N/A
~~B5. If Board waived bids, show Agenda Date : N/A~~
 B6. ... and Agenda Item Number : N/A
 B7. Boilerplate Contract Text Unaffected? (Yes/No.): Yes-Added Section#30 Handling of Proprietary Information, #31 Immaterial Changes, #32 news Releases/Interviews.

F1. Encumbrance Transaction Code : 1701
 F2. Current Year Encumbrance Amount : \$00
 F3. Fund Number : 0001
 F4. Department Number : 053
 F5. Division Number (if applicable) : 3015/3000/210
 F6. Account Number : 7510
 F7. Cost Center number (if applicable) : N/A
 F8. Payment Terms : Net 30

V1. Vendor Numbers : 670900
 V2. Payee/Contractor Name : Rincon Consultants, Inc.
 V3. Mailing Address : 180 N. Ashwood Avenue
 V4. City : Ventura
 V5. State : CA
 V6. Zip (include + 4 if known) : 93003
 V7. Telephone Number : (805) 644-4455
 V8. Vendor's Federal Tax ID (EIN) : 770390093

- V9. Contact Person: Michael P. Gialketsis
V10. Workers Comp Insurance Expiration Date: February 1, 2012
V11. General Liability Insurance Expiration Date.....: December 17, 2011
V12. Professional License Number
V13. Verified By.....: Ruth Reverdy
V14. Company Type (*Check one*): Individual Sole Proprietorship Partnership Corporation

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

Authorized Signature: 

Date: 7-12-11