

SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF MURRIETA AND RICK  
ENGINEERING COMPANY FOR THE MADISON AVENUE IMPROVEMENT PROJECT FROM  
GUAVA STREET TO ELM STREET, CIP NO. 8357

This Second Amendment to Agreement ("Amendment"), made this 20<sup>th</sup> day of February, 2024, by and between the CITY OF MURRIETA, a Municipal Corporation, duly organized and existing under and by virtue of the laws of the State of California ("CITY"), and RICK ENGINEERING COMPANY, a California corporation ("CONSULTANT"), with reference to the following facts which are acknowledged by each party as true and correct:

RECITALS

- A. CITY is a general law city, formed and existing pursuant to the provisions of the California Government Code.
- B. CITY is authorized to enter into consultant agreements under the provisions of California Government Code section 53060.
- C. CITY is desirous of obtaining engineering services related to the improvement of the Madison Avenue Improvement Project from Guava Street to Elm Street, CIP No. 8357 ("Services").
- D. On February 6, 2018, CITY and CONSULTANT entered into an agreement ("Agreement") whereby CONSULTANT agreed to provide the Services to the CITY.
- E. On June 20, 2023, CITY and CONSULTANT amended the Agreement to include additional services.
- F. CITY and CONSULTANT are desirous of increasing the Scope of Services of the Agreement to include additional Services at a cost not to exceed \$87,128.34.
- G. CONSULTANT has special knowledge, experience and facilities for accomplishing the Services.
- H. CITY now desires to amend the Agreement to include the additional services and to increase CONSULTANT's compensation as a result of the additional services, and CONSULTANT is willing to amend the Agreement pursuant to the terms and conditions of this Amendment.

AMENDMENT

NOW, THEREFORE, it is agreed by and between the parties as follows:

1. CITY and CONSULTANT agree to amend the Agreement by increasing the Scope of Services as set forth in Exhibits "A" and "B" to this Amendment, attached hereto.
2. In consideration of the increased Scope of Services, CITY agrees to increase CONSULTANT's compensation by an amount not to exceed eighty-seven thousand, one hundred and twenty-eight dollars and thirty-four cents (\$87,128.34) for the services

described and at the rates set forth in Exhibits "A" and "B" to this Second Amendment, attached hereto and incorporated herein by this reference. The new total not to exceed the contract amount shall be one million, six hundred and thirty-four thousand, nine hundred and eighty-four dollars, and thirty-four cents (\$1,634,984.34).

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed the day and year first above written.

RICK ENGINEERING COMPANY

CITY OF MURRIETA

By: \_\_\_\_\_

By: \_\_\_\_\_  
Lori Stone, Mayor

\_\_\_\_\_  
Title

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Cristal McDonald, City Clerk

\_\_\_\_\_  
Title

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Director of Public Works/ City Engineer

APPROVED AS TO FORM:

\_\_\_\_\_  
Tiffany Israel, City Attorney



## Contract Addendum

Contact Addendum No.: 2  
Job No. 18099  
Letter \_\_\_\_\_  
Phase No. \_\_\_\_\_  
Date 12/5/2023

Mr. Jeff Hitch  
City of Murrieta  
1 Town Square  
Murrieta, CA 92562

### Job Description:

By signing below as indicated, Rick Engineering Company is authorized to expend an additional \$ 30,784, bringing the total amount authorized as of this date to \$ 1,489,164, to perform work in conjunction with our contract dated February 6, 2018.

### Additional Scope of Work:

Additional work for environmental services relating to the Technical Study for Biology and the Technical Studies for Cultural and Paleo Resources. Additional services are defined more in depth in the attachments:

**ATTACHMENT #1 – Scope of Works with fees**  
**ATTACHMENT #2 – Contract Task Fee Breakdown**

All other provisions of the original contract are to remain unchanged.

**Authorized by:**  
RICK ENGINEERING COMPANY

Signature:  R.C.E. #46568

Date: December 5, 2023

Name: Barry J. Cowan  
Title: Associate Principal/Office Manager

**Authorized by:**

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



**ATTACHMENT # 1**  
**CONTRACT ADDENDUM NO. 2**

November 21, 2023  
Kleinfelder Project No.: 20184134.001A

Mr. Barry Cowan  
Rick Engineering  
36 Discovery, Suite 240  
Irvine, CA 92618

**SUBJECT: Proposal for Madison Avenue Street Improvements - Amendment 2**

Dear Barry:

Kleinfelder is pleased to provide Rick Engineering with this proposal to augment consulting and environmental services on the Madison Avenue Street Improvements project. These services were not covered in Amendment 1, dated July 14, 2023. Please see attached fee proposal.

**SCOPE OF SERVICES**

**Task 4 – Environmental**

**Task 4.5.1 – Tech Study for Biology**

As a sub consultant to Kleinfelder, HELIX Environmental Planning (HELIX) is conducting the biological resources tasks for the project. HELIX submitted a proposal in 2022 as part of Amendment 1 for the project restart. Amendment 1 was fully executed a year later in July 2023. This September, HELIX requested additional fee to cover rate increases, escalation, and project management and meetings not included with Amendment 1. To avoid holding up the project, Kleinfelder issued a Work Order to HELIX that covered their fee up to their approved amount in Amendment 1. This additional fee in Amendment 2 makes up the difference.

HELIX proposal included for reference.

**Task 4.5.2 – Tech Studies Cultural/Pal Resources**

The Cultural and Paleontological Resources reports prepared in 2018 by Applied Earthworks (AE) reached their 5-year limit this September 2023 and need revalidation. As a sub consultant to Kleinfelder, AE will conduct Cultural tasks and Paleontological tasks necessary to prepare revalidation technical memorandums for each.

Cultural Resources tasks include a search of the Sacred Lands Files with the Native American Commission, assistance to the City with AB 52 Consultation efforts, and field survey. Kleinfelder will provide management oversight for compliance with CEQA needs, coordination as necessary, and quality review of City deliverables.

Paleontological Resources tasks include records searches at the Natural History Museum of Los Angeles County, the Western Science Center, and University of California Museum of Paleontology and Paleobiology Database, and field survey. AE will also prepare a Paleontological Resource Impact Mitigation Program (PRIMP) that meets the requirements of the City's mitigation

measures for onsite monitoring and protocols during ground disturbing activities. Kleinfelder will provide management oversight for compliance with CEQA needs, coordination as necessary, and quality review of City deliverables.

AE's detailed scope of services is included for reference.

## **AUTHORIZATION**

We appreciate the opportunity to be of professional service on this project. Please contact me if you have any questions or need additional information.

Sincerely,

## **KLEINFELDER**



Karibia Baillargeon  
Project Manager  
619-831-4556 (office)  
619-929-7346 (cell)  
[kbaillargeon@kleinfelder.com](mailto:kbaillargeon@kleinfelder.com)

**FEE SUMMARY****Madison Avenue Street Improvements - Amendment 2**

LABOR CATEGORY	Karibia Baillargeon	John Karamitsos	Justin Castells	Laura Anderson	TOTAL HOURS	KLEINFELDE R LABOR FEE	UNIT AND EXPENSE LAB FEE		SUB- CONSULTANT FEE		TOTAL FEE
	11 - Project Manager II	13 - Sr. Principal Professional	12 - Principal Professional	10 - Project Controls Specialist IV							
<i>Billing rate (\$/hr)</i>	<i>\$194.41</i>	<i>\$204.40</i>	<i>\$189.13</i>	<i>\$140.19</i>							
<b>Task 4.5.1 - Tech Study for Biology</b>	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtask 4.5.1.3 HELIX: ARDR (for JD)	0	0	0	0	0	\$ -	\$ -	\$ -	\$ 9,648.00	\$ -	\$ 9,648.00
Subtask 4.5.1.4 KLF Bridge: ARDR (for JD)	2	0	0	1	3	\$ 529.02	\$ -	\$ -	\$ -	\$ -	\$ 529.02
Subtask 4.5.1.5 KLF Env: ARDR (for JD)	0	2	0	0	2	\$ 408.80	\$ -	\$ -	\$ -	\$ -	\$ 408.80
	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Task 4.5.2 - Tech Studies-Cultural/Pal Resources</b>	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Subtask 4.5.2.1 AE: Reval Tech Studies-Cult/Paleo/AB52	0	0	0	0	0	\$ -	\$ -	\$ -	\$ 15,633.74	\$ -	\$ 15,633.74
Subtask 4.5.2.2 KLF Bridge: Reval Tech Studies-Cult/Paleo/AB52	6	0	0	2	8	\$ 1,446.86	\$ -	\$ -	\$ -	\$ -	\$ 1,446.86
Subtask 4.5.2.3 KLF Env: Reval Tech Studies-Cult/Paleo/AB52	0	6	4	0	10	\$ 1,982.91	\$ -	\$ -	\$ -	\$ -	\$ 1,982.91
Subtask 4.5.2.4 KLF Env: Reval Tech Studies-Cult/Paleo/AB52 (QR)	0	0	6	0	6	\$ 1,134.77	\$ -	\$ -	\$ -	\$ -	\$ 1,134.77
<b>LABOR HOURS</b>	<b>8</b>	<b>8</b>	<b>10</b>	<b>3</b>	<b>29</b>						
<b>LABOR FEE</b>	<b>\$1,555.31</b>	<b>\$1,635.20</b>	<b>\$1,891.28</b>	<b>\$420.57</b>		<b>\$ 5,502.36</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 25,281.74</b>	<b>\$ -</b>	<b>\$ 30,784.10</b>

HELIX Environmental Planning, Inc.  
7578 El Cajon Boulevard  
La Mesa, CA 91942  
619.462.1515 tel  
619.462.0552 fax  
[www.helixepi.com](http://www.helixepi.com)



September 5, 2023

01391.00002.003

Karibia Baillargeon  
Project Manager  
Kleinfelder  
770 First Avenue, Suite 400  
San Diego, CA 92101

**SUBJECT: Contract Augment to Provide Additional Services for the Madison Avenue Road Widening Project**

The original written contract dated April 3, 2018 between HELIX Environmental Planning, Inc. (HELIX) and Kleinfelder (Client) for the Madison Avenue Road Widening Project (project) is hereby augmented as follows:

**SCOPE OF WORK** (See attached):

**CURRENT CONTRACT TOTAL** **\$30,156**

Task Number	Task Name	Cost
1	MSHCP Habitat Assessment/ General Biological Survey Update	\$2,250
3	Jurisdictional Delineation and ARDR	21,750
4	General Biological Resources Assessment/MSHCP Consistency Report	15,750
5	Determination of Biologically Equivalent or Superior Preservation	11,050
7	Support during Processing of MSHCP Consistency/Joint Project Review Process	13,300
8	Management/Meetings	9,000
9	Air Quality/Greenhouse Gases	7,500
10	Noise Technical Analysis	11,200

**Subtotal** **\$91,800**

**TOTAL REVISED CONTRACT**

**\$82,152.00 was approved with Amendment 1.**

**\$121,956**

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Jolie Martinez".

Beth Jolie Martinez  
Biology Group Manager

**\$9,648.00 is included with Amendment 2 to make up the difference.**

I hereby authorize HELIX to continue work in accordance with this Augment and the original Terms and Conditions and Schedule of Fees.

\_\_\_\_\_  
(Client)

By: \_\_\_\_\_  
Name  
Title

Date: \_\_\_\_\_



## SCOPE OF WORK

- Task 1 MSHCP Habitat Assessment/General Biological Survey Update. HELIX is requesting additional budget to conduct one site visit to update to the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) habitat assessment and general biological survey conducted in April 2018 to verify the site conditions for suitability of habitat for special-status plant and animal species, including burrowing owl (*Athene cunicularia*), narrow endemic plant species, criteria area species, and verify the mapped vegetation communities/habitat types. The project limits have been revised since the initial assessment and currently include only the segment of Madison Avenue between Guava Street and Elm Street. If Client requests additional areas beyond the segment between Guava Street and Elm Street to be included in the project area, a contract augment will be required. The original funds for this task have been exhausted.
- Task 3 Jurisdictional Delineation and ARDR. HELIX is requesting additional budget to conduct one site visit to verify the field conditions from the May 2018 jurisdictional delineation and prepare an Aquatic Resources Delineation Report (ARDR) intended to meet the “Minimum Standards for Acceptance of Aquatic Resources Delineation Reports” guidance letter issued by the U.S. Army Corps of Engineers (USACE) Los Angeles District in March 2017. The ARDR will serve as a stand-alone summary of USACE jurisdiction within the site. The report will present the results of the delineation and support the USACE 404 permit, Regional Water Quality Control Board (RWQCB) 401 Water Quality Certification, and California Department of Fish and Wildlife (CDFW) 1602 Streambed Alteration Agreement applications, as well as supporting the consistency analysis for riparian/riverine Areas defined in Section 6.1.2 of the MSHCP. The jurisdictional delineation will be presented with HELIX’s best efforts to quantify the amount of waters of the U.S. and State on the project site using the current regulations, written policies, and guidance from the regulatory agencies. However, only the USACE, RWQCB, and CDFW can make a final determination of jurisdictional boundaries. The project limits include only the segment of Madison Avenue between Guava Street and Elm Street. If Client requests additional areas beyond Guava Street and Elm Street to be included in the project, a contract augment will be required. The original scope for conducting a jurisdictional delineation has been exhausted.
- Task 4 General Biological Resources Assessment/MSHCP Consistency Report. HELIX is requesting additional budget to prepare a Biological Resources Technical Report to support MSHCP consistency determination and California Environmental Quality Act (CEQA) review for the project by the City of Murrieta (City) and Regional Conservation Authority (RCA). Additional funds are being requested as the project site is located within at three criteria cells, each with specific requirements to be addressed. This report will describe the survey methods employed, present the results of the fieldwork, assess the potential for additional sensitive resources to occur on the site, identify regulatory issues related to the resources on the site, calculate project impacts, and recommend potential mitigation measures in accordance with MSHCP and CEQA requirements. This task assumes analysis of only one version of the site plan and project description. The project limits include only the segment of Madison Avenue between Guava Street and Elm Street. If Client requests additional areas to be included in the project site beyond Guava Street and Elm Street, a contract augment will be required. HELIX has a remaining budget of \$3,375.

- Task 5 Determination of Biologically Equivalent or Superior Preservation. HELIX will prepare a Determination of Biologically Equivalent or Superior Preservation (DBESP) to analyze project impacts on riparian/riverine areas, present a conceptual mitigation plan for the impacts, and demonstrate consistency with Section 6.1.2 of the MSHCP. The analysis will consist of a report with supporting figures. Documentation from the project's General Biological Resources Assessment/MSHCP Consistency Analysis Report will be used to the greatest extent feasible. The DBESP will be submitted to the City for initiating the Joint Project Review process with the RCA and resource agencies. Based on the delineation that was conducted as part of Task 3, the project site includes MSHCP riparian/riverine resources which will need to be addressed in the DBESP. The project limits include only the segment of Madison Avenue between Guava Street and Elm Street. If Client requests additional areas beyond Guava Street and Elm Street to be included in the project, a contract augment will be required. The remaining budget for this task is \$4,733.
- Task 7 Support during Processing of MSHCP Consistency/Joint Project Review (JPR) Process. HELIX will provide as-needed support to the project team and City during agency review and processing of project's MSHCP consistency documentation, including the DBESP review and JPR process with the RCA and resource agencies. The effort necessary can vary depending on the biological resources issues, agency staff assignments and project priorities, and mitigation negotiations, among other factors. For cost purposes, HELIX has assumed 25 hours of Principal Biologist time, 25 hours of Biology Project Manager time, and six hours GIS Specialist time for this task to prepare additional materials, participate in phone and e-mail correspondence, and to attend meetings. Only the number of hours expended will be billed; if Client requests additional services that expend this budget, a contract augment will be required. Client will lead all MSHCP coordination, including submitting all documents related to MSHCP consistency determination with the City and JPR process with RCA.
- Task 8 Management/Meetings. HELIX has assumed 10 hours of Principal Biologist and 30 hours of Senior Biology Project Manager time for management/weekly team meetings with the project team and City, as needed. If Client requests additional services that cause HELIX to exceed the time allocated for this task, additional authorization would be required.
- Task 9 Air Quality/Greenhouse Gases. HELIX will prepare an air quality and greenhouse gas (GHG) letter report in accordance with the requirements of CEQA. HELIX will coordinate with Client to obtain data relative to construction start and completion dates, phasing of the elements of construction, and construction methods. Construction emissions will be quantified using an approved modeling methodology such as the California Emissions Estimator Model (CalEEMod) or the Sacramento Metropolitan Air Quality Management District's Roadway Construction Emissions Model.

If the project is shown in the traffic study to result in an increase to regional vehicle miles traveled (VMT), the project's operational emissions resulting from the change in VMT will be estimated using emission factor data for on-road vehicles in Riverside County from the California Air Resources Board's (CARB) Mobile Source Emissions and Emission Rates Database EMFAC2021.

Criteria pollutant emissions will be compared with the South Coast Air Quality Management District (SCAQMD) CEQA thresholds. Exposure of local receptors to criteria pollutants

generated during construction will be analyzed using the SCAQMD Localized Significance Threshold methodology. A qualitative evaluation of potential health risks and objectionable odors from the project will be conducted in accordance with the recommendations found in CARB's Air Quality and Land Use Handbook: A Community Health Perspective.

For GHG emissions, the SCAQMD interim threshold of 3,000 metric tons of GHG emissions per year will be used to assess impacts. Significance will also be assessed by considering whether implementation of the Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

If potential significant impacts are identified, measures will be recommended to reduce pollutant emissions. HELIX will provide the results of the air quality and GHG analyses in a letter report. This will include a brief description of the Project, analytical methods used, and the results of the analyses described above, including a determination of the level of significance of impacts in accordance with CEQA guidelines.

**Task 10** Noise Technical Analysis. HELIX will conduct a field inspection of the site, document and photograph surrounding developments and land features, and measure the current ambient transportation noise impacting the project site with concurrent vehicle counts on Madison Avenue. A total of two short term (one hour equivalent) noise measurements will be taken.

Included in this noise technical analysis are the following tasks to be carried out by HELIX:

- Identify applicable laws, ordinances, and regulations;
- Acoustically model roadway segments using Traffic Noise Model to estimate traffic sound levels at residential structures, outdoor use areas, and develop contour distances. Traffic noise impacts will be analyzed for the following conditions: existing, existing plus project, buildout only, and buildout plus project. This analysis will include up to five roadway segments identified in the traffic report for a distance not to exceed 0.25 mile from the project boundaries on Madison Avenue;
- Map the buildout plus project roadway noise contours in a format similar to the Chapter 11 Noise Element Murrieta General Plan 2035;
- Evaluate whether the project would result in a significant noise impact per the applicable ordinances or a substantial increase in ambient noise levels.
- Evaluate the potential for construction noise and vibration to have off-site noise impacts to nearby residences.
- Prepare a noise section for the Initial Study/Mitigated Negative Declaration (IS/MND), presenting the results of the noise impact evaluation. The section will address City compliance guidelines, as outlined in the Noise Element and Noise Ordinance, and will include: 1) the noise environment; 2) applicable noise limits; 3) predicted project noise levels and potential impacts; 4) applicable mitigation measures, if necessary, to address impacts.
- Update and finalize IS/MND Section with City and other reviewer comments.

## **ASSUMPTIONS AND LIMITATIONS**

The following assumptions and limitations are a material component of this agreement.

- Client will provide HELIX with current available digital baseline data and project plans for producing all maps and graphics, which should be submitted in one of the following formats: .dxf, .dwg (AutoCAD), .dgn (Microstation), .shp (ArcView shapefiles), .gdb (ArcGIS geodatabase) or .kmz (Google Earth). In some cases, .pdf files will be acceptable.
- Costs associated with public meetings or biological surveys not specifically described above, are not included within the scope of services required of HELIX under this Agreement.
- HELIX will not begin the biological surveys or reports listed above until there is at least a 30 percent design and receipt of a project description.
- The scope assumes only two rounds of minor comments on the draft technical reports (Tasks 4, 5, and 9). Major (such as revisions that require re-modeling) or multiple revisions may require additional authorization.
- The project limits include only the segment of Madison Avenue between Guava Street and Elm Street. If Client requests additional areas beyond Guava Street and Elm Street to be included in the project, a contract amendment will be required.
- The scope of work does not include the Madison Avenue bridge over Warm Springs Creek. If the bridge component is added to the project, additional services associated with the Madison Avenue bridge over Warm Springs Creek will require an amendment to HELIX's scope and fee.
- Client will identify all potential off-site components associated with the project prior to HELIX conducting the site assessment.
- Any project design changes, project design refinements, or additional work that must be completed in response to Client or review agency request, and which results in additional work or revision of any completed portion of the analysis, may require a contract augment.
- Recent surveys for burrowing owl have already been conducted by others and do not need to be updated by HELIX. If additional focus surveys for burrowing owl are required, they will be covered separately.

November 16, 2023

Karibia Baillargeon, Project Manager  
Kleinfelder  
770 First Avenue, Suite 400  
San Diego, CA 92101  
Transmitted via email to [kbailargeon@kleinfelder.com](mailto:kbailargeon@kleinfelder.com)

**Re: REVISED Subcontract Augmentation for Additional Cultural and Paleontological Resource Services for the Madison Avenue Improvements Project, City of Murrieta, Riverside County, California**

Dear Karibia,

Applied EarthWorks, Inc. (Æ) is pleased to submit a proposal to Kleinfelder to augment our existing subcontract by updating the cultural and paleontological resource documentation we submitted in 2018 for the Madison Avenue Improvements Project in the city of Murrieta (City) Riverside County, California (Project). Æ understands the Project has been on hold for nearly 3 years and the Project is being reclassified and revalidated. Our scope of work and price estimate are based on the Project information you provided on November 7, 8, and 16 in addition to available online data for Riverside County.

Æ understands the Project will require compliance with the California Environmental Quality Act (CEQA), and the City is the lead CEQA agency. The following sections describe our proposed services. The success of our investigations is partially dependent on the timeliness and completeness of the updated Project description, which will be provided by Kleinfelder at the outset.

**CULTURAL RESOURCE TASKS**

- Æ will contact the Native American Heritage Commission (NAHC) for a search of the Sacred Lands Files. The NAHC is experiencing delays in response time. The current turnaround time for the NAHC search is 4-6 weeks.

Æ will provide assistance to the City in support of their Assembly Bill 52 (AB 52) consultation efforts. While the City is responsible for conducting AB 52 consultation with the tribes, Æ will assist by preparing draft letters for the City to review and sign, sending the letters on the City's behalf, and compiling AB 52 responses from the tribes. Æ's Project Manager (Joan George) will attend up to two (2) in-person meetings with the City and interested tribes at the City's office. We assume that each meeting will last no more than 2 hours in length and that City will be responsible for preparing the administrative record of the consultations (i.e., taking notes at the meeting and preparing and distributing minutes). In addition, Æ will attend up to one (1) field meeting at the Project site with the City and interested tribes. We assume the field meeting will last no more than 4 hours in length. Æ will provide non-confidential electronic copies of the draft cultural resource technical report and associated records search results, and the Sacred Lands Files search to interested tribes. Finally, Æ will update the current technical memorandum following the conclusion of the AB 52 consultation effort.

- Æ will conduct a spot-check field survey from the street right-of-way (ROW) of the proposed Project area. The purpose of the survey is to provide a condition assessment of the proposed Project area since the 2018 survey, specifically the west side of Fig Street that was not accessible during the 2018 survey. For the purposes of this price estimate, we assume no subsurface testing and no standing structures or other cultural resources requiring documentation, updates, or evaluation are present in the Project area.

Æ's updated companywide health & safety policy is now being implemented, although the public health concerns continue to cause fluid, everchanging circumstances. Prior to fieldwork, Æ will prepare a Job Hazard Analysis (JHA) for the Project. Project fieldwork will be allowed only when all appropriate health & safety precautions are possible and followed.



- Following completion of the field investigations, Æ will prepare a brief technical memorandum that provides an update to the 2018 technical report. This technical memorandum will describe the Project, NAHC search results and AB 52 consultation efforts, updated survey results, and management recommendations.

Æ's draft and revised draft memorandums will be submitted electronically in MS Word format for ease of review; our final memorandum will be submitted electronically as a PDF file. Our price estimate assumes only minor, if any, comments to address in the draft memorandum and no comments in the revised draft memorandum; no hard copies of the draft and revised draft memorandums; and no more than one (1) hard copy of the final memorandum will be required (i.e., to the Eastern Information Center). After the City has approved the memorandum, Æ will submit one hardcopy of the final memorandum to the Eastern Information Center.

## PALEONTOLOGICAL RESOURCE TASKS

- Æ will request museum records searches at the Natural History Museum of Los Angeles County (NHMLAC) and the Western Science Center (WSC) for recorded paleontological resource localities within and in the vicinity of the Project boundary. The Project area is located on a single USGS topographic quadrangle map; therefore, we assume the total records search fee will not exceed \$450.00. The current turnaround time for the NHMLAC and WSC records searches is generally 2 weeks, although the length has varied significantly from time to time. Under this task, we also will complete reviews of online paleontological records at the University of California Museum of Paleontology (UCMP) and in the Paleobiology Database.
- Upon receipt of the museum record search results and the desktop study, Æ will conduct a spot-check field survey from the street ROW of the proposed Project area. The purpose of the survey is to provide a condition assessment of the proposed Project area since the 2018 survey, specifically the west side of Fig Street that was not accessible during the 2018 survey. For the paleontological survey, we anticipate no discoveries of paleontological resources (i.e., significant or insignificant) requiring documentation or evaluation will be identified during the field survey.
- Following completion of the field survey, Æ will prepare a brief technical memorandum to document the desktop and field findings. Our technical memorandum will be an update to our 2018 Paleontological Resource Assessment (PRA). All paleontological work will be conducted in accordance with the City's guidelines and will meet the requirements of CEQA. Æ will submit the draft PRA electronically in MS Word format for ease of review; we assume comments to address, if any, will be minimal prior to finalization. Æ will submit our final PRA electronically as a PDF file. No hardcopies will be prepared or submitted.
- Æ will prepare a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP meet the requirements of the City's mitigation measures by providing instructions for the onsite monitoring and appropriate protocols for any unanticipated paleontological resources uncovered by ground-disturbing activities. The PRIMP also will provide a contextual overview of the geology and paleontology of the Project area, discuss the regulatory framework of the Project, describe methods used to conduct the study, define paleontological resource significance and sensitivity, and present the results of the PRA. The PRIMP will be written by Æ staff who meet the County of Riverside and Society of Vertebrate Paleontology (SVP) qualifications standards. The PRIMP will follow current industry standards, including the County of Riverside and SVP guidelines. Æ will submit the draft PRIMP electronically to Kleinfelder in MS Word format for ease of review by the City; we assume no comments to address prior to finalization. Therefore, Æ will be able to convert the Word document to a PDF file for the final PRIMP. No hardcopies of the PRIMP will be provided and we will submit the final PRIMP directly to City.

A price estimate is attached for the cultural and paleontological resource services. Other Direct Costs (ODCs), except for mileage, are marked up 10 percent. This scope of work assumes there are no federal funds, lands, or permits involved in this Project. If the Project becomes federalized, modification of this scope of work and price estimate may be needed.





Our estimate is valid for 90 days. If the Project starts within this 90-day period but is put on hold, a cost modification may be needed at the time of restarting. Our work will be completed on a time and materials basis with monthly invoicing, and Kleinfelder will make payment to Æ within 30 days of receipt of an acceptable invoice. Delayed payments may result in work stoppage by Æ and final deliverables may be withheld until payments for past-due invoices are received. Any substantial changes in the assumptions used by Æ in preparing this proposal, or in work conditions and requirements could necessitate revision of the work scope, level of effort, schedule, and/or budget. Æ cannot predict service disruptions that may result from natural or public health emergencies.

We look forward to working with you on this Project. Please do not hesitate to contact me at 951-766-2000 (extension 523) if you have questions or require additional information.

Best regards,

Joan George, B.S., RA (28093)  
Senior Archaeologist  
Applied EarthWorks, Inc.

Encl. Price Estimate





## ATTACHMENT # 2

City of Murrieta  
Madison Avenue Street Improvements  
Guava Street to Elm Street  
CIP 8357

Job No. 18099

### ADDENDUM NO. 2

Phase	Description	Original Contract Amount	Addendum #01 Amount	Addendum #02 Amount	NEW Total Task Fee Amount
<b>Task 1</b>	<b>Project Management</b>				
1.10	Kick Off Meeting	\$ 4,720	\$ 14,850		\$ 19,570
1.20	Meetings (Conceptual Design)	\$ 14,040	\$ 18,417		\$ 32,457
1.30	Meetings (Final Design)	\$ 29,640	\$ 5,472		\$ 35,112
1.40	Public Involvement/Notifications/Meetings	\$ 13,360	\$ 1,286		\$ 14,646
<b>Task 2</b>	<b>Project Research &amp; Investigation</b>				
2.10	Project Research & Investigation	\$ 2,180	\$ 2,680		\$ 4,860
2.20	Initial Basemap	\$ 5,620	\$ 5,910		\$ 11,530
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City of Murrieta  
Madison Avenue Street Improvements  
Guava Street to Elm Street  
CIP 8357

Job No. 18099

Phase	Description	Amount	Amount	Amount	Amount
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9999.00	Reimbursable Expenses (RICK)	\$ 22,638	\$ 4,376		\$ 27,014
9999.10	Reimbursable Expenses (Kleinfelder)	\$ 6,631	\$ 5,000	\$ 833	\$ 12,464
<b>Total Reimbursable Expenses =</b>		<b>\$ 29,269</b>	<b>\$ 9,376</b>	<b>\$ 833</b>	<b>\$ 39,478</b>
<b>Total Contract Amount =</b>		<b>\$ 1,035,010</b>	<b>\$ 423,370</b>	<b>\$ 30,784</b>	<b>\$ 1,489,164</b>



## EXHIBIT B

### Contract Addendum

Contact Addendum No.: 3  
Job No. 18099  
Letter \_\_\_\_\_  
Phase No. \_\_\_\_\_  
Date (Rev) 1/22/2024

Mr. Jeff Hitch  
City of Murrieta  
1 Town Square  
Murrieta, CA 92562

#### Job Description:

By signing below as indicated, Rick Engineering Company is authorized to expend an additional \$ 56,344, bringing the total amount authorized as of this date to \$ 1,545,508, to perform work in conjunction with our contract dated February 6, 2018.

#### Additional Scope of Work:

Additional work for environmental services relating to the Technical Study for Biology (Fairy Shrimp). Additional services are defined more in depth in the attachments:

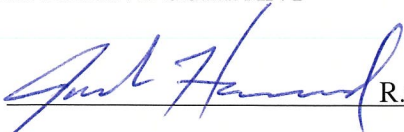
**ATTACHMENT #1 – Scope of Works with Fees**

**ATTACHMENT #2 – Contract Task Fee Breakdown**

All other provisions of the original contract are to remain unchanged.

#### Authorized by:

RICK ENGINEERING COMPANY

Signature:  R.C.E. #51540

Date: January 22, 2024

Name: Joseph G. Hammond  
Title: Associate

#### Authorized by:

Company Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



## **ATTACHMENT #1**

### **ADDENDUM #3**

January 11, 2024  
Kleinfelder Project No.: 20184134.001A

Mr. Scott Patton  
Rick Engineering  
36 Discovery, Suite 240  
Irvine, CA 92618

**SUBJECT: Proposal for Madison Avenue Street Improvements - Amendment 3**

Dear Scott:

Kleinfelder is pleased to provide Rick Engineering with this proposal to augment consulting and environmental services on the Madison Avenue Street Improvements project. These services were not covered in the original 2018 contract, Amendment 1, or Amendment 2. Please see attached fee proposal.

#### **SCOPE OF SERVICES**

##### **Task 4 – Environmental**

##### **Task 4.5.1 – Tech Study for Biology**

As a subconsultant to Kleinfelder, HELIX Environmental Planning (HELIX) is conducting the biological resources tasks for the project. Recently, HELIX identified the potential occurrence of Fairy Shrimp within the project area and submitted a proposal on January 2, 2024, as part of Amendment 3. HELIX will provide wet and dry season Fairy Shrimp surveys. Kleinfelder will provide management, administration, coordination with HELIX on the potential locations and/or presence of Fairy Shrimp, review of the wet and dry season survey results, and will also incorporate the survey results into the CEQA document.

The HELIX proposal is included for reference.

##### **Task 4.5.3 – Tech Studies – Air Quality, Green House Gas, Noise**

HELIX is conducting technical studies for Air Quality, Green House Gas, and Noise and requested from Rick Engineering information related to construction activities, equipment, and durations. Rick Engineering does not provide this construction specialty and has asked Kleinfelder Construction Services (KCS) for support to prepare a design-level construction schedule that identifies the primary phases of work and critical tasks necessary for completing the roadway widening and improvements. KCS will also develop a list of construction equipment type and durations per phase of work, and will coordinate with Kleinfelder, Rick Engineering, and HELIX to discuss and resolve any discrepancies with construction activities. Kleinfelder will provide management, administration, and incorporate construction schedule information into the CEQA document.

**CITY TO PROVIDE THIS  
INFORMATION**

## AUTHORIZATION

We appreciate the opportunity to be of professional service on this project. Please contact me if you have any questions or need additional information.

Sincerely,

## KLEINFELDER



Karibia Baillargeon  
Project Manager  
619-831-4556 (office)  
619-929-7346 (cell)  
[kbaillargeon@kleinfelder.com](mailto:kbaillargeon@kleinfelder.com)

### Attachments:

1. Kleinfelder Fee Proposal
2. Helix Proposal

# FEE SUMMARY

## Madison Avenue Street Improvements - Amendment 3

LABOR CATEGORY	Karibia Baillargeon	John Karamitsos	Laura Anderson	Duff Joseph	TOTAL HOURS	KLEINFELDER LABOR FEE	LAB FEE	UNIT AND EXPENSE FEE	SUB-CONSULTANT FEE	TOTAL FEE
	11 - Project Manager II	12 - Principal Professional	10 - Sr. Project Controls Professional	13 - Sr. Principal Professional						
Billing rate (\$/hr)	\$194.41	\$204.40	\$140.19	\$312.32						
<b>Task 4.5.1 - Tech Study for Biology</b>	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
Subtask 4.5.1.6 HELIX: Wet Season Fairy Shrimp Surveys	0	0	0	0	0	\$ -	\$ -	\$ -	\$ 34,532.00	\$ 34,532.00
Subtask 4.5.1.7 HELIX: Dry Season Fairy Shrimp Surveys	0	0	0	0	0	\$ -	\$ -	\$ -	\$ 15,905.00	\$ 15,905.00
Subtask 4.5.1.8 KLF Bridge: Fairy Shrimp Surveys	12	0	8	0	20	\$ 3,454.44	\$ -	\$ -	\$ -	\$ 3,454.44
Subtask 4.5.1.9 KLF Env: Fairy Shrimp Surveys	0	12	0	0	12	\$ 2,452.80	\$ -	\$ -	\$ -	\$ 2,452.80
	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Task 4.5.3 - Tech Studies-AQ, GHG, Noise</b>	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
Subtask 4.5.3.2 KCS: Tech Studies-AQ, GHG, Noise	0	0	0	32	32	\$ 9,994.24	\$ -	\$ -	\$ -	\$ 9,994.24
Subtask 4.5.3.3 KLF Bridge: Tech Studies-AQ, GHG, Noise	4	0	4	0	8	\$ 1,338.40	\$ -	\$ -	\$ -	\$ 1,338.40
	0	0	0	0	0	\$ -	\$ -	\$ -	\$ -	\$ -
<b>LABOR HOURS</b>	16	12	12	32	72					
<b>LABOR FEE</b>	\$3,110.56	\$2,452.80	\$1,682.28	\$9,994.24		\$ 17,239.88	\$ -	\$ -	\$ 50,437.00	\$ 67,771.88

\$56,344.24

HELIX Environmental Planning, Inc.  
7578 El Cajon Boulevard  
La Mesa, CA 91942  
619.462.1515 tel  
619.462.0552 fax  
www.helixepi.com



December 22, 2023

01391.00002.003

Karibia Baillargeon  
Project Manager  
Kleinfelder  
770 First Avenue, Suite 400  
San Diego, CA 92101

**Subject: Contract Augment to Provide Additional Biological Consulting Services for the Madison Avenue Street Improvement Project (CIP No. 8357)**

The original written contract dated September 1, 2022 (SDI23C150704) by and between Kleinfelder, Inc. (Client) and Helix Environmental Planning, Inc. (Subconsultant) is hereby augmented as follows:

**SCOPE OF WORK** (See attached)

HELIX submits this cost estimate not to exceed \$50,437, which is provided below in a breakdown by task. Tasks 11 and 12 shall be invoiced on a time-and-materials basis pursuant to Exhibit B, Schedule of Fees. Payment terms are net 30 days pursuant to the Terms and Conditions referenced herein.

<b>CURRENT CONTRACT TOTAL</b>		<b>\$112,308</b>
<b>Task</b>		
<b>Number</b>	<b>Task Name</b>	<b>Cost</b>
11	Wet Season Fairy Shrimp Surveys	\$34,532
12	Dry Season Fairy Shrimp Survey	<u>15,905</u>
<b>Subtotal</b>		<b>\$50,437</b>
<b>TOTAL REVISED CONTRACT</b>		<b>\$162,745</b>

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Jolie Martinez", with a long horizontal flourish extending to the right.

Beth Jolie Martinez  
Biology Group Manager

I hereby authorize HELIX to continue work in accordance with this Augment and the original Terms and Conditions and Schedule of Fees.

\_\_\_\_\_  
(Client)

By: \_\_\_\_\_  
Name  
Title

Date: \_\_\_\_\_



## SCOPE OF WORK

Task 11 Wet Season Fairy Shrimp Surveys. HELIX will conduct U.S. Fish and Wildlife Service (USFWS) protocol wet season sampling for fairy shrimp during the 2023/2024 rainy season. Wet season protocol requires that inundated basins be surveyed every week, with the first survey beginning one week after the basins hold three centimeters (cm) of water 24 hours after a rain event. Surveys will continue weekly until they are no longer inundated, they have experienced 120 days of continuous inundation, or until it has been confirmed that listed fairy shrimp (e.g., the federally listed Riverside [*Streptocephalus woottoni*] fairy shrimp) are present in the basin. If the basins dry and then refill in the same rainy season, sampling will be reinitiated within 8 days of refilling every time they meet the 3 cm of standing water criteria and will continue as described above. The number of surveys will depend on the amount and timing of rainfall as well as survey results. HELIX will also prepare all samples (i.e. lots) to be archived at the Natural History Museum of Los Angeles County following archival guidelines.

HELIX is required under its 10(a)(1)(A) recovery permit (ES-778195-15) to notify the USFWS 15 days in advance of starting the first survey and submit a written report to the USFWS within 90 days of completing the final survey. For cost purposes, HELIX has assumed seven basins, one pond check, and 20 sampling visits. Additional basins or visits would require additional authorization.

Task 12 Dry Season Fairy Shrimp Survey. HELIX will conduct one USFWS protocol-level dry season sampling survey after to the terminus of the 2023/2024 rainy season. A HELIX biologist authorized by the USFWS to conduct dry sampling surveys will conduct the sampling and analysis. The scope of work will include collection and laboratory analysis of soil samples from each basin. The results of the sampling and analysis will be provided in a report, which will include a map prepared pursuant to USFWS requirements. HELIX is required under its 10(a)(1)(A) recovery permit (ES-778195-15) to notify the USFWS 15 days in advance of starting the fieldwork and submit a written report to the USFWS within 90 days of completing the fieldwork. For cost purposes, HELIX has assumed a total of seven basins, three of which falling within the 0.0005-0.005 size range (10 samples/basin), four within the 0.005-0.05 acre size range (25 samples/basin) and none within the 0.05 – 0.5 acre size range (50 samples/basin). HELIX will also prepare all samples (aka lots) to be archived at the Natural History Museum of Los Angeles County following archival guidelines<sup>1</sup>. If necessary, hatching of fairy shrimp cysts can be performed by a permitted individual working as a subconsultant to HELIX under an augment to this Agreement.

<sup>1</sup>If hatching is required the subconsultant will be responsible for preparing and submitting samples to the Natural History Museum of Los Angeles County.

## ASSUMPTIONS AND LIMITATIONS

- Client will provide HELIX with current available digital baseline data and project plans for producing all maps and graphics, which should be submitted in one of the following formats: .dxf, .dwg (AutoCAD), .dgn (Microstation), .shp (ArcView shapefiles), .gdb (ArcGIS geodatabase) or .kmz (Google Earth). In some cases, .pdf files will be acceptable.
- Soil for dry season surveys fairy shrimp can be collected in a single day.
- Assumes each survey visit can be completed within a single day.
- Assume no more than 6 lots (each time fairy shrimp are collected equals a lot. A single basin can have multiple lots if shrimp are collected in that basin multiple times).
- Assumes the Natural History Museum of Los Angeles County will not charge an accession fee upon delivery of archival samples for both wet season and dry season lots.

**City of Murrieta**  
**Madison Avenue Street Improvements**  
**Guava Street to Elm Street**  
**CIP 8357**

**Job No. 18099**

		Original Contract	Addendum #01	Addendum #02	Addendum #03	NEW Total Task Fee
Phase	Description	Amount	Amount	Amount	Amount	Amount
<b>Task 1</b>	<b>Project Management</b>					
1.10	Kick Off Meeting	\$ 4,720	\$ 14,850			\$ 19,570
1.20	Meetings (Conceptual Design)	\$ 14,040	\$ 18,417			\$ 32,457
1.30	Meetings (Final Design)	\$ 29,640	\$ 5,472			\$ 35,112
1.40	Public Involvement/Notifications/Meetings	\$ 13,360	\$ 1,286			\$ 14,646
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