

# Landscape Architect Services

Technical proposal prepared by VDLA for the City of Murrieta  
April 8, 2024



Van Dyke Landscape Architects, Inc. (VDLA)  
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Principals: Yale Hooper, CID, CLIA | Denise Armijo, ASLA | Brett Allen, ASLA, CA LLA #6595, CID,  
CLIA, RWSS | Mitch Phillippe, CA LLA #3781



Landscape Architecture  
Planning  
Water Management  
Graphic Communications

April 8, 2024  
City of Murrieta  
Development Services Department  
1 Town Square  
Murrieta, CA 92562  
Attn: Valerie Mendoza, Management Analyst

**RE: Request for Proposals Landscape Architect Services**

Dear Ms. Mendoza,

From our understanding of the RFP scope of work and our firm's portfolio, Van Dyke Landscape Architects, Inc. (VDLA) is excited to offer our proposal to provide landscape architect services for the City of Murrieta. As an established, reputable, and award-winning firm for more than 50 years, VDLA has assembled an effective, multi-disciplinary team that is ready to provide all required deliverables for the City. We understand the importance of these projects to reinforce the City's mission to envision, create, and maintain a thriving community.

We have successfully performed similar services for multiple municipalities, including the Riverside County Transportation & Land Management Agency (RCTLMA) and the City of Jurupa Valley. Under our contract with the RCTLMA, we have successfully completed more than 1,100 landscape and irrigation plan checks.

These contracts involved comprehensive reviews against municipal codes, stakeholder collaboration, and adherence to environmental regulations, all within tight timelines.

We believe our firm is uniquely positioned to fulfill the City of Murrieta's requirements for Landscape Architect Services. Our proposal is guided by a keen understanding of the project's scope, as outlined in the RFP, and a commitment to deliver exceptional service within the defined 10-day review period. VDLA looks forward to the possibility of contributing to Murrieta's growth and sustainability through thoughtful, compliant, and innovative landscape architecture services.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yale Hooper', written in a cursive style.

Yale Hooper, Principal in Charge, CID, CLIA, RWSS  
Van Dyke Landscape Architects, Inc. (VDLA)  
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Solana Beach, CA 92075  
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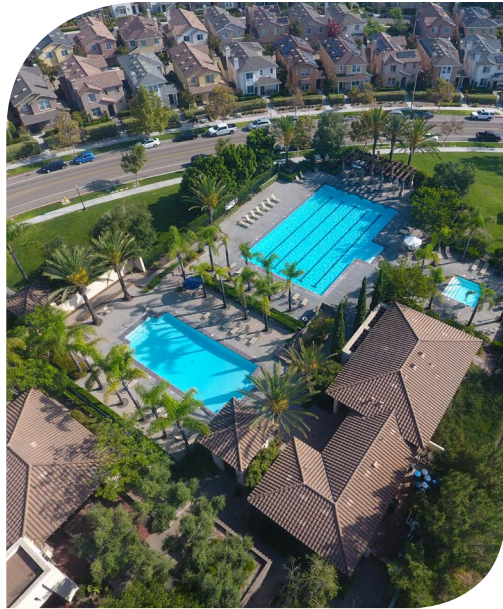
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# About Us





## Our Services

- Planning
- Master Planning
- Concept Design
- Construction Documentation
- Irrigation Master Planning
- Irrigation Design
- Irrigation Audits
- Water Management Services
- Construction Administration
- Graphic Communication
- Community Outreach
- Landscape Plan Checking
- Site Inspections
- Technical Writing

# Designing beautiful outdoor environments since 1972.

VDLA is a dynamic group of designers, irrigation experts, project managers and skilled professionals who collaborate to design beautiful and sustainable environments. This combined expertise gives VDLA the unique ability to create stunning yet practical landscape architectural design, produce accurate construction documents, and provide unsurpassed client service. Defining our client's vision and business goals establishes the foundation for every decision in our design process. We create long-term solutions for long-lasting projects.

For more than 50 years VDLA has worked with municipalities, commercial and land developers, public agencies, HOAs, and design-builders throughout Southern California to design beautiful environments that create a sense of place and well-being.

VDLA is a Certified Small Business (Micro) #1188980



## Contact Us

VDLA Landscape Architects  
462 Stevens Ave, Suite 107  
Solana Beach, CA 92075

 (619) 294-8484

 [admin@vdlA.us](mailto:admin@vdlA.us)

 [vdlA.us](http://vdlA.us)

# Why VDLA?

*Our differentiators for your success*



**3000+**  
Projects Completed



**50+**  
Years of Experience  
in Southern CA

**25+**  
Municipalities &  
Public Agencies  
Worked With



**VDLA has extensive experience providing landscape architectural & plan check services for municipalities. A few of our previous clients include:**

- City of Solana Beach
- City of Carlsbad
- City of Jurupa Valley
- City of Lancaster
- City of Hemet
- City of Upland
- City of Laguna Woods
- City of Calimesa
- City of Cathedral City
- City of Chula Vista
- City of San Diego
- City of San Jacinto
- City of Temecula
- City of Yucaipa
- City of Los Angeles
- City of Banning
- City of Beaumont
- San Bernadino County
- San Diego County
- Riverside County
- CA Coastal Commission
- EMWD
- MWD
- Valley-Wide

# Our Services



## DESIGN

- Concepts & Schematics
- Construction Documents
- Construction Administration



## PLANNING

- Comprehensive Research
- Site Assessments
- Master Planning



## WATER MANAGEMENT

- Irrigation Design
- Irrigation Water Audits
- Water Resource Management



## GRAPHICS

- 3D Renderings
- Signage
- Graphic Simulations



## CONSTRUCTION ADMINISTRATION

- Pre-Construction and Weekly Progress Meetings
- Review Construction Submittals and Construction Scheduling
- On-site Visits for Oversight of Construction Progress and Turnovers Procedures



## CONSULTING SERVICES FOR MUNICIPALITIES & PUBLIC AGENCIES

- Landscape/Irrigation Plan Checking (All Stages), incl. Private Homeowner Plans
- Technical Writing for Planting/Irrigation Standards, EIR/EIS Text, and Ordinances
- Inspection Services for Private and Public Entities



# Our Team







# Organizational Chart

## Key Personnel



**YALE HOOPER**  
Contract Administrator



**DENISE ARMIJO**  
Project Manager



**ELAINE SITZ**  
Senior Plan Checker

## Additional Staff

**KARA STENGER**  
Professional Landscape Staff

**HENRY TEARE**  
Professional Landscape Staff

**PATRICK SHANNON**  
Professional Landscape Staff

**WEI WANG**  
Professional Landscape Staff

**GERARDO BANUELOS**  
Professional Landscape Staff

**DUSTIN FARRELLY**  
Professional Landscape Staff

**RICARDO SANTOS**  
Professional Landscape Staff

**JEFF ALBERS**  
Professional Landscape Staff

**DAWSON HODGSON**  
Professional Landscape Staff

## Subconsultant Team



**KWC**  
Civil Engineering



**HELIX**  
Environmental



**DUDEK**  
Fire Code Consulting



## YALE HOOPER | PRINCIPAL

### Contract Administrator

Mr. Hooper is President of VDLA and serves as Director of Irrigation Services, Construction Administration, and Inspections Manager. He will provide contract management and Principal leadership for the proposed services. He has 26 years of experience in public and agency work, focusing on irrigation design and construction management while coordinating with water districts, public agencies and municipalities, civil engineers, industry product manufacturers, and contractors. Mr. Hooper's experience in the region provides him with thorough familiarity with regional and local standards and regulations, as well as micro-climates affecting planting and irrigation designs.

### EXPERIENCE

26 Years with VDLA

### EDUCATION

Irrigation Design, Mesa  
 College, San Diego

### CERTIFICATIONS

Certified Irrigation Designer  
 (CID) #45214

Certified Landscape  
 Irrigation Auditor (CLIA)

Recycled Water Site  
 Supervisor (RWSS)

### AFFILIATIONS

Building Industry  
 Association

Irrigation Association (IA)

EPA Water Sense Partner

Water ReUse Association

American Society of  
 Agriculture & Biological  
 Engineers

American Society of  
 Irrigation Consultants

### PROJECT EXPERIENCE

#### Riverside County Transportation & Land Management Agency (RCTLMA) On-Call Landscape Plan Checking and Inspections

Mr. Hooper oversees VDLA staff who perform plan review and plan checking, including project Conditions of Approval, County ordinances and submittals for County maintained landscape projects. Projects range from existing parkways and medians to freeway interchanges. Mr. Hooper also oversees VDLA services for on-site and off-site landscape inspection services for newly constructed privately maintained sites, and new and existing County maintained sites (LMD, CSA and CFD) and CalTrans Rights of Way.

#### Eastern Municipal Water District - On-Call Plan Checking

Mr. Hooper oversees VDLA staff who perform plan review and plan checking including review of plans for conformance to EMWD submittal and graphic standards. Documents reviewed included Recycled Water Use Exhibits, construction documents for on-site irrigation and related civil plans.

#### City of Jurupa Valley On-Call Landscape Plan Checking & Inspections, Jurupa Valley, CA

Mr. Hooper oversees VDLA staff who provide a wide range of services including landscape plan checking, landscape site inspections, water management, central control irrigation management/setup and landscape design services.

#### San Diego Unified School District (50+ Projects), San Diego, CA

Mr. Hooper oversaw the production of final sets of construction documents which included but were not limited to: demolition plans, wall and fencing plans, hardscape plans, irrigation plans, electrical plans, planting plans and cost estimates. All designs addressed water conservation through the use of durable and drought tolerant plant species, central irrigation control systems, irrigation application methods and potential use of recycled water. Mr. Hooper also performed construction observation ranging from pre-bid meetings to final inspection of plant material and irrigation coverage testing, and as-built drawings and controller charts.



## DENISE ARMIJO | PRINCIPAL

### Project Manager

Ms. Armijo has over 20 years of diverse landscape architectural experience and project management for both public and private clients. Experience includes master planning and entitlement, outreach and consensus gathering, schematic and design development, construction documents, bid documents, bid period support, and construction administration. Project types range from HOA master plans, park and recreation design, open space and habitat preservation, and trails development, to cemetery and library scopes. Ms. Armijo is also accomplished in coordinating and obtaining multi-agency approvals, and preparing materials for public / community group meetings.

### EXPERIENCE

20 Years with VDLA

### EDUCATION

Associate of Science in  
Landscape Architecture,  
San Diego Mesa College

Landscape Architecture  
Curriculum, UC Berkeley

Bachelor of Arts  
in Modern French  
Civilization, Scripps  
College

### AFFILIATIONS

Colina del Sol Recreation  
Council

California Native Plant  
Society

American Society of  
Landscape Architects

### PROJECT EXPERIENCE

#### Riverside County Transportation & Land Management Agency (RCTLMA) - On Call Consulting Services

Ms. Armijo's experience with the County of Riverside includes development of the County of Riverside Comprehensive Landscape Guidelines & Standards, a comprehensive document to guide landscape design and submittals within the agency's jurisdiction. VDLA reviewed existing guidelines, standards and regulations, then worked closely with multiple disciplines within the agency to produce standards for landscape design and submittals, including clarifying and/or prioritizing any conflicts between regulations.

#### City of San Diego Fire Department - Kearny Mesa Repair Facility, San Diego, CA

Ms. Armijo served as Project Manager and designer for the landscape architecture components of this maintenance and repair facility. Landscape improvements include street frontage, parking lot, and foundation plantings to City of San Diego standards, including street tree and plant point requirements, setbacks and utility separation distances, and current water conservation ordinances.

#### La Colonia Park (Multiple Projects), Solana Beach, CA

Ms. Armijo has served as Project Manager, Public Outreach and Communications Manager for several projects within this well established historic neighborhood park. Projects include a master plan, CD's for a skate park and veterans honor court, tot lot upgrade, and an updated master plan to incorporate a new lot. Efforts include leading community workshops and presentations, and implementing successful methods of input gathering such as bilingual flyers, information booths at community events, public charettes and visual preference surveys.

#### County of San Diego Department of Parks and Recreation, As-Needed Design Consulting Services, San Diego, CA

Ms. Armijo serves as the Senior Project Manager and designer to provide as-needed design consulting services for various parks within the County of San Diego. Projects include the Valley View County Park, Four Gee Park, and the El Monte River Valley Park.



## ELAINE SITZ

### Senior Plan Checker, Registered Landscape Architect (CA #2585)

Ms. Sitz is a Senior Plan Check Specialist with the firm and has over 30 years of project experience, encompassing institutional projects, multi-family housing and residential community development, park and recreation facilities, corporate office site design, and public agency projects. She adds immense value to the plan checking department at VDLA, and oversees multiple plan check staff. Ms. Sitz currently reviews landscape and irrigation projects for multiple agencies for conformance with applicable ordinances and regulations, including water conservation ordinances, landscape water budget calculations, parking ordinances, and sight distance requirements.

### EXPERIENCE

30+ Years

8 Years with VDLA

### EDUCATION

Bachelor of Agriculture in  
Landscape Architecture,  
Purdue University

### REGISTRATIONS

Licensed Landscape  
Architect State of  
California #2585

### PROJECT EXPERIENCE

#### On-Call Landscape Plan Checking, County of Orange

Ms. Sitz reviewed expedited landscape plans for the County of Orange, ensuring adherence to County standards and guidelines. She ensured that designs complied with Standard Plan 1700 for Street Trees, Standard 1701 for Drought Tolerant Plants, the Orange County Landscape Irrigation Code, and the Information Bulletin 2015-03 on Outdoor Potable Water Reduction. These plan checks primarily targeted privately maintained areas, demanding a thorough understanding and application of community-specific requirements such as those for Ladera Ranch, The Ranch Plan, and Rancho Mission Viejo, alongside adherence to MWELO for landscape water use.

#### On-Call Landscape Plan Checking, City of Placentia

Ms. Sitz ensured that landscape designs were in compliance with the Transit Oriented Development Design Standards and Streetscape Master Plan. Plans were also verified for compliance with the Model Water Efficient Landscape Ordinance (MWELO).

#### On-Call Landscape Plan Checking, Riverside County Transportation & Land Management Agency

Ms. Sitz performs on and off-site plan checks of private and County maintained projects for conformance to County standards, ensuring conformance to RCTLMA submittal and graphic standards, approved landscape concept plan and Conditions of Approval, and for verifying that plans conform to Ordinances 348, 460, 461 and 859. Ms. Sitz assists in periodic updates to the standard requirement check lists, standard details and specifications for use by plan checkers and applicants to help streamline the plan checking process. Ms. Sitz frequently collaborates with applicants to aid in resolution of design issues, inter-departmental coordination, and regular collaboration with County Planning Department, Valley-Wide Parks and Recreation, various CSA's and water districts. issues, inter-departmental coordination, and regular collaboration with County Planning Department, Valley-Wide Parks and Recreation, various CSA's and water districts.

#### On-Call Landscape Plan Checking, City of Jurupa Valley

Ms. Sitz performs plan check services for the City of Jurupa Valley predominantly for City maintained right-of-way areas and basins. The plan check streamlines irrigation methods and materials and directs applicants toward plant material which is appropriate for the site and coordinates the material and design with existing plant material in the area taking into account the microclimate of the site, the amount of anticipated foot and vehicular traffic and visibility safety.



**JOHN SNELL, RCE**  
 DIRECTOR OF LAND  
 DEVELOPMENT

KWCENGINEERS.COM  
 john.snell@kwceengineers.com  
 951-734-2130 X 206  
 1880 Compton Avenue, Suite 100, Corona, CA 92881

As the Director of Land Development at KWC Engineers, John Snell offers over 44 years of experience in civil engineering design, entitlements, preparation of construction packages, construction, and post construction.

Mr. Snell regularly engages with private land development clients and public agencies to manage and coordinate complex projects from conception through construction.

**LICENSING**

California Registered Civil Engineer  
 No. 47867



**EXPERIENCE**

1991 - 2011

**Riverside County  
 Planning Commission**

Appointed to the Commission by Supervisor John Tavaglione and continuously served for 20 years. Appointed Chairman during the most controversial projects in Riverside County History, providing a fair and controlled hearing for the public, the County and the project applicants.

2011 - 2017

**Vice President**

Lewis Group of Companies

Responsible for projects from acquisition through entitlement and was also involved with negotiations when projects were being sold. An example would be The Villages of Lakeview which involved a 5-year entitlement through Riverside County ending in approval by the Riverside Board of Supervisors. This was only the 2nd project to obtain a development agreement in Riverside County. In addition to entitlements, Mr. Snell was responsible for the tenants on the property, ongoing maintenance, preventing trespassing as well as relations with the project neighbors.

2017 - 2022

**President**

Aurora Consulting

Provided professional consulting services to residential, commercial and industrial developers as well as provide onsite inspection and owners representation on public/private projects, such as large roadways.

#### EDUCATION

Master of Science,  
Environmental Studies,  
emphasis on Policy and  
Planning, California  
State University,  
Fullerton, 2002

Bachelor of Arts,  
Philosophy, University of  
California, Irvine, 1992

#### REGISTRATIONS/ CERTIFICATIONS

Wetland Training  
Institute, Wetland  
Delineation Certificate

#### PROFESSIONAL AFFILIATIONS

Association of  
Environmental  
Professionals

Association of Wetland  
Managers

International Society of  
Environmental Ethics

## BETH MARTINEZ

### Principal Biologist



Ms. Martinez is a Biology Group Manager and Principal Regulatory Specialist at HELIX with 26 years of experience in regulatory and biological consulting. She has worked on a wide range of private and public projects throughout southern California, including transportation and Capital Improvement Plan (CIP) projects. She has extensive experience assisting private entities and public agencies with obtaining regulatory permits. She has successfully led a number of projects through the permitting process and provided subsequent mitigation recommendations. The crux of her success is developing practical solutions to complicated issues. Moreover, she builds consensus to yield a productive resolution for clients, regulatory agencies, and/or additional stakeholders. Ms. Martinez has extensive experience and expertise leading projects and project teams requiring consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). She has facilitated processing of projects requiring MSHCP Consistency Analyses, Determination of Biologically Equivalent or Superior Preservation (DBESP), Habitat Acquisition and Negotiation Strategy (HANS), and Joint Project Review (JPR). As an expert in regulatory permitting, Ms. Martinez has applied detailed knowledge of the wetland policy and the regulatory process, including state and federal regulations such as Sections 404 and 401 of the Clean Water Act, Sections 1600 et seq. of the California Fish and Game Code, Section 7 of the Endangered Species Act, and others. Over her many years of obtaining authorizations permits for her clients and assisting in ensuring compliance, she has fostered long-standing, positive relationships with the U.S. Army Corps of Engineers (USACE), California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB), and U.S. Fish & Wildlife Service (USFWS), among other agencies.

**Wilson Creek Mitigation (2018 - 2022).** Principal Regulatory Specialist for a 2.66-acre tamarisk removal restoration project in Wilson Creek in the Community of Aguanga in Riverside County. Responsibilities included management of regular monitoring of the site, collection of annual monitoring data, preparation of monitoring memos and annual reports through project completion, and coordination with resource agencies and Riverside Conservation Authority (RCA). Work performed under an on-call contract for the City of Murrieta.

**Tenaja Fire Emergency Slope Stabilization Project (2019).** Senior Regulatory Specialist for the emergency regulatory permitting associated with an area affected by the 2019 Tenaja Fire in the City of Murrieta, Riverside County. Managed the preparation of the permit applications and responses to comments from regulatory agencies. Work performed under an on-call contract for the City of Murrieta.

**City of Murrieta Mitigation Coordination (2017 - 2019).** Principal Regulatory Specialist assisting City of Murrieta staff with efforts to determine mitigation options for various projects within the City on an as-needed basis. Managed environmental compliance

with existing regulatory permits and authorizations to include preparation of applications for Sections 404, 401, and 1602. Work performed for the City of Murrieta.

**Madison Avenue Street Improvements Project (2018 - 2024).** Principal Regulatory Specialist managing preparation of a biological resources technical study required to demonstrate project consistency with the MSHCP and support CEQA documentation for the project. The scope requires an MSHCP habitat assessment/general biological survey; burrowing owl surveys; jurisdictional delineation; general biological resources assessment/MSHCP Consistency Analysis Report; DBESP; biological resources constraints analysis; and a biological resources technical study. Work performed as subcontractor to the design engineer, with the City of Murrieta as the lead agency.

**Los Alamos the Bridges Project (2017 - 2018).** Principal Regulatory Specialist for a new residential apartment complex in the City of Murrieta, Riverside County. Assisted the project team with permit compliance and mitigation monitoring and reporting efforts. Work performed for Anton Development.

**Warner Channel Emergency Repair (2017).** Principal Regulatory Specialist on task orders to provide biological resources services to the City of Irvine under an as-needed contract. Provided regulatory support on task orders, including Warner Channel Emergency Repair, which included processing of a Section 1602 Agreement with CDFW and negotiating mitigation terms. Work also included biological monitoring during repairs to include nesting bird surveys and compliance coordination with CDFW staff.

**Culver Drive/University Drive Intersection Improvements, Construction Monitoring, and Habitat Mitigation and Monitoring Plan Implementation (2019).** Principal Regulatory Specialist managing issuance of regulatory permits and biological tasks necessary to obtain project authorizations from the resource agencies, which included negotiating mitigation terms. Provided regulatory support for implementation to include management of construction monitoring and nesting bird surveys within the project footprint area, and implementation of the approved mitigation plan in Mason Park for monitoring and reporting on success criteria of the revegetation areas. Work performed for the City of Irvine.

**Oceanside Water Utilities Department On-Call Environmental Consulting Services (2018 - Present).** Principal Regulatory Specialist for consecutive as-needed contracts covering the City of Oceanside's (City) Water and Wastewater Capital Improvements Program, as well as other maintenance and repair activities necessary for the operation of the City's utility system. Project types include emergency permitting for new and replacement pipelines, lift stations, treatment plants, reservoirs, wells, and communications equipment throughout the City's service area. Work performed for the City of Oceanside Water Utilities Department.

**Batiquitos Lagoon Double Track - Final Design Package Project (2018 - Present).** Principal Regulatory Specialist leading the coordination effort for existing permit application and response to agency comments for this Los Angeles–San Diego–San Luis Obispo (LOSSAN) rail corridor double track improvement project in San Diego County. Coordinated with the project team on strategy and next steps in the permitting process and updating permit applications, as needed. Work performed as a subcontractor to the design engineer, with the San Diego Association of Governments (SANDAG) as the lead agency.

**Del Mar Bluffs Stabilization 4 and 5 Project (2018 - Present).** Principal Regulatory Specialist responsible for overseeing vegetation mapping and general biological surveys, wetland delineation, and habitat assessments, including biological resources letter report and regulatory permitting for two phases of coastal bluff stabilization projects in the City of Del Mar. The proposed coastal bluff stabilization project area is situated along 1.6 miles of the LOSSAN rail corridor atop the coastal bluffs within the City of Del Mar and the North County Transit District (NCTD) railroad right-of-way (ROW). Work performed as a subcontractor to the design engineer under an on-call contract with SANDAG.

#### EDUCATION

Bachelor of Arts,  
Environmental Studies,  
University of California,  
Santa Barbara, 2007

Bachelor of Arts, History  
of Art and Architecture  
emphasis on  
Environment, University  
of California, Santa  
Barbara, 2007

#### REGISTRATIONS/ CERTIFICATIONS

CRAM, Qualified  
California Rapid  
Assessment Method,  
Practitioner

CDFW, Rare,  
Threatened, and  
Endangered Plant  
Voucher Collecting  
Permit No. 2081(a)-15-  
046-V

#### PROFESSIONAL AFFILIATIONS

Sea and Sage Audubon  
Society

## AMY LEE

### Senior Biology Project Manager



Ms. Lee is a Biologist with 16 years of experience. She prepares a variety of technical reports, such as California Environmental Quality Act (CEQA)-level biotechnical reports, Habitat Mitigation and Monitoring Plans (HMMs), Long-term Management Plans, and consistency documents for projects within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). She has successfully led many projects for both private sector clients and public agencies through the regulatory permitting process. She has performed biological

fieldwork throughout Los Angeles, Orange, Riverside, San Diego, and San Bernardino Counties involving habitat assessments, vegetation mapping, tree surveys, jurisdictional delineations, California Rapid Assessment Method (CRAM), permit compliance, constraints analysis, due diligence, and mitigation monitoring and reporting. Ms. Lee is skilled in the identification of local flora and fauna and has conducted focused surveys for special-status plants, burrowing owl, and least Bell's vireo.

**Wilson Creek Mitigation (2017 - 2023).** Biology Project Manager for a 2.66-acre tamarisk removal restoration project in Wilson Creek in the Community of Aguanga in Riverside County. Oversaw the mitigation for the five-year duration, including the mitigation installation, monitoring, and reporting for the mitigation site and successful sign-off from the regulatory agencies and Riverside Conservation Authority (RCA). Responsibilities included regular monitoring of the site, collection of annual monitoring data, preparation of monitoring memos and annual reports through project completion, and coordination with resource agencies and RCA. Work performed under an on-call contract for the City of Murrieta.

**Tenaja Fire Emergency Slope Stabilization Project (2019 - 2020).** Biology Project Manager for the emergency regulatory permitting associated with an area affected by the 2019 Tenaja Fire in the City of Murrieta, Riverside County. Prepared the permit applications, responses to comments from regulatory agencies, and post-project documentation. Work performed under an on-call contract for the City of Murrieta.

**Madison Avenue Street Improvements Project (2018 - 2021).** Lead Biologist for biological studies and biological technical report for the proposed Madison Avenue Street Improvement Project in the City of Murrieta. Performed the general biological survey, jurisdictional delineation, burrowing owl protocol surveys, and rare plant surveys and prepared the associated reports. Additionally, conducted the general biological survey, mapped vegetation, and prepared a biological constraints report for the potential bridge over Warm Springs Creek. Work performed as a subcontractor to the design engineer, with the City of Murrieta as the lead agency.

**Pacific Landing Restoration Biological Consulting (2017 - Present).** Biology Project Manager for the on- and off-site Riversidean sage scrub mitigation sites located on Lincoln Ranch Preserve and Johnson Ranch Preserve, managed by the Center for



Natural Lands Management(CNLM) . Prepared the Habitat Mitigation and Monitoring Plan in close coordination with U.S. Fish & Wildlife Service (USFWS) and CNLM. Responsibilities include regular monitoring of the mitigation sites, collection of annual monitoring data, preparation of monitoring memos and annual reports through project completion. Obtained sign-off of the on-site mitigation at Lincoln Ranch in Year 5 from USFWS and CNLM and currently working toward getting the off-site mitigation site at Johnson Ranch Preserve signed off. Work performed for Atlantic Pacific Development.

**Pacific Landing Project** (2017 - Present). Biology Project Manager on the Pacific Landing apartment complex project located in the City of Murrieta. Conducted the surveys and documentation , including general biological survey, protocol burrowing owl surveys, pre-construction burrowing owl survey, and drafted the HMMP during the project entitlement. Post entitlement, work performed includes overseeing mitigation installation, regular monitoring of the site, collection of annual monitoring data, preparation of monitoring memos, and agency coordination. Preparing conservation easement for client and coordinating with conservation groups for long-term management of the project mitigation. Work performed for Atlantic Pacific Development.

**Hicks Canyon Wash Improvements Biology Support** (2020). Biology Project Manager for the Hicks Canyon Wash Improvements Project located in the City of Irvine. Prepared the biological constraints report based on potential alternatives for the Hicks Canyon Wash landscaping improvements project. Based on information presented in the report, assisted in choosing the best alternative to implement. Prepared the biological technical reports, CEQA documents, and regulatory permit applications for the U.S. Army Corps of Engineers (USACE), Regional Water Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW). Habitat restoration is a component of this project. Work performed as a subcontractor to the design engineer, with the City of Irvine as the lead agency.

**Altair Project** (2022). Biology Project Manager for the 270-acre mixed-use residential and commercial project located in the City of Temecula in Riverside County. Prepared the project HMMP, Revegetation Plan, and the translocation plan for the federally listed San Diego Ambrosia. Led efforts with the City of Temecula, RCA, CDFW, and USFWS on the acceptance of the San Diego Ambrosia Translocation Plan, HMMP, and MSHCP Urban Wildlands Interface Guidelines. Overseeing compliance with all permit measures, including construction monitoring, implementation of the off-site compensatory mitigation site, and all monitoring and reporting requirements. Work performed for Brookfield Residential.

**Saddleback Meadows Project** (2020 - 2024). Biology Project Manager for the 222-acre residential development project in unincorporated Orange County. Prepared the CDFW 1602 Streambed Alteration Agreement and coordinating closely with CDFW on the issuance of the Streambed Alteration Agreement. Preparation of the project HMMP, Long-term Management Plan, and Conservation Easement. Coordination with USACE, RWQCB, CDFW, and USFWS on permit compliance. Work performed for California Quartet Limited.

**Warner Channel Emergency Repair** (2019 - 2023). Biology Project Manager for a project involving the repair of erosion damage along the northeast stream bank of Warner Channel in the City of Irvine in Orange County. Conducted western pond turtle clearance surveys, worker brochures and education, construction monitoring, permit compliance, and authored the Habitat Enhancement Plan for on-site mitigation. Responsibilities included ongoing monitoring of the mitigation site, collection of annual monitoring data, and preparation of monitoring memos and annual reports through project completion. Prepared the Streambed Alteration Agreement amendment, which included coordination with CDFW. Mitigation was successfully signed off by CDFW at the end of Year 5. Work performed under an on-call contract for the City of Irvine.

#### EDUCATION

Master of Arts,  
Anthropology,  
North Carolina State  
University, 2015

Bachelor of Arts,  
Anthropology  
(Archaeology  
concentration,  
Biology Minor),  
California State  
University, Dominguez  
Hills, 2013

Associate of Arts,  
Anthropology,  
El Camino College, 2010

#### PROFESSIONAL AFFILIATIONS

Society of American  
Archaeology

Project Management  
Institute

## KASSIE SUGIMOTO

### Cultural Resources Project Manager



Ms. Sugimoto has 12 years of professional experience in archaeology, and she has worked in southern California archaeology for seven years, including historic archaeology, prehistoric archaeology, human osteology, and close coordination with Native American tribes. Her experience includes managing and coordinating archaeological projects and providing California Environmental Quality Act (CEQA) compliance consultation and planning support for cultural resources, tribal cultural resources, geology (paleontology), noise, air quality and greenhouse gases (GHG), and aesthetics. Ms. Sugimoto has conducted archaeological field and lab work, including archaeological surveys and report writing. Her research interests include California archaeology, indigenous populations, environmental and social stress, climate change, and population health, and bioarchaeology. Her previous experience includes fieldwork in Peru.

**Adams Avenue Affordable Housing** (2023 - Present). Archaeologist and Project Manager for an affordable housing project located in the City of Murrieta. The scope of work included managing biological mitigation, archaeological mitigation, and MMRP Compliance Management. Work performed for National Community Renaissance, with the City of Murrieta as the lead agency.

**Ivy House Project** (2021 - 2024). Archaeologist for a cultural resources survey and study in support of a residential development located within the City of Murrieta. The scope of work included a cultural resource study in support of a U.S. Army Corps of Engineers (USACE) Section 404 and 408 permit. In addition, provided agency support and assistance with Native American outreach. Work performed for Diversified Pacific, with the City of Murrieta as the lead agency.

**Murrieta Creek Multi-Use Trail** (2024 - Present). Archaeologist for a cultural resources survey in support of a USACE Section 404 permit and a Clean Water Act 401 Water Quality Certification application to the Regional Water Quality Control Board (RWQCB) for impacts to waters of the State. Work performed as a subcontractor to the transportation engineer, with the City of Lake Elsinore as the lead agency.

**Rancho Highlands Project** (2021). Cultural Resources Lead/Principal Investigator for the cultural resources monitoring program for the Rancho Highlands Residential Development Project, an approximately 12.4-acre project located in the City of Temecula. Culturally sensitive resources encountered during monitoring have required intensive coordination with the USACE and the Pechanga Band of Luiseño Indians. Work performed for Red Tail Acquisitions, LLC.

**Oak Valley Town Center** (2021 - 2024). Archaeologist and Project Manager for the construction of a town center located in the City of Calimesa. The scope of work included the management of archaeological construction monitoring, archaeological testing, archaeological data recovery, site recordation and cataloging, and Native

American outreach and coordination. Work performed for Terra Verde Group, with the City of Calimesa as the lead agency.

**Highway 74 Ethanac Sewer Extension Project (2023).** Archaeologist for a cultural resources study for a 2.36 linear sewer line located within the Meadowbrook community in Riverside County. The scope of work also included Native American outreach/tribal consultation support. Work performed as a subcontractor to the design engineer, with Elsinore Valley Municipal Water District as the lead agency.

**Warm Springs Lift Station Replacement (2021).** Archaeologist for a cultural resources survey of this lift station replacement project in Temecula. The project is adjacent to Murrieta Creek, in an area that is of cultural significance to the Luiseño people. Conducted archaeological research and served as a report contributor by conducting background research and report preparation. Work performed for Eastern Municipal Water District.

**Sky Canyon Sewer Main Extension (2021).** Archaeologist for the construction of approximately 6,700 linear feet of new sewer main in southwestern Riverside County. Prepared the Cultural Resources Management Plan. Monitoring tasks are based on the mitigation measures presented in the Initial Study/Mitigated Negative Declaration (IS/MND) for the project. Work performed for Eastern Municipal Water District.

**Cactus II Feeder Pipeline (2021 - 2023).** Cultural Resources Lead for the construction phase of a five-mile water transmission pipeline ranging from 30 inches to 42 inches in diameter in Moreno Valley, Riverside County. Conducted pre-construction meetings, Native American support, coordination and scheduling with construction crew and Native American monitors, identification of artifacts and cultural features, photographs, daily field notes, cultural resource monitoring, and reporting. Work performed for Eastern Municipal Water District.

**Copper Basin Dam Valve Replacement Historical Resource Evaluation Report (2021).** Archaeologist for a valve replacement project on Copper Basin Dam, a contributing resource within the Colorado River Aqueduct Historic District in San Bernardino County. Served as a report contributor by preparing background research and drafting sections of the Historical Resource Evaluation Report. Work performed for The Metropolitan Water District of Southern California.

**Los Trancos Creek Maintenance Project (2021 - 2022).** Archaeologist/Cultural Resources Task Lead for a creek maintenance project in the City of Newport Beach, Orange County. Provided technical support for the U.S. Army Corp of Engineers (USACE), California State Parks, and the State Historic Preservation Office (SHPO) to support a section 404 Permit. Helped establish the determination of effects, in consultation with USACE and SHPO, for historic era and prehistoric sites within and adjacent to the project footprint. Work performed as a subcontractor to the design engineer, with California Department of Parks and Recreation as the lead agency.

**I-405 Program Management Cultural Services (2019).** Archaeologist for cultural services in support of the Parsons Program Management team's (PMC) 30% design plans for this 16-mile project located in Orange County. As part of the PMC team, conducted supplemental record searches at the Information Center, field studies, and several Historic Property Survey Reports by Caltrans to analyze the design changes for potential impacts to cultural resources with the revised Area of Potential Effects. All Supplemental Historic Property Survey Reports were approved by Caltrans.

**McCanna Hills Addendum to an EIR (2018).** Archaeologist for preparation of an addendum to an EIR previously prepared for the McCanna Ranch Specific Plan near Lake Perris in western Riverside County.

**City of San Jacinto (2017).** Project Manager and Project Archaeologist that executed and managed the project's contract with the client, conducted field and archival research, prepared technical documents for the City of San Jacinto on behalf of Mark Development for Assessor Parcel Numbers 439-112-032, 033, 034, 036, 003, 004, 007, 008, and 009 in Riverside County.

# Michael Huff, RCA

## WILDFIRE LEAD

Michael Huff is founder and manager of Dudek's Urban Forestry/Fire Protection Planning team with 32 years' experience as a forester and fire protection planner. Mr. Huff specializes in management of community-wide and project-specific fire protection plans (FPPs), wildland-urban interface (WUI) fire management plans, wildfire hazard reduction projects, Alternative Materials and Methods reports, California Environmental Quality Act (CEQA) supporting technical documents, and CEQA impact analysis studies.

## Project Experience

**Murrieta Hills Residential Project Fire Protection Plan, Pulte, Murrieta, CA.** Managed and guided analysis, wrote the FPP, and coordinated with local fire personnel on this 750-unit residential master plan. The project required a code modification regarding dead-end road length with justifying measures to meet the intent of the code. Dudek performed a comprehensive analysis of the fire environment and prescribed a redundant system of protections to provide safe vehicle evacuation through the community to available evacuation routes while enabling emergency ingress. The project is within a very high fire hazard severity zone, and the site's wildfire risk was evaluated and addressed through site-specific design features.

**Costco FPP and EIR Wildfire Chapter, Costco Corporation, Murrieta, California.** Managed and guided an FPP for a planned Costco in a WUI area, specifically providing protection features for a reduced fuel modification zone area. Provided quality assurance/quality control (QA/QC) for the project's EIR wildfire chapter.

**Numerous Murrieta multi-family housing projects, various development applicants, Murrieta, CA.** Mr. Huff manages, provides analysis, and prepares technical reports for various Murrieta multi-family housing projects. Project issues often include preparation of Fire Protection Plans, Fuel Modification Plans, Alternate Materials and Methods reports, and Fire Master Plans.

**Third-Party Review of Assembly Bill 68-Accessory Dwelling Unit Law, City of Bradbury, California.** Managed a team of retired fire prevention officers' review of Assembly Bill 68 as it applies to Bradbury. Was final author of the letter report indicating issues with the law and how it may impact Bradbury's residents' fire safety. Provided two City Council updates, including the final results presentation.

**On-Call Fire Plan Review/Third-Party Consultant, Orange County Fire Authority, California.** Provides as-needed review of fuel modification plans and provides special studies regarding alternative materials and methods for the Orange County Fire Authority. To date, Dudek has provided review and comment of fire behavior modeling and proposed fuel modification and structural hardening for a large, master planned community in



### Education

Northern Arizona University  
BS, Forest Management, 1992

### Certifications

Registered Consulting Arborist (RCA)

Certified Arborist, No. WE-4276A

San Diego County Department of Planning and Land Use-Approved Fire Protection Planner

Laguna Beach Fire Department-Approved Fire Protection Planner

Certified Wildland Fire Ecologist

### Professional Affiliations

American Society of Consulting Arborists

National Fire Protection Association - International

California Fire Chief's Association - Fire Prevention Officers

southern Orange County. Also involved with research and preparation of a report on the efficacy of utilizing water cannons as an alternative for full fuel modification width.

**Stoneridge Commerce Center FPP, Richland Properties, Riverside County, California.** Managed the preparation of a comprehensive FPP for the Stoneridge Commerce Center, which includes a total maximum building space of 8,803,470 square feet and establishes Light Industrial uses on approximately 442.8 acres with a maximum of 7,488,800 square feet of building space; Business Park uses on 83.4 acres with a maximum of 1,170,570 square feet of building space; Commercial Retail uses with a maximum of 144,100 square feet of building space on 13.3 acres; 36.6 acres of Open Space Conservation; and 81.6 acres of Open Space-Conservation Habitat. Provided client coordination, QA/QC review of all submittals, and budget and timeline management.

**University Innovation District, City of Chula Vista, California.** Managed and was lead author of this FPP for a university campus and supporting academic uses, student housing, a research and development park, and public infrastructure (e.g., streets and utilities) to serve the proposed project. The project included analysis of appropriate wildfire protections as well as determining appropriate emergency response configurations from nearby fire stations.

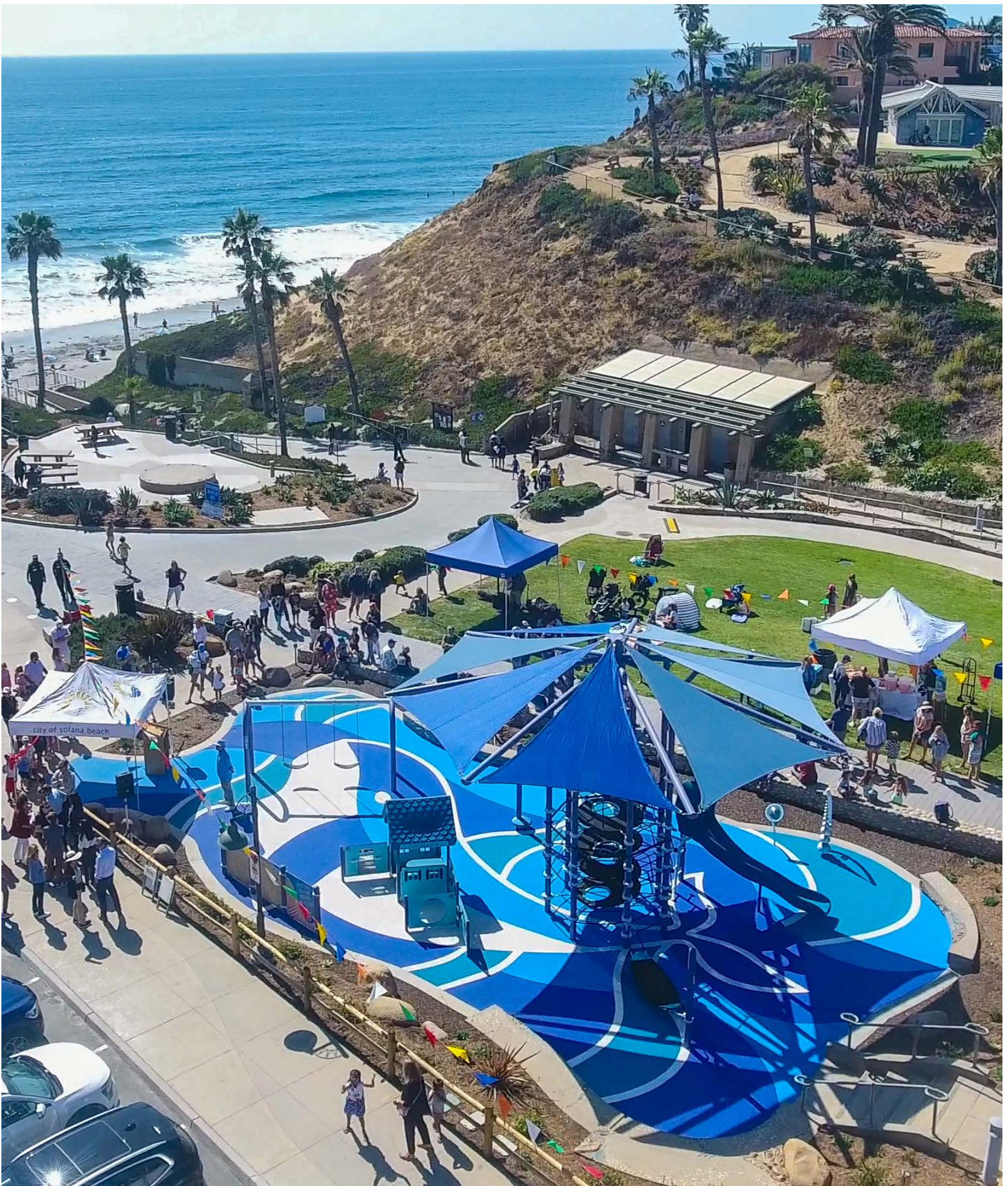
**Portola Parkway Residential Development FPP, Baldwin & Sons, Lake Forest, California.** Dudek prepared a comprehensive FPP and fuel modification plan for this project in a very high fire hazard severity zone. Mr. Huff developed a habitat-based approach to the fuel modification zones, incorporating cactus wren (*Campylorhynchus brunneicapillus*) habitat in the form of prickly pear cacti to result in a functional equivalent fuel modification zone with habitat benefits. The FPP included evaluation of all fire environment hazards and development of unique and site-specific measures and design features to provide for public safety.

**Santa Barbara Botanic Garden FPP, Santa Barbara, California.** Managed the preparation of an FPP for the proposed botanic garden expansion. The FPP included site-specific fire behavior modeling, analysis of the option for on-site sheltering, and addressed all fire protection features that would be provided for the site's structures. Fuel modification was customized for this site based on the site's terrain and expected fire behavior.

**Fanita Ranch Master Planned Community Project FPP and Evacuation Plan, HomeFed Corp., Santee, California.** Managed the preparation of this comprehensive FPP. The project is a 2,638-unit development with a village core, fire station, school, agriculture, parks, trails, and related infrastructure. The FPP is a robust document that identifies the potential wildfire risk at the site and then defines and provides specifications for addressing the risk to acceptable levels. The project's evacuation plan provides future residents with a toolkit for preparedness and awareness so they are familiar with the potential evacuation declarations and actions they may need to take.

**FPP for the MRCA Public Access Enhancement Plan, Malibu, California.** Served as Project Manager and technical expert, and drafted portions of the FPP, which served as a component of the project EIR. The project involved development of facilities to enhance public access to open space within the Santa Monica Mountains, including parking areas, campsites, and trails. The FPP analyzed fire risk components associated with increased public access into wildland areas and developed measures to mitigate risk. Technical analysis of risk included assessment of fire history, fire behavior modeling, access constraints, and proximity to firefighting resources. Fire behavior modeling involved the use of both tabular (BehavePlus) and GIS-based (FlamMap) fire behavior modeling software packages and was an integral component of the fire-planning process. The FPP served as a component of the project final EIR, which was approved by the MRCA board and the California Coastal Commission.

# Project Understanding



## Understanding of the Scope of Work

We understand that the City of Murrieta is requesting technical and administrative review services for landscape and irrigation plans within a 10 calendar day review period. This includes a complete assessment of the plans and supporting documentation to ensure full compliance with the City of Murrieta Municipal Code, Murrieta Development Code (Title 16), and applicable local, county, and state regulations. The City expects written comments that detail any areas of non-compliance or recommendations for enhancements in line with sustainable and environmentally responsible design practices. Additionally, the City anticipates the need for VDLA to address miscellaneous tasks or meetings not initially outlined in the tasks above and to manage any unanticipated issues that may arise during the review process efficiently. These services will be provided up to a proposed budget ceiling on a time and materials basis per our hourly rates, ensuring that all project contingencies are adequately covered without exceeding budgetary constraints. VDLA fully understands the scope of work and is prepared to meet or exceed all requirements. We have successfully performed similar services for the Riverside County Transportation and Land Management Agency, EMWD, and the City of Jurupa Valley. Please see the project sheets on the following pages for more information regarding past projects.

# Relevant Experience







# Riverside County Transportation & Land Management Agency (RCTLMA)

Riverside, CA | 2007 - Present

VDLA has been providing as needed landscape architectural services for the Riverside County Transportation and Land Management Agency (RCTLMA) since 2007. Essential to these services is a close working relationship with County departments and the ability to interface with plan applicants and contractors during inspections.

## Plan Check Services (2007 to present)

Scope includes review of plans for conformance with RCTLMA submittal and graphic standards, the approved landscape concept plan, and Conditions of Approval. Under this scope VDLA has developed a standard requirement check list and automated water use calculation spreadsheet for use by plan checkers and applicants to streamline the plan checking process. Services also include meeting with applicants to aid in resolution of design issues, ensuring regulatory conformance and inter-departmental coordination.

## Inspection Services (2009 to present)

VDLA works closely with RCTLMA to inspect both existing and newly established onsite & offsite right of way areas, providing assessments of planting and irrigation systems and efficacy of current maintenance crews. This scope also includes taking inventory of plant material, irrigation controllers, irrigation equipment, and electric utilities. Recommendations are given to increase water conservation through plant material choice, irrigation upgrades, and maintenance practices.

## As Needed Design Services (2009 to present)

Project scopes range from a new freeway interchange to renovations to existing medians. All designs focus on low maintenance and low water and/or native plantings; some work around existing plant material to remain. Services include site assessments, schematic designs, graphic exhibits for agency meetings, construction documents for hardscape, landscape and irrigation, and cost estimates.

## RCTLMA Comprehensive Landscape Guidelines & Standards (2009)

VDLA was contracted to develop a comprehensive document to guide design and submittals within the agency's jurisdiction. The process required careful review of existing guidelines, standards, and regulations in addition to the identification of conflicts or deficiencies within existing documents. VDLA then worked closely with multiple disciplines within the agency to produce a comprehensive document which outlined current standards for design and submittals, including clarifying and/or prioritizing any conflicts between regulations. Scope included guiding water conservation standards as well as producing standard details, titleblocks, specifications, and a California Friendly Plant List.

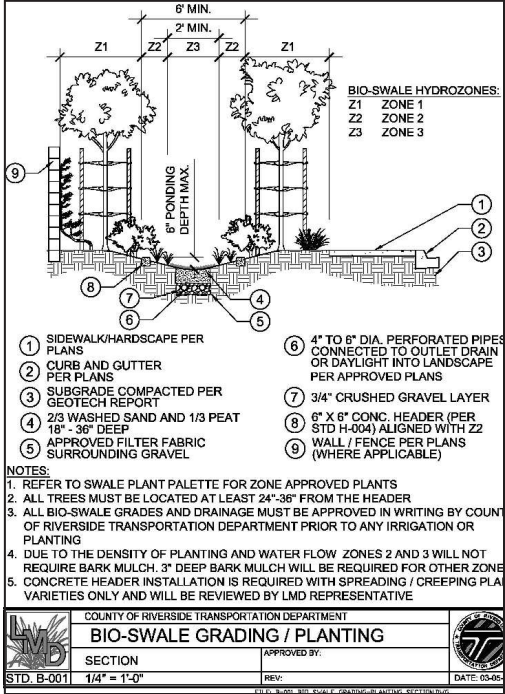
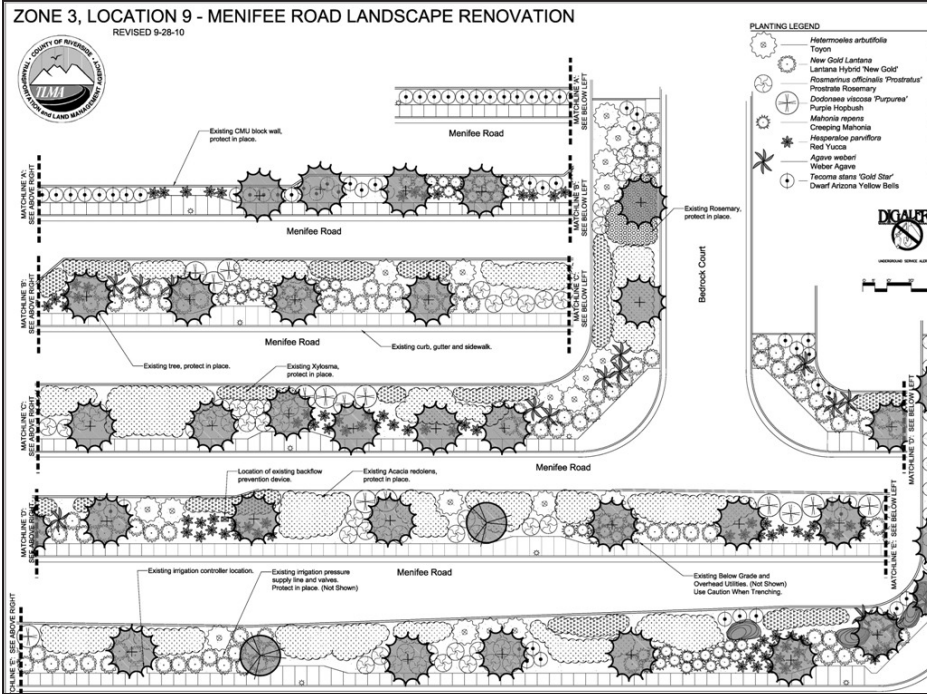
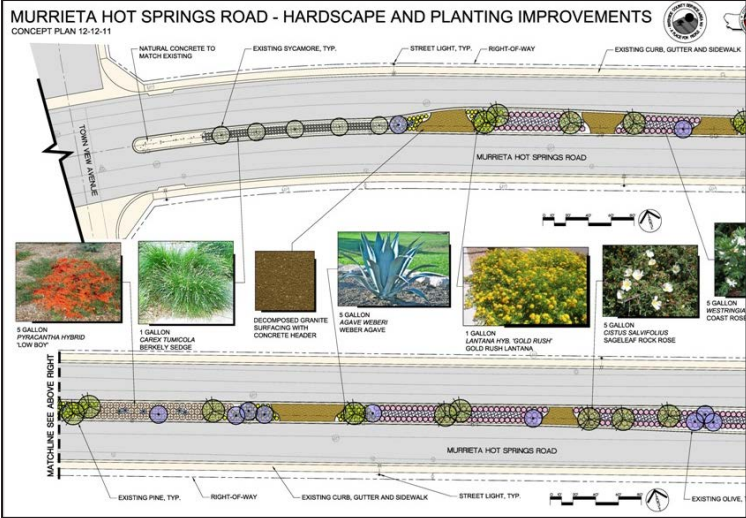
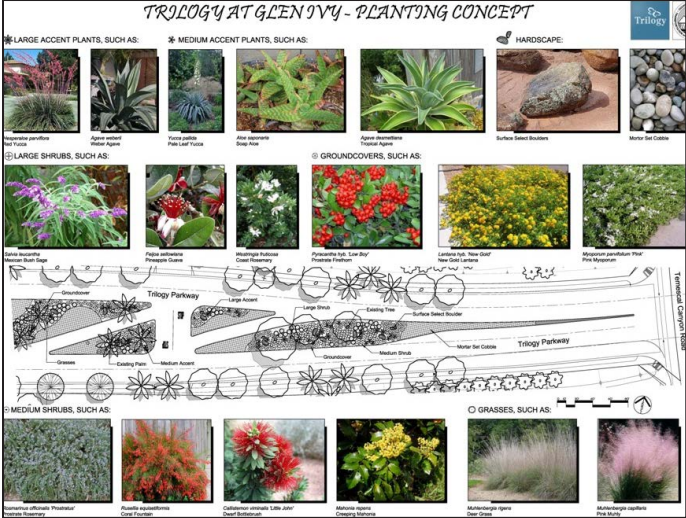
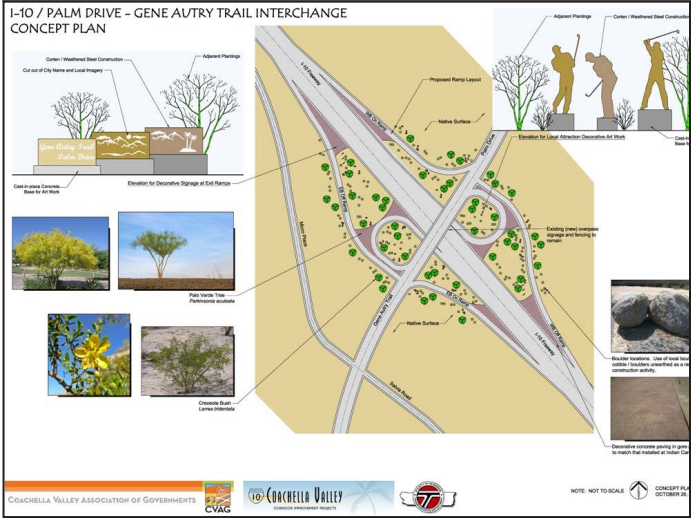
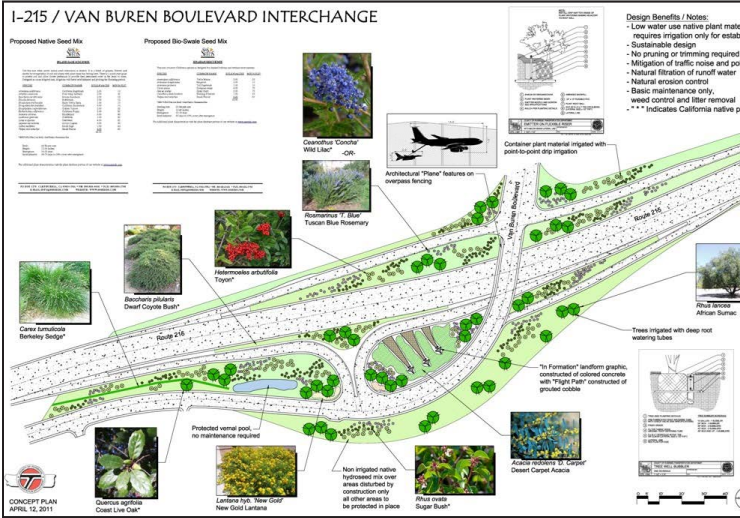
### KEY FEATURES

- Plan Checking
- Standards Development
- As Needed Design Services
- Landscape Architectural Services
- Rebate Program Implementation

### REFERENCE

Mark Hughes, Principal  
Engineering Technician  
RCTLMA  
(951) 955-6767  
marhughe@rivco.org





COUNTY OF RIVERSIDE TRANSPORTATION DEPARTMENT	
<b>BIO-SWALE GRADING / PLANTING</b>	
SECTION	APPROVED BY:
STD. B-001	1/4" = 1'-0"
REV:	DATE: 03-05

# Eastern Municipal Water District On-Call Services

Perris, CA



LANDSCAPE ARCHITECTS

## EMWD Plan Check Services & Consulting | 2006 to 2009 and from 2012 to Present

Scope includes review of plans for conformance with EMWD submittal and graphic standards. Documents include recycled water use exhibits, recycled water irrigation plans, construction documents for on site irrigation, and related civil plans (when appropriate). Plan review includes evaluation of projects from the recycled water meter downstream for compliance with regulatory permitting requirements, including environmental, local, regional and state codes, and any applicable conditions of approval for the project.

Scope also includes reviewing recycled water use exhibits and irrigation plans as related to California Department of Public Health (CDPH) Title 22 compliance, Environmental Regulatory Compliance (ERC), and EMWD Recycled Water Guidelines and Specifications. VDLA serves as the prime contact for all plan check reviews and schedules and conducts meetings with applicants and their design teams, Cities and County of Riverside personnel, as well as EMWD staff, including the Operations & Maintenance Department, the Environmental & Regulatory Compliance Department, the Engineering Department Point of Service Engineers, and the Water Conservation Department.

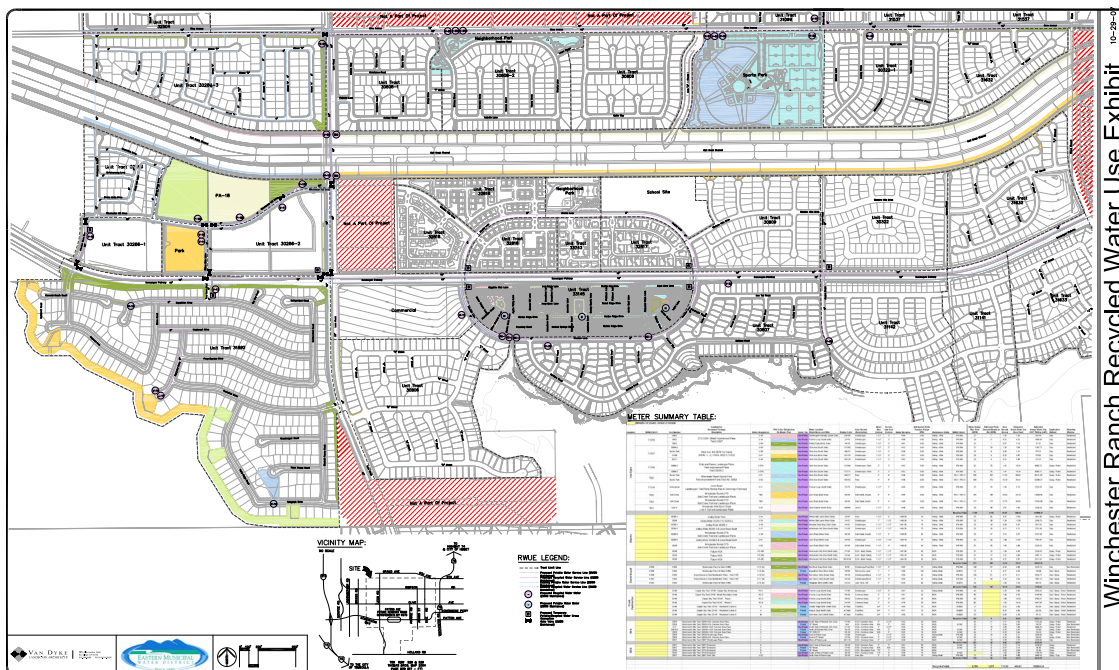
During the plan and exhibit review process, proposed pipeline size requirements and limits are reviewed, locations of existing and proposed facilities are verified using EB Web and SmallWorld software. VDLA provides input and processes data from plans into CityView and Sport programs for other department uses. Our staff reviews EMWD's AutoCAD standards in preparation for converting files to GIS. VDLA also performs as built drawing review for EMWD conformance, completing and processing the meter release paperwork, and closing out the project work order once the EMWD inspector indicates the construction has been completed. Part of the VDLA scope included preparation of sample typical planting and irrigation designs for residential homeowners within the EMWD jurisdiction.

## KEY FEATURES

- Plan Checking
- Standards Development
- As Needed Design Services
- Landscape Architectural Services

## REFERENCE

John Wuerth  
Civil Engineering Assistant  
(951) 928-3777 x4334  
wuerthj@emwd.org





LANDSCAPE ARCHITECTS

# The City of Jurupa Valley

Jurupa Valley, CA

VDLA has been working with the City of Jurupa Valley since 2014, offering an extensive array of services, including landscape plan checking, on-site landscape inspections, efficient irrigation water management, centralized control irrigation oversight and configuration, and comprehensive landscape design services. Specific tasks involve conducting tree trimming inventory assessments and maintenance inspections for Point of Connection (POC), Electrical, and Water Meter Inventory.

## KEY FEATURES

- Plan Checking
- Landscape Design Services
- Landscape Irrigation & Planting Inspections
- Landscape Site Inspections
- Irrigation Water Management

## REFERENCE

Tina York, PE  
Development  
Services Manager  
HR Green  
(951) 255-3478  
tyork@hrgreen.com



# Subconsultant Experience



## RELEVANT EXPERIENCE

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KWC has the capacity, and staff availability to successfully design and deliver capital improvement construction documents as well as provide ongoing and responsive construction support as needed or requested.

Some of our more recent, successful projects include:

### **UNDERWOOD – WATER, RECYCLED WATER & SEWER IMPROVEMENT PLANS** | KB Home – Processed through Eastern Municipal Water District

KWC designed onsite and offsite water, recycled water and sewer improvement plans for this 434-lot subdivision in the City of Menifee. The project included more than 30,000 LF of water line and over 20,000 LF of sewer line. Design effort also included the relocation of a 24-inch diameter recycled water transmission line as well as the design of a temporary highline to bypass the current line during construction. Multiple existing concrete channel crossings, including **jack and bore** and shallow pipe crossings were designed. The Plan of Services and Upsizing Reimbursement Agreements were also updated. Total plan sets included three onsite phases, the transmission waterline relocation and the highline plan for a total of five sets of plans.

### **CALIFORNIA AVENUE SEWERLINE** | City of Corona Public Works Department Contract Amount: \$198,350

KWC designed approximately 8,950 linear foot, gravity trunk sewer main in California Avenue in the City of Corona. California Avenue is an existing paved street in Corona with numerous existing utilities to design around and traffic control to consider. The 8,950 linear foot sewer line connects to an existing sewer downstream at Pico Street and a future double 12-inch force main at Foothill Parkway. Construction plans and specifications were processed and approved through the City of Corona DWP. Scope also included coordination with contractors to design and provide alternative designs based on estimated costs of **jack and bore** options across **three (3) major roadways**. Plans were approved in November 2017 and construction was completed in 2019, crossing all three (3) major roadways using jack and bore methods.

### **CITY PARK RECLAIMED WATERLINE** | City of Corona Public Works Department Contract Amount: \$111,100

KWC Engineers prepared plans in 2012 for the design of 4,300 lineal feet of 12-inch diameter reclaimed water main pipeline in Joy Street from Harrison south in E. Grand Blvd. and east in Quarry Street for the City. This work effort included the design of **jack and bore** operations underneath the B.N. & S.F. railroad and an open trench casing installation underneath the 91 freeway bridge at E. Grand Blvd. KWC's team performed the geotechnical borings and 25 potholes for this project. KWC prepared the preliminary design alignment based on field walks and our utility research. Our design had to accommodate numerous utility crossings and conflicts that existed, along with a future 60" storm drain in the pipeline corridor. This project provided Reclaimed Water to the existing City Park on Quarry Street to be more environmentally friendly. KWC prepared the project specifications, cost estimate and bid schedule. KWC was responsible for obtaining permits from Caltrans, B.N. & S.F. railroad, and coordinating the design with other stakeholders, such as RCTC.

### **VILLAGE OF TERRASSA –FOOTHILL PARKWAY SEWER IMPROVEMENTS** | TRI Pointe Homes Contract Amount: \$1,000,000 (included other improvement plans)

KWC prepared plans for an 8" offsite sewer improvement plans including **jack and boring** under Interstate 15, onsite water and sewer plans and offsite reclaimed water pipeline improvements for approvals through the City of Corona, County of Riverside, MWD and Caltrans. KWC also prepared plans for a proposed 16" offsite waterline in Foothill Parkway between Bedford Canyon Road and State Street as well as revisions to the existing offsite 16" reclaimed waterline to add fire hydrants, service laterals and to avoid a proposed storm drain pipeline. In addition to plan preparation, work effort included base mapping, topographic survey, utility research, and potholing. Sewer and waterlines were completed in 2018.

**SOUTHWEST QUADRANT OF GRAND WATERLINES – CIP PROJECT NUMBER 2012-17** | City of Corona DWP

Contract Amount: \$255,400

KWC finalized waterline improvement plans and technical specifications for phase 1 (5,000 lf) and prepared 90% plans for the remaining portion (8,500 lf) in 2015. The project required coordination of proposed facilities with Corona Regional Medical Center, Library, Schools and Public Buildings. KWC coordinated over 200 crossings of existing utilities with a combination of potholing and utility locating, as well as preparation of Soil's Report, CEQA documents, Traffic Report, and Traffic Control Plans. Phase 1 of the project was constructed in 2016.

**ONTARIO AVENUE ZONE 4 WATERLINE** | City of Corona Public Works Department

Contract Amount: \$70,927

KWC worked with the City staff for the installation of approximately 2,600 lineal feet of a 12-inch Zone 4 pipeline located in Lincoln Avenue, Ontario Avenue, and Buena Vista Avenue. This pipeline constructed provides higher pressure to the City's customers located primarily along the south side of Ontario Avenue including two (2) church sites. Our work scope included utility research, survey, preliminary alignment studies, potholing, waterline design, and preparation of a bid schedule, bid support, and construction support. As-built plans have been submitted to the City. KWC designed the pipeline to minimize utility crossings and impacts to traffic during construction. The project was constructed in 2013 on-time and under budget.

**COUNTRY CLUB HEIGHTS WATERLINE IMPROVEMENTS** | Elsinore Valley Municipal Water District

Contract Amount: \$143,317

KWC designed water improvement plans for seven (7) sites in older neighborhoods with existing narrow, hilly, curved streets to improve the hydraulic looping and connectivity of the water system. Work effort included research, preliminary alignment study, potholing, final plans, **Jack and Bore** plans, cost estimate and specifications. Project was constructed in 2015.

**LAKELAND VILLAGE WATER MAIN REPLACEMENT** | Elsinore Valley Municipal Water District

Contract Amount: \$83,891

KWC prepared plans and full specifications for the replacement of existing waterlines and residential services and meters for five (5) streets within Lakeland Village, County of Riverside. The scope of work included utility research, field topography, 27 potholes, designing proposed water system in such a way to leave the existing system operational until the proposed system was operational. Project was constructed in 2015.

**WATER PRESSURE ZONE PIPELINE INTERCONNECTIONS** | Elsinore Valley Municipal Water District

Contract Amount: \$71,900

KWC prepared plans in 2012 for the design of five (5) pipeline interconnections between the former Elsinore Water District (EWD) and EVMWD facilities in order to improve operational efficiencies and redundancy within the water system. The relevant work effort included research of existing water pipelines and utilities within each project area and a field topographic survey of above-ground facilities, potholes and USA markings. The project was constructed on-time and under budget.

**COTA STREET SEWER REPLACEMENT** | City of Corona Public Works Department  
 Contract Amount: \$28,435

KWC recently finalized plans for the design of a sewer main replacement in Cota Street at River Street in Corona, CA. Work included utility research, base mapping, preliminary alignment study, potholing, preparation of final construction plans, preparation of specifications and a bid schedule. The purpose of the project was to provide better capacity for downstream sewer mains for upcoming development projects.

**VIA BLAIRO SEWER MAIN PROJECT** | City of Corona Public Works Department  
 Contract Amount: \$10,800

KWC prepared plans for the design of a new 8-inch gravity sewer main to replace an aging existing lift station and pipeline located on Via Blairo. The new sewer main was designed to tie into the 7 existing sewer laterals and convey flows through easements located on private property to a downstream sewer manhole. The design included steel encasement of the sewer within an existing wash, and abandonment of the old existing sewer and force main. Our design also included a design of a new diversion manhole to convey a portion of the flows into the new sewer line.

**NICHOLS ROAD SEWER PIPELINE PROJECT** | City of Lake Elsinore  
 Contract Amount: \$285,000

KWC prepared the final engineering plans for the 15" sewer main in Nichols Road at Alberhill Ranch Road to the Nichols Road Lift Station near Collier Avenue in Lake Elsinore, CA. Work included utility research, base mapping, preliminary alignment study, and preparation of final construction plans, preparation of specifications and a bid schedule. The project was constructed in 2011 prior to Nichols Road construction. KWC worked closely with EVMWD and the developer on phasing, alignments with future pipelines and provided construction support.

**EL CERRITO SPORTS PARK** | BMLA  
 Contract Amount: \$298,760

KWC Engineers was the Engineer-of-Record for the 27-acre park project located near the I-15 freeway and El Cerrito Road in Riverside County. KWC designed the onsite and offsite sewer improvements for this project. KWC actively coordinated the engineering design, plan approvals, and permitting for the offsite improvements with City of Corona, Caltrans District 8, County of Riverside Transportation Department, Riverside County Flood Control and Water Conservation District, other consultants, and various utility companies.





## Firm Summary

HELIX Environmental Planning, Inc. (HELIX) is a leader in environmental planning, design, and natural resource sustainability. Established in 1991 and with offices in Riverside, San Diego, Orange, Los Angeles, Sacramento, and Placer Counties, they provide a broad range of environmental compliance services throughout California. HELIX's technical staff (288 companywide) includes environmental planners, biologists, archaeologists, permitting and habitat restoration specialists, acoustics and air quality/greenhouse gas (GHG) specialists, arborists, and landscape architects. HELIX's in-house services include the preparation of environmental documentation for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance; technical studies and analyses for biological and cultural resources, air quality/GHG, and noise; mitigation monitoring and compliance; regulatory permitting; landscape architecture; and native habitat restoration design, construction, and maintenance. HELIX has extensive experience helping public and private clients across a variety of sectors comply with local, state, and federal environmental laws and regulations, manage natural and cultural resources, and design and construct sustainable projects. They also specialize in habitat restoration and the installation and maintenance of native habitat.

HELIX is experienced with resource-based legislation and land development procedures, and has an excellent reputation for providing regulatory permitting support pursuant to the Sections 404 and 401 of the federal Clean Water Act (CWA), Section 10 of the Rivers and Harbors Act (RHA), California Fish and Game Code, the federal and state Endangered Species Acts (ESAs), Coastal Zone Management Act (CZMA), as well as the Porter-Cologne Act. The firm has directly participated in a variety of resource-oriented permit processes and mitigation program planning, including projects within the jurisdiction of the U.S. Army Corps of Engineers (USACE), U.S. Fish & Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), Regional Water Quality Control Board (RWQCB), and other local, state, federal, and regional jurisdictions. They have extensive experience navigating the state and federal permitting processes required when impacts to wetlands or other waters of the U.S., special-status species, or protected/regulated habitats occur.

## HELIX Murrieta Experience

HELIX has provided as-needed environmental services to the City of Murrieta (City) since 2018, assisting with a variety of projects, including biological survey and reporting, mitigation monitoring and reporting, and emergency permitting. HELIX has been involved with two successful mitigation projects, including the Wilson Creek Mitigation Project and the Guava Street Bridge Mitigation Project. The Wilson Creek Mitigation Project involved the installation, monitoring, and reporting of alluvial fan sage scrub mitigation on Riverside Conservation Authority (RCA) conservation land along Wilson Creek in Aguanga, California. The mitigation met all performance standards and was successfully signed off under budget and within five years by the resource agencies and the RCA in 2023. The Guava Street Bridge Mitigation Project, included the installation, monitoring, and reporting of wetland and riparian mitigation for the City. HELIX was also involved in the successful monitoring and reporting of the off-site mitigation for the Guava Street Bridge Mitigation Project. HELIX led the emergency permitting effort with CDFW, RWQCB, and USACE for the City's Tenaja Fire Emergency Slope Stabilization Project. Most recently, HELIX is working as a subcontractor to an engineering prime for the Madison Avenue Street Improvements Project. HELIX is preparing biological technical reports for the CEQA document, which includes conducting biological surveys, including fairy shrimp, burrowing owl, and jurisdictional delineation, and preparing documentation for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

Michael Huff, Dudek

Mr. Huff leads a team of 13 fire professionals including current and retired fire prevention officers, firefighters, fire protection planners, and fire behavior analysts. The team works on projects throughout California and this work includes understanding of state and local fire and building codes. Dudek's fire protection planning team includes participants on state fire prevention officers code committees and participation in the annual Fire Chiefs Association FPO Institute. Each project we are involved with which span 75% of California Counties includes gaining an understanding for the locally adopted version of the fire code, development standards, whether Title 14 – Fire Safe Regulations applies, and any other applicable fire standards that may be in effect. Dudek's fire protection planning team is adept at quickly understanding the applicable fire code requirements and applying them to projects to help redesigns as well as formulation of alternative materials and methods requests.

# References



# References



**Mark Hughes, Principal Engineering Technician**  
**Riverside County Transportation & Land Management Agency**

4080 Lemon Street, 5th Floor  
 Riverside, CA 92502  
 (951) 955-6767  
 marhughe@rivco.org

**Services Provided:** Plan check services, as needed design services | 2007 to present



**John Wuerth, Recycled Water Program Analyst**  
**Eastern Municipal Water District**

2270 Trimble Road  
 Perris, CA 92570  
 (951) 928-3777  
 wuerthj@emwd.org

**Services Provided:** Plan check services & consulting | 2006 to 2009 & from 2012 to present



**Tina York, Director of National Civil Plan Checking**  
**HR Green, Inc.**

1260 Corona Pointe Ct #305  
 Corona, CA 92879  
 (951) 255-3478  
 tyork@hrgreen.com

**Services Provided:** Plan check services for the city of Jurupa Valley | 2014 to present

# Schedule



# Schedule

We have developed the below schedule to encompass the City's requested 10-day review period for landscape and irrigation plans. VDLA will attend all required meetings with City staff and applicants. Exact dates will vary by assignment, but VDLA will meet all timeframes required by the City.

**Day 1**

## **Assignment Receipt and Initial Review**

Upon receiving the assignment, VDLA will conduct an initial assessment of the landscape and irrigation plans to outline key areas for detailed examination and verify applicant's package has all pertinent information i.e. precise grading plans, specific plans, conditions of approval, etc.

**Days 2-3**

## **Weekly Meeting Preparation**

VDLA will compile preliminary findings and prepare questions or clarifications to discuss with City staff and applicants.

**Weekly**

## **Design Review Committee Meeting (via Teleconference)**

VDLA will attend the weekly Design Review Committee meeting with City staff to discuss initial findings, seek clarifications, and gather additional insights that may influence the review process.

**As-Needed**

## **Meetings with Applicants and Staff (via Team/Zoom Teleconference)**

Participate in detailed discussions with applicants and City staff to address any concerns, propose adjustments, and ensure that all parties are aligned with the necessary revisions or confirmations.

**Days 4-6**

## **In-depth Review**

Utilizing insights from City meetings, our team will conduct a comprehensive review of the plans, focusing on compliance with the City of Murrieta Municipal Code, Murrieta Development Code (Title 16), and related regulations.

**Days 7-9**

## **Finalize Written Comments**

Based on the detailed review and discussions with City staff and applicants, VDLA will finalize our written comments, ensuring that they are clear, actionable, and conducive to the project's advancement within the parameters of local and state regulations.

**Day 10**

## **Submission of Completed Written Comments (via Electronic Format)**

Deliver our comprehensive written comments to the City via electronic format, adhering to the 10-day review period commitment. This document will include all necessary feedback, recommendations, and clarifications to assist the City and applicants in refining the landscape and irrigation plans for approval.

# Quality Assurance



## Quality Assurance & Control

VDLA provides personalized, high quality service and well-coordinated work products and deliverables that are checked internally at multiple levels, prior to submission to the City. This includes Subconsultant documents. As part of the firm's procedures to ensure well-coordinated and complete documents, our quality control system utilizes internal plan checking at all levels: conceptual, design development, final contract documents and post construction evaluation. Our program minimizes or eliminates conflicting information between disciplines and ensures that the highest quality documents possible are delivered to the client on time and within budget.

Our quality control system includes a multi-level approach. Prior to a schedule milestone or due date, an internal "plan check" date is established. The VDLA production and support staff, and all team subconsultants, are directed to provide the assigned VDLA Project Manager with a PDF set of the deliverable documents.

- 1.** The VDLA Project Manager creates a 'Bluebeam session' where all internal plan check comments are made in Bluebeam Revu software. (In certain cases the reviews are made on physical prints.) Required correction or revision comments are indicated in red on either the Bluebeam document or on the check prints.
- 2.** When production and support staff (including subconsultants) make corrections to the electronic documents, a blue-coded shading is placed on the redline comment on the Bluebeam check file, indicating that the correction has been made. Corrections or revisions on a new/clean PDF set are then reviewed again by the Project Manager to verify all items were picked up. The Project Manager changes all verified comments to a purple-coded shading on the PDF/Bluebeam check set to indicate that the documents have essentially been double checked.
- 3.** The deliverables are then reviewed by the designated VDLA Quality Control Principal to provide a third level of review. This provides multiple levels of experience and a high quality standard of care review.



# Appendix





VANDYKE-03

MCCOWANA

**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
8/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0E67768 IOA Insurance Services 4370 La Jolla Village Drive Suite 600 San Diego, CA 92122	CONTACT NAME: <b>Ali Smith</b> PHONE (A/C, No, Ext): <b>(619) 788-5795 50206</b> FAX (A/C, No): <b>(619) 574-6288</b> E-MAIL ADDRESS: <b>Ali.Smith@ioausa.com</b>
	INSURER(S) AFFORDING COVERAGE INSURER A : <b>RLI Insurance Company</b> NAIC # <b>13056</b> INSURER B : <b>Arch Insurance Company</b> NAIC # <b>11150</b> INSURER C : INSURER D : INSURER E : INSURER F :
INSURED Van Dyke Landscape Architects 462 Stevens Ave., Suite 107 Solana Beach, CA 92075	

**COVERAGES** CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Cont Liab/Sev of Int GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	X	PSB0002408	9/1/2023	9/1/2024	EACH OCCURRENCE \$ <b>2,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>10,000</b> PERSONAL & ADV INJURY \$ <b>2,000,000</b> GENERAL AGGREGATE \$ <b>4,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>4,000,000</b> Ded \$ <b>0</b>
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY No Co. Owned Autos <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	X		PSB0002408	9/1/2023	9/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ <b>2,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE Ded <input checked="" type="checkbox"/> RETENTION \$ <b>0</b>			PSE0001746	9/1/2023	9/1/2024	EACH OCCURRENCE \$ <b>2,000,000</b> AGGREGATE \$ <b>2,000,000</b> \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	PSW0002143	9/1/2023	9/1/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>1,000,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>1,000,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>1,000,000</b>
B	Prof Liab/Clims Made			PAAEP0102805	9/1/2023	9/1/2024	Per Claim <b>2,000,000</b>
B	Ded.: \$10k Per Claim			PAAEP0102805	9/1/2023	9/1/2024	Aggregate <b>4,000,000</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Forestar USA Real Estate Group is Additional Insured with respect to General/Hired & Non-Owned Auto Liability per the attached endorsement as required by written contract. Insurance is Primary and Non-Contributory.

<b>CERTIFICATE HOLDER</b>  Forestar USA Real Estate Group 2221 E. Lamar Blvd. Suite 620 Arlington, Texas 76006	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>T. Kelly Howell</i>
--	--

ACORD 25 (2016/03)

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Insurance shall not be materially changes, terminated, or allowed to expire except on thirty (30) days prior written notice from the City. Insurance will be maintained from the time work commences until completion of the work.

# Exceptions

We request that the following changes be made to the agreement language:

## 5. INSURANCE AND INDEMNIFICATION

**Insurance Coverages.** Prior to commencement of any services under this Agreement, and without limiting Consultant’s indemnification obligation to City, Consultant shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, for the duration of the Agreement, primary policies of insurance of the type and amounts set forth in the “Insurance Requirements” attached hereto as **Exhibit E** and incorporated herein by this reference.

### Indemnification.

General Obligations. Consultant agrees, to the full extent permitted by law, to indemnify, defend and hold harmless City and its elected and appointed officers, employees and agents (each an “**Indemnitee**” and collectively, “**Indemnitees**”) against, and will hold and save them and each of them harmless from, whether actual or threatened, ~~any and all~~ actions, either judicial, ~~administrative, arbitration or regulatory claims,~~ damages to persons or property, losses, ~~costs, penalties, obligations, errors, omissions or liabilities~~ (herein “**Claims or Liabilities**”) that may be asserted or claimed by any person, firm or City arising out of or in connection with the negligent performance of the work, operations or activities provided herein of Consultant, its officers, employees, agents, subcontractors, or invitees, or any individual or City for which Consultant is legally liable (each an “**Indemnitor**” and collectively, “**Indemnitors**”), or arising from Indemnitors’ reckless or willful misconduct, or arising from Indemnitors’ negligent performance of or failure to perform reasonable covenant or condition of this Agreement, and in connection therewith: 1) Consultant will defend any action or actions filed or threatened in connection with any such Claims or Liabilities, or at option of Indemnitee(s) will reimburse and pay for ~~all costs and expenses, including legal costs and attorneys’ fees,~~ incurred by Indemnitee(s) in connection therewith; and, 2) Consultant will promptly pay any judgment rendered against Indemnitee(s) for any such Claims or Liabilities, and will save and hold Indemnitee(s) harmless therefrom.

Further Provisions. ~~The indemnity obligation herein shall be binding on successors, assigns and heirs of Consultant and shall survive termination of this Agreement.~~ Consultant shall incorporate similar indemnity agreements as provided herein with its subcontractors, and if Consultant fails to do so Consultant shall be fully responsible to indemnify City hereunder therefor. Failure of City and/or City Parties (collectively “City” for solely this Section 5.3(b)) to monitor compliance with any of the indemnification provisions herein shall not be a waiver hereof. The indemnification provisions herein do not apply to claims or liabilities occurring as a result of City’s sole negligence or willful misconduct, ~~but, to the fullest extent permitted by law, shall apply to claims and liabilities resulting in part from City’s negligence,~~ except that design professionals’ indemnity hereunder shall be limited to claims and liabilities arising out of the negligence, recklessness or willful misconduct of the design professional. The

indemnification provided herein includes Claims or Liabilities arising from any negligent or wrongful act, error or omission, or reckless or willful misconduct of Indemnitors in the performance of professional services hereunder. Payment of invoices by City is ~~not~~ a condition precedent to enforcement of the indemnity obligation herein. ~~In the event of any dispute between Consultant and City, as to whether liability arises from the sole negligence or willful misconduct of City, Consultant will be obligated to pay for City's defense until such time as a final judgment has been entered adjudicating City as solely negligent or responsible for willful misconduct. Consultant will not be entitled in the absence of such a determination to any reimbursement of defense costs including but not limited to attorney's fees, expert fees and costs of litigation.~~

2782.8

Pursuant to the full language of California Civil Code §2782, Design Professionals agrees to indemnify, including the cost to defend, City and its officers, officials, employees, and volunteers from and against any and all claims, demands, costs, or liability that arise out of, or pertain to, or relate to the negligence, recklessness, or willful misconduct of Design Professional and its employees or agents in the performance of services under this contract, but this indemnity does not apply to liability for damages arising from the ~~sole negligence, active negligence, or willful acts of the City; and does not apply to any passive negligence of the City unless caused at least in part by the Design Professional.~~ The City agrees that in no event shall the cost to defend charged to the Design Professional exceed that professional's proportionate percentage of fault. This duty to indemnify shall not be waived or modified by contractual agreement or acts of the parties.

**Professional Liability.** When the law establishes a professional standard of care for

in accord with Calif  
Civil Code 2782.8,

Consultant's services, to the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless Indemnitees against, and will hold and save them and each of them harmless from, ~~whether actual or threatened, any and all Claims and Liabilities, consistent with all obligations provided for in this Section 5.3,~~ to the extent same are caused in whole or in part by any negligent or wrongful act, error or omission, or reckless or willful misconduct of Indemnitors in the performance of professional services under this Agreement.

## 6. RECORDS, REPORTS AND RELEASE OF INFORMATION

**Records.** Consultant shall keep, and require subcontractors to keep, such ledgers, books of accounts, invoices, vouchers, canceled checks, reports, studies or other documents relating to the disbursements charged to City and services performed hereunder ("**books and records**") as shall be necessary to perform the services required by this Agreement and enable City to evaluate the performance of such services. Any and all such books and records shall be maintained in accordance with generally accepted accounting principles, shall be complete and detailed, and shall be readily accessible. City shall have full and free access to such books and records at all times during normal business hours of City, including the right to inspect, copy, audit and make records and transcripts. Such books and records shall be maintained for a period of three (3) years following completion of the services hereunder. City shall have access to such books and records in the event any audit is required. Consultant shall fully cooperate with City in providing access to any and all Consultant records and documents if a public records request

**Termination for Default of Consultant.** If termination is due to the failure of Consultant to fulfill its obligations under this Agreement, City may, after compliance with the provisions of Section 7.3, take over the work and prosecute the same to completion by contract or otherwise, ~~and Consultant shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that City shall use reasonable efforts to mitigate such damages),~~ and City may withhold any payments to Consultant for the purpose of set-off or partial payment of the amounts owed City therefor.

**Retention of Funds.** ~~Consultant hereby authorizes City to deduct from any amount payable to Consultant (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate City for any losses, costs, liabilities, or damages suffered by City, and (ii) all amounts for which City may be liable to third parties, by reason of Consultant's acts or omissions in performing or failing to perform Consultant's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by Consultant, or any indebtedness shall exist which shall appear to be the basis for a claim of lien, City may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of City to exercise such right to deduct or to withhold shall not, however, affect the obligations of Consultant to insure, indemnify, and protect City as elsewhere provided herein.~~

**Waiver.** Waiver by any Party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any Party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement. No delay or omission in the exercise of any right or remedy by a non-defaulting Party on any default shall impair such right or remedy or be construed as a waiver. Any waiver by either Party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement. Consultant acknowledges and agrees that any actual or alleged failure on the part of City to inform Consultant of non-compliance with any requirement of this Agreement imposes no additional obligations on City nor does it waive any rights hereunder. Payment to Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

**Rights and Remedies are Cumulative.** Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the Parties are cumulative and the exercise by either Party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other Party.



LANDSCAPE  
ARCHITECTS

Van Dyke Landscape Architects, Inc. (VDLA)  
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CLIA, RWSS | Mitch Phillippe, CA LLA #3781