

1st AMENDMENT TO THE
PROFESSIONAL SERVICES AGREEMENT WITH MOFFATT AND NICHOL FOR
REPAIR OF STOCKTON AVENUE BRIDGE
between

CITY OF CAPITOLA AND MOFFATT & NICHOL

The City of Capitola and Moffatt and Nichol, hereby agree to the following Amendment(s) to the Contract dated April 27, 2023:

- 1) Increase the budget amount by \$18,732 for final approvals for of emergency repairs to the Stockton Avenue bridge over Soquel Creek.

All other terms and conditions of the Professional Services Agreement remain in full force and effect.

CONTRACTOR: MOFFATT & NICHOL

By:

Date: _____

CITY OF CAPITOLA

By: Benjamin Goldstein, City Manager

Date: _____



2185 N. California Blvd, Suite 500
Walnut Creek, CA 94596

(925) 944-5411 Fax: (925) 944-4732
www.moffattnichol.com

October 3, 2023

City of Capitola Public Works Department
420 Capitola Avenue
Capitola, CA 95010

Subject: Proposal for Engineering Services for the Stockton Avenue Bridge over Soquel Creek, Amendment 1

Dear Ms. Kahn,

We are writing to present the City of Capitola Public Works Department (City) a proposal for additional environmental clearance of emergency repairs to the Stockton Avenue bridge over Soquel Creek. This additional work covers effort to finalize approvals for emergency activities with the U.S. Corps of Engineers and the California Coastal Commission (CCC), comply with Emergency Coastal Development Permit (ECDP) conditions, make a required notification to the Central Coast Water Quality Control Board and finally, compile and submit an application package for a permanent CDP as required by condition 8 of the ECDP, as further detailed below.

SCOPE OF WORK

We will conduct the work in four primary tasks, described below.

Task 1 – Finalize Permit Tasks & CCC/USACE Liaison

This task captures effort expended in finalizing coordination with the CCC and the U.S. Army Corps of Engineers (USACE) in pursuit of authorization for emergency repairs. This involved addressing agency queries following submittal of emergency permit applications. We were successful in identifying site elevation data which allowed USACE to determine that a permit from them was not required. A total of 18 hours were expended on this task.

Task 2 – Central Coastal Water Quality Control Board (CCRWQCB) Notice of Intent & Liaison

As USACE determined that the proposed emergency activities were outside their jurisdiction, a 401 certification is not required from CCRWQCB. However, when confirming with CCRWQCB, staff at that agency informed us that emergency activities must enrol with a Water Quality Order, anticipated to be No. 2023-0058-DWQ. This requires submittal of a Notice of Intent (NOI) as well as a fee of \$2,734 and a narrative addressing concrete curing times and water exposure avoidance measures. We propose to complete the NOI and narrative and submit the fee on behalf of the City. We will liaise with agency staff as required until a Notice of Applicability (NOA) is issued authorizing the emergency activities. Extensions may be required should construction activities extend beyond two (2) weeks after the date of NOA issue. A total of 18 hours is assumed for this task.

Task 3 – ECDP Compliance

Under this task, we will provide support to the City in order to comply with ECDP G-3-23-0065 condition 15 which requires submittal of as-built plans, cross sections, construction narrative and pre-, during- and post-

construction photos. A total of 14 hours is assumed for this task, and it is assumed that two (2) field visits will be required to capture the required photo documentation, during and post construction activities.

Task 4 – Permanent CDP Application

Condition 8 of ECDP G-3-23-0065 requires the City to follow up with a full CDP application to secure permanent authorization of the emergency project. We will compile the CDP application package, submit to the City for review and approval before submitting to CCC. We will then liaise with staff to reach application completeness. It is assumed that attendance by M&N staff at a CCC hearing will not be required. A total of 18 hours is assumed for this task.

ENGINEERING FEE

We propose to complete the work on a Time and Materials basis, Not to Exceed \$18,432. A breakdown of the cost by task is provided in the table below and is based upon the assumptions on the next page.

Task	Cost
Task 1 - Finalize Permit Tasks & CCC/USACE Liaison	\$ 3,944.00
Task 2 - CCWQCB NOI and Liaison	\$ 4,032.00
Task 3 - ECDP Compliance	\$ 2,934.00
Task 4 - Permanent CDP Application	\$ 4,788.00
Direct Expenses	\$ 2,734.00
TOTAL:	\$ 18,432.00

We appreciate your confidence in our services and the opportunity to be of continued assistance to the City of Capitola. This proposal is valid for 60 days from the submittal date. Should you have any questions, feel free to contact Project Manager, Garrett Dekker, or Principal-in-Charge, Brad Porter.

Sincerely,

MOFFATT & NICHOL



Garrett Dekker, PE
 Project Manager
 925-956-4947
 gdekker@moffattnichol.com



Brad Porter, PE
 Principal-in-Charge
 925-956-4939
 bporter@moffattnichol.com

ASSUMPTIONS

1. Level of effort for responding to agency requests for additional information will be minor, meaning it will not require redesign of the project, additional technical reports or other stand-alone deliverables.
2. We will make a good faith effort to secure the required permits for the project. However, environmental permitting is dependent on authorities outside of the influence and control of the client, its consultants and contractors, and we offer no guarantee as to the schedule, mitigation requirements, restrictions, or ultimately the award of required permits.
3. We assume any other local or state permits (i.e., construction or building permits) that may be required will be applied for and paid for by the City or contractor, or, if assistance is requested, authorized separately.

