

FOURTH AMENDMENT TO AGREEMENT

THIS FOURTH AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 9th day of December, 2021, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (City), and Raimi + Associates, Inc., a California corporation (Consultant).

RECITALS

WHEREAS, City and Consultant entered into an Agreement, dated June 22, 2017, for services related to professional services for environmental planning of the Central Southeast Specific Plan (Project); and

WHEREAS, City and Consultant entered into a First Amendment, dated June 30, 2019, to extend the contract term length; and

WHEREAS, City and Consultant entered into a Second Amendment, dated June 30, 2020, to extend the contract term length; and

WHEREAS, City and Consultant entered into a Third Agreement, dated April 22, 2021, to extend the contract term length; and

WHEREAS, City and Consultant desire to enter into this Fourth Amendment to modify the Agreement to increase the scope of work by requiring additional services beyond those services referenced in the Project, extend the contract term length to December 31, 2022, and increase the total compensation for satisfactory performance of all services required or rendered pursuant to this amendment to \$587,008.

AGREEMENT

NOW, THEREFORE, the parties agree the Agreement be amended as follows:

1. Consultant shall provide additional services as described in Attachment "A", attached hereto and incorporated herein by reference.

2. Consultant's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee of \$587,008 as described in Attachment "A".

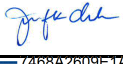
3. The Project Performance Period shall be extended until December 31, 2022 and follow the timeline as described in Attachment "A".

4. In the event of any conflict between the body of this Amendment and the Agreement, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the Agreement. Furthermore, any terms or conditions contained within the Agreement which purport to modify the allocation of risk between the parties, provided for within the body of this Amendment, shall be null and void.


5. Except as otherwise provided herein, the Agreement entered into by the City and Consultant, dated June 22, 2017 and amended on June 30, 2019, June 30, 2020, and April 22, 2021 remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement at Fresno, California, on the day and year first above written.

CITY OF FRESNO,
A California municipal corporation


DocuSigned by:

By: _____ 11/24/2021
7468A2609E1A4D...
Jennifer K. Clark, AICP
Director, Planning and Development
Department


RAIMI + ASSOCIATES, INC.,
A California corporation

DocuSigned by:

By: _____ 11/22/2021
4E7994AE06D04E2...
Name: Matt Raimi

Title: President and CEO
(If corporation or LLC., Board Chair,
Pres. or Vice Pres.)

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

DocuSigned by:

By: _____ 11/24/2021
1CFC344CA94DB...
Brandon M. Collet
Senior Deputy City Attorney

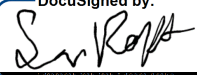
DocuSigned by:

By: _____ 11/22/2021
730FBD6650F7486...
Name: Simran Malhotra

Title: Principal and Vice President
(If corporation or LLC., CFO, Treasurer,
Secretary or Assistant Secretary)

ATTEST:
TODD STERMER
City Clerk

By: _____
Date
Deputy

REVIEWED BY:

DocuSigned by:

By: _____ 11/22/2021
7880F0E8F7C043B...
Summer Rooks

Addresses:
CITY:
City of Fresno
Attention: Summer Rooks
Project Manager
2600 Fresno Street, Suite 3065
Fresno, CA 93721
Phone: (559) 621-8166
Email: Summer.Rooks@fresno.gov

CONSULTANT:
Raimi + Associates
Attention: Matt Raimi,
Principal
1900 Addison Street, Suite 200
Berkeley, CA 94704
Phone: 510-200-0520
Email:
Matt@raimiassociates.com

Attachments:
1. Exhibit A – Scope of Services

EXHIBIT A: SCOPE OF SERVICES

CITY OF FRESNO—CENTRAL SOUTHEAST AREA SPECIFIC PLAN: REVISED SCOPE OF WORK FOR TASK 6 – CEQA (*revised November 12, 2021*)

FCS has prepared this updated scope of work at the direction of the City to reflect preparation of an Initial Study/Subsequent Mitigated Negative Declaration (IS/Subsequent MND), rather than an Addendum to the General Plan FEIR to evaluate the Central Southeast Area Specific Plan (Specific Plan). Considering the project description contained in the recently certified 2021 General Plan PEIR, FCS and the City have determined that a IS/Subsequent MND is the appropriate level of environmental review.

The following tasks are revised as indicated from the Scope of Work approved previously for this project.

Task 1: Preparation of Administrative Draft IS/Subsequent MND

FCS will prepare an Administrative Draft IS/Subsequent MND for City staff review that will evaluate the proposed project's impacts. The IS/Subsequent MND format will include separate sections for discussion of each CEQA Guidelines Appendix G Environmental Checklist impact category, and it will be adequately supported by exhibits (including color GIS mapping, as appropriate). The IS/Subsequent MND will evaluate project impacts against each question on the Appendix G Environmental Checklist and determine whether a potentially significant impact could occur that requires mitigation or if impacts would be less than significant and would not require mitigation. If potentially significant impacts are identified, FCS will draft mitigation measures that would reduce the impact to a less than significant level.

The following issues will be evaluated in the IS/Subsequent MND:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utility Systems
- Wildfires

Deliverables

- Electronic version (via Dropbox in Microsoft Word and PDF) of the Administrative Draft IS/Subsequent MND to the City

The preparation of the IS/Subsequent MND will include and incorporate the following technical analyses.

Air Quality

FCS will analyze air quality emission impacts associated with implementation of the Specific Plan. To streamline this work, we will draw on existing sources of information, including the air quality analysis completed as part of the 2021 General Plan Update PEIR. All modeling and analyses contained in this analysis will be performed consistent with guidance from the San Joaquin Valley Air Pollution Control District (SJVAPCD). The analysis will compare the air quality impacts associated with implementation of the Specific Plan to the thresholds of significance and the screening criteria in the SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). The analysis will be wholly contained in the IS/Subsequent MND, and the supporting technical data will be appended to the document. This analysis will include the following tasks:

Compile Background Information

FCS will summarize the meteorological, topographical, and climatological factors that influence air quality in the region. The environmental setting will include a description of the criteria air pollutants and ozone precursors and a brief summary of their health effects. FCS will compile existing air quality emissions information including a summary of current ambient air quality concentrations in the project area, emissions inventory for the region, and the attainment status of the region. Information will be obtained from the City's 2021 General Plan Update EIR, as well as from the California Air Resources Board (ARB), US Environmental Protection Agency (EPA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD).

Estimate Air Quality Emissions

A brief overview of the nature and location of existing sensitive receptors within the Planning Area will be provided. This section will identify existing large sources of Toxic Air Contaminants (TACs) that could impact and potentially constrain development in the Planning Area. FCS will rely on the documentation of areas sources provided in the 2021 General Plan Update EIR to develop buffer distances that sensitive receptors should be located away from identified large TAC sources. For odor emissions, FCS will perform the same analysis and develop buffer distances, when possible, for existing large odor sources within the Planning Area. FCS will provide a comparative analysis to the emission estimates described in the 2021 General Plan Update EIR to determine project-related air quality operational impacts.

Cultural Resources

FCS will summarize existing conditions and regulations related to cultural and historic resources in the Specific Plan area, highlighting key opportunities and constraints with implications for the Plan. To streamline this work, we will draw on existing sources of information, including cultural resource studies completed as part of the 2021 General Plan PEIR.

Records searches with the Southern San Joaquin Valley Information Center (SSJVIC) in Bakersfield, the Native American Heritage Commission and the University of California Museum of Paleontology will be conducted to reconfirm information. Additionally, FCS will prepare tribal notification letters in compliance with Assembly Bill 52 and Senate Bill 18 for use by the City. FCS is available to assist with any additional tribal consultation if requested, under a separate scope-and-fee.

FCS will identify the location of existing historic resources, and will also identify mitigation to guide future development, including the preparation of Phase I Cultural Resource Assessments, as well as historic evaluations, where appropriate, to ensure protection of existing historic resources. This scope assumes that existing and available studies will be sufficient for analysis at the programmatic level, and that neither a pedestrian survey of the specific plan area, nor evaluation / recordation of any historic resources will be required. All analysis will be incorporated directly into the ISMND section, along with recommendations and proposed mitigation measures.

Greenhouse Gas Emissions and Climate Change

FCS will analyze greenhouse gas (GHG) emission impacts associated with implementation of the Specific Plan. To streamline this work, FCS will draw on existing sources of information, including the GHG analysis completed as part of the 2021 General Plan PEIR and the Greenhouse Gas Reduction Plan (2014). FCS will evaluate GHG emissions at a plan-level pursuant to guidance provided by SJVAQMD. The analysis will be wholly contained in the IS/Subsequent MND, and the supporting technical data will be appended to the document. The following components will be included to fulfill all SJVAQMD and CEQA requirements.

Compile Background Information

FCS will rely on the opportunities and constraints analysis that we prepared in 2018 to briefly discuss the current state of science surrounding climate change, including a description of the primary greenhouse gas (GHG) pollutants responsible for the greenhouse effect and a summary of the regulatory framework at a federal, state, and regional level regarding GHG emissions and climate change.

Estimate Greenhouse Gas Emissions

Similar to Air Quality, buildout associated with implementation of the proposed Specific Plan would be highly dependent on economic conditions and market demand; therefore, quantifying construction-related emissions at the time of this analysis would be speculative. For operations, the GHG emissions analysis and assumptions used for the modeling will be consistent with those used in the Air Quality analysis. Mobile-source GHG emissions will be evaluated using information provided in the Specific Plan traffic analysis.

FCS will use thresholds of significance and the screening criteria in the SJVAPCD Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) or other applicable guidance documents for the analysis such as the SJVAPCD Guidance for Valley Land-use Agencies in Addressing Greenhouse Gas Emission Impacts for New Projects under CEQA (adopted in December 2009) to determine significance. Potential statewide GHG emission reduction measures include renewable portfolio standard, ARB's Low Emission Vehicle (LEV) program, Title 24 energy standards, and Advanced Clean Cars among others.

In addition, when possible, FCS will identify potential emission reductions from land use and transportation policies and programs contained in the Specific Plan that could be implemented by the City. FCS would use the quantification methods recommended by the California Air Pollution Control Officers (CAPCOA) in its document Quantifying Greenhouse Gas Mitigation Measures.

Mitigation Measures

By conducting an opportunities and constraints analysis early to inform policy development for the Specific Plan, it is anticipated that the need for mitigation measures will be reduced. Nevertheless, if any GHG impacts are identified as part of the analysis, FCS will provide plan-level mitigation measures to reduce any future GHG impacts to a less-than-significant level.

Noise

FCS will analyze noise impacts associated with implementation of the Specific Plan. To streamline this work, we will draw on existing sources of information, including the noise analysis completed as part of the 2021 General Plan PEIR. The analysis will be wholly contained in the IS/Subsequent MND, and the supporting technical data will be appended to the document. To perform this analysis, the following tasks are required:

Compile Background Information

The general characteristics of sound and the categories of audible noise will be briefly described. FCS will identify the applicable regulatory framework and thresholds of significance related to noise, including applicable federal, State, and City plans, policies and standards. This scope assumes that the ambient noise environment has not changed substantially from what was documented in the 2021 General Plan PEIR. Therefore, FCS will include the applicable ambient noise environment information that was documented in the 2021 General Plan PEIR to document the existing noise environment.

Conduct Construction Noise and Vibration Impact Analysis

Construction associated with development that could occur with implementation of the General Plan Update would require the short-term operation of heavy equipment in the vicinity of sensitive receptor land uses. Noise analysis requirements and thresholds of significance will be evaluated qualitatively and will be based on the sensitivity of the Planning Area and the City's noise ordinance specifications. FCS will also evaluate potential vibration impacts from construction activities associated with development that could occur with implementation of the Specific Plan.

Conduct Operational Noise and Vibration Impact Analysis

Development associated with implementation of the Specific Plan will result in increased traffic and potential new stationary noise sources. Noise impacts from project-related vehicular traffic trips will be quantified at a programmatic level. New land use development that could occur with implementation of the Specific Plan will be evaluated in comparison to the City's land use compatibility standards. Potential stationary noise source impacts will be evaluated at a programmatic level commensurate with the level of detail provided by the City. FCS will also analyze potential vibration impacts associated with operational activities associated with development that could occur with implementation of the Specific Plan.

Transportation and Traffic

(Unchanged and completed)

FCS will utilize the Traffic Impact Analysis prepared by Stantec to draft the IS/Subsequent MND transportation section.

Utilities and Service Systems

Based on the infrastructure analysis completed by Stantec, FCS will evaluate the potential impacts on utilities and service systems that could result from implementing the Specific Plan, including potential impacts to water, wastewater and stormwater infrastructure as well as solid waste facilities. The evaluation will identify areas that could exceed the level of impact identified in the 2021 General Plan PEIR, and mitigation measures will be recommended, if warranted.

Task 2: Preparation of Public Review Draft IS/Subsequent MND

Following receipt of any City comments on the Screencheck Draft IS/Subsequent MND, FCS will complete revisions and prepare the Draft IS/Subsequent MND. The City will distribute copies of the Draft IS/Subsequent MND to responsible agencies and the public for a 30-day public review period. FCS will post the Draft IS/Subsequent MND, NOC, and Summary Form to the State Clearinghouse's online portal, CEQAnet, to formally commence the 30-day review period. This Scope of Work assumes that the City will be responsible for local distribution and noticing, including but not limited to newspaper noticing or radius mailing and preparation of the Notice of Intent to Adopt (NOI) a IS/Subsequent MND pursuant to Section 15072(a) of the CEQA Guidelines.

Deliverables

- Electronic version (via Drobox in PDF) of the Draft IS/Subsequent MND to the City
- Electronic submittal of the Draft IS/Subsequent MND (including appendices), Summary Form, and NOC to the State Clearinghouse via CEQAnet

Task 3: Preparation of Administrative Final IS/Subsequent MND

FCS will prepare formal Response to Comments (RTCs) to all public comments received by the City on the Draft IS/Subsequent MND. This Scope of Work assumes 50 hours of staff time to prepare the RTCs and Errata portion of the Administrative Final IS/Subsequent MND document. Given the high level of uncertainty with respect to the volume and complexity of such comments, an initial budget allocation has been established for this task. However, this may need to be adjusted based on the volume and complexity of comments received.

Deliverable

- Electronic version (via email in Microsoft Word and PDF) of the Administrative Draft Final IS/Subsequent MND to the City.

Task 4: Preparation of Final IS/Subsequent MND

Upon approval of the Screencheck Final IS/Subsequent MND, FCS will finalize the Final IS/Subsequent MND (which will include RTCs and Errata). FCS will reproduce the Final IS/Subsequent MND electronically

for City use and distribution. This Scope of Work assumes that City staff will be responsible for distribution of copies of the Final IS/Subsequent MND to agencies, organizations, and individuals who submitted comments.

Deliverable

- Electronic version (via email in PDF) of the Final IS/Subsequent MND to the City.

Task 5: Preparation of Mitigation Monitoring and Reporting Program

FCS will prepare a comprehensive Mitigation Monitoring and Reporting Program (MMRP), pursuant to CEQA Guidelines Section 15097. The MMRP will contain all mitigation measures identified in the Draft IS/Subsequent MND. This comprehensive MMRP will provide the City with a single source of reference to the full range of mitigation measures to be implemented. For each measure or group of similar measures, the agency responsible for ensuring proper implementation will be identified, along with the timing and method of verification.

Once FCS receives consolidated, vetted comments (with tracked changes in the Word document) on the MMRP, FCS will complete revisions and provide the City with a final MMRP.

Deliverable

- Electronic version (via email in Microsoft Word and PDF) of the draft MMRP to the City.
- Electronic version (via email in PDF) of the MMRP to the City.

Task 6: Public Hearings and Community Meetings

This scope of work assumes that FCS Project Director or Project Manager will attend one Joint Work Session of the Planning Commission and City Council. FCS Project Director and/or Project Manager will also attend two Planning Commission hearings and two City Council hearings, if deemed necessary. FCS technical subject matter experts can also be available to attend these public hearings, as needed.

Task 7: Project Management

This task covers management of the CEQA process throughout the preparation of the IS/Subsequent MND. FCS's Project Manager and Director will ensure effective communication with City staff throughout the project process. The Project Manager will also ensure that the proposed project is running on time and within budget, and the Project Director will ensure that the documents prepared for this project are technically sound and legally defensible. Please note that while this task covers frequent and informal communication (i.e., emails and phone calls) with the City, this does not cover weekly Project Team meetings. Should FCS's attendance at weekly or biweekly Project Team meetings be requested, FCS can attend these meetings on a time and materials basis.

SCHEDULE

Based on our experience preparing and processing legally defensible CEQA documentation and technical studies, we have provided below an aggressive, but feasible work schedule. This estimated schedule is based on the timely receipt of any remaining technical information and confirmation of a single, stable Project Description by Week 2, and the assumed turnaround times for City review of the various work products identified below.

Task	Week
Task 1: Preparation of Administrative Draft IS/Subsequent MND	
- Submit Draft IS/Subsequent MND to City	10
- Receive City comments on Administrative Draft IS/Subsequent MND	12
Task 2: Preparation of Public Review Draft IS/Subsequent MND	
- Submit Draft IS/Subsequent MND to City and begin 30-day public review period	16
- End 30-day public review period	19
Task 3: Preparation of Administrative Final IS/Subsequent MND	
- Submit Draft Responses to Comments to City	21
- Receive City comments on Draft Responses to Comments	23
- Submit Final Response to Comments to City	24
Task 4: Preparation of Final IS/Subsequent MND	24
Task 5: Preparation of Mitigation Monitoring and Reporting Program (if needed)	TBD
Task 6: Project Management, Public Hearings, and Meetings	Ongoing

ITEMIZED COST ESTIMATES

Proposed Fees

The fixed-fees described below show the Cost to Complete the outlined Scope of Work and include all labor and direct costs.

Task	Fee
Task 1: Preparation of Administrative Draft IS/Subsequent MND (including supporting technical analyses)	\$36,990
Task 2: Preparation of Public Review Draft IS/Subsequent MND	\$7,200
Task 3: Preparation of Administrative Final IS/Subsequent MND	\$5,500
Task 4: Preparation of Final IS/Subsequent MND	\$7,840
Task 5: Preparation of Mitigation Monitoring and Reporting Program	\$4,770
Task 6: Project Management, Public Hearings, and Meetings	\$2,820
Subtotal Professional Labor Costs	\$65,120

Task	Fee
Direct Costs (Reprographics, Postage, Courier Deliveries, Supplies, Reference Materials, etc.)	\$3,300
Subtotal of Cost to Complete	\$68,420
Remaining Budget from Original Contract	(\$47,000)
Total AUGMENT Fixed-Fees	\$21,420

Assumptions

- There will be no significant revisions to the Specific Plan. If there is a change in the project description, a budget adjustment will be required to account for the project revisions.
- City staff will be responsible for distribution of documents.
- Costs have been allocated to tasks based upon FCS's proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.

From: [Alessandra Lundin](#)
To: [Summer Rooks](#); [Drew Wilson](#); [Sophia Pagoulatos](#)
Cc: [Matt Raimi](#); [Simran Malhotra](#); [Glenn Lajoie](#); [Mary Bean](#); [Ault Phil](#)
Subject: Fresno CSESP - ISMND Scope, timeline, and budget augmentation
Date: Thursday, November 11, 2021 12:14:57 PM
Attachments: [50000002 Fresno CSE SP 11-12-21.pdf](#)

External Email: Use caution with links and attachments

Hi Drew and Summer,

Attached you will find FCS's revised scope of work, timeline, and budget to draft an ISMND for the Fresno CSESP. The change in scope for the EIR will add about 6 months to the timeline from the point at which the City confirms the project description.

Below I have summarized the total budget augmentation, including our sub markup and project management costs. I also recommend adding in a contingency (see below). With an \$8K contingency, the budget augmentation would be \$37,008; without contingency it would be \$29,008. Please let me know if you have any questions, or agree with adding a contingency but suggest a different amount.

BUDGET AUGMENTATION

Task	Fee
FCS	
Task 1: Preparation of Administrative Draft IS/Subsequent MND (including supporting technical analyses)	\$36,990
Task 2: Preparation of Public Review Draft IS/Subsequent MND	\$7,200
Task 3: Preparation of Administrative Final IS/Subsequent MND	\$5,500
Task 4: Preparation of Final IS/Subsequent MND	\$7,840
Task 5: Preparation of Mitigation Monitoring and Reporting Program	\$4,770
Task 6: Project Management, Public Hearings, and Meetings	\$2,820
FCS Subtotal Professional Labor Costs	\$65,120
Direct Costs (Reprographics, Postage, Courier Deliveries, Supplies, Reference Materials, etc.)	\$3,300
FCS Subtotal of Cost to Complete	\$68,420
<i>Remaining Budget from Original Contract</i>	<i>(\$47,000)</i>
FCS Total AUGMENT Fixed-Fees	\$21,420

R+A	
Task 1.3 Project Management	\$6,320
Project/Sub Management (7%)	\$1,268

R+A Subtotal of Cost to Complete	\$7,588
TOTAL AUGMENT (FCS + R+A)	\$29,008
<i>Contingency (Optional)</i>	\$8,000
GRAND TOTAL	\$37,008

Thanks,
Alessandra

--

Work Schedule: M, T, W, Th

alessandra lundin

direct: [510.944.0161](tel:510.944.0161) | main: [510.666.1010](tel:510.666.1010)

1900 Addison Street, Suite 200 | Berkeley, CA 94704

