

**AMENDMENT NUMBER ONE  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH  
FIRSTCARBON SOLUTIONS CORPORATION**

This Amendment Number One ("Amendment") is made and entered into this 18th day of June, 2019 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), FCS INTERNATIONAL, INC. dba FIRSTCARBON SOLUTIONS, a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on March 13, 2019 for Consultant to provide environmental consulting services (the "Agreement"); and

WHEREAS, City and Consultant desire to amend the Scope of Services to include the additional services set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly to Sixty-One Thousand Three Hundred Fifteen Dollars (\$61,315.00).

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Sixty-One Thousand Three Hundred Fifteen Dollars (\$61,315.00). Consultant shall be paid according to the fee schedule set forth in the Agreement and Exhibit A of this Amendment.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

*Jan Awat*  
City Manager

Date: 7/11/19

CONSULTANT

*[Signature]*  
Signature  
C. Patrick Solter / Sr VP  
Name and Title

Date: 6/24/19

ATTEST:

*Brenda Green*  
City Clerk



Date: 7/17/19

APPROVED AS TO FORM:

*[Signature]* MA  
City Attorney

Date: 7/19/19

APPROVED AS TO INSURANCE:

*[Signature]*  
Risk Management

Date: 7/11/19

APPROVED AS TO CONTENT:

*[Signature]* Sr VP  
Project Manager

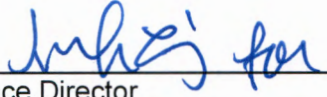
Date: 7/11/19

DEPARTMENTAL APPROVAL:

  
\_\_\_\_\_  
Economic and Development Services  
Director

Date: 7/1/19

APPROVED AS TO PURCHASING:

  
\_\_\_\_\_  
Finance Director

Date: 7/2/19

**EXHIBIT A**

**ADDITIONAL SERVICES**

May 1, 2019

Peggy Schneble, Special Projects Consultant  
City of Costa Mesa  
Development Services Department  
77 Fair Drive  
Costa Mesa, CA 92628

**Subject: Scope and Cost Amendment Request for the Costa Mesa Permanent Bridge Shelter, Technical Studies Task**

Dear Peggy:

FirstCarbon Solutions (FCS) is in the process of preparing the Costa Mesa Permanent Bridge Shelter Initial Study/Mitigated Negative Declaration (IS/MND). The City provided a \$15,000 budget line item placeholder for technical studies, which FCS has allocated as shown below. Because our total anticipated costs will exceed the allotted \$15,000, we are requesting a budget augment to cover the additional required studies and analyses, which are as follows:

Task	Fee
Biological Resources Records Search	\$1,800
Cultural, Tribal, and Paleontological Resources Records Searches	\$2,500
Noise Analysis - CEQA	\$5,100
Noise Analysis - NEPA	\$4,900
Supplemental Hazards Research	\$1,000
Air Quality, Greenhouse Gas Emissions, and Energy Analysis	\$8,000
Assembly Bill 52 Consultation Assistance	\$2,200
<b>Subtotal – Technical Studies Task</b>	<b>\$25,500</b>

In order to accommodate the City's desire to change the IS/MND analysis from a 50-bed to a 100-bed facility, FCS also requests an additional \$1,000 to allow us to revise the project description and the completed CEQA analyses to be consistent with a 100-bed facility (i.e., worst case) analysis. The project description, which was submitted to the City on April 15, 2019, was drafted for the analysis of 50 beds based on the trip generation, operational, and related facility information provided by the City. Upon the receipt of updated information to support the 100 bed facility, FCS will revise the project description and IS/MND to ensure that the "worst-case" scenario of a 100 bed facility is analyzed for purposes of CEQA.

Because the required technical support services will exceed the City's allocated \$15,000 budget by \$11,500, and because FCS has expedited the preparation of the IS/MND per City

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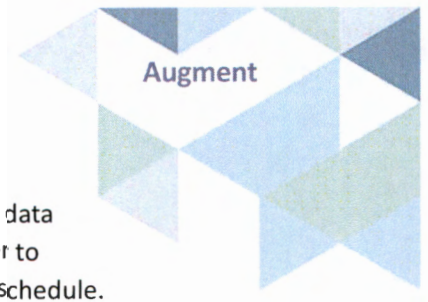
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direction and will need to revisit the CEQA analysis to accommodate newly provided data supporting a 100-bed facility, we are requesting a contract amendment/change order to cover these requested services and costs and in order to maintain the City's desired schedule.

**The total requested augment amount is \$11,500.**

If you have any questions or would like to discuss our request or the project needs in more detail, please contact me at 760.401.7690 or via email at [ktuttle@fcs-intl.com](mailto:ktuttle@fcs-intl.com).

Sincerely,

A handwritten signature in blue ink that reads "Kerri N. Tuttle".

Kerri N. Tuttle, Senior Director, Sales/Operations and Environmental Services

**FirstCarbon Solutions**

250 Commerce, Suite 250

Irvine, CA 92602







## SCOPE OF WORK

### Task 1: Biological Resources Records Search

FCS will analyze potential impacts on biological resources. This cursory assessment will focus on a current review of publicly available existing information regarding the project and vicinity and database searches to identify species likely to utilize the trees in the project vicinity for nesting. Existing information such as maps, aerial photographs, documents, and correspondence relative to the project site will be reviewed and analyzed. The desktop analysis will be incorporated directly into the IS/MND, with database search results being placed in the appendices. This task does not include the preparation of a separate, stand-alone biological resources assessment report, nor does it include pedestrian surveys of the project site.

### Task 2: Cultural, Tribal, and Paleontological Resources Record Searches

The South Central Coastal Information Center (SCCIC) will conduct a records search and literature review for the project site. The records search will include a search of previous studies and identified cultural resources within the project area and a one-mile radius. The National Register of Historic Places, the California Register of Historical Resources, the California Inventory of Historic Resources, the California Historical Landmarks, the California Points of Historical Interest listings, the Historic Property Data File, historic maps and aerial photographs will be consulted along with other relevant historic data. FCS will also obtain a paleontological records search from the Los Angeles County Museum of Natural History. The results of the record searches and background studies will be incorporated into the IS/MND and the records searches will be appended to the IS/MND. This task does not include the preparation of a separate, stand-alone report.

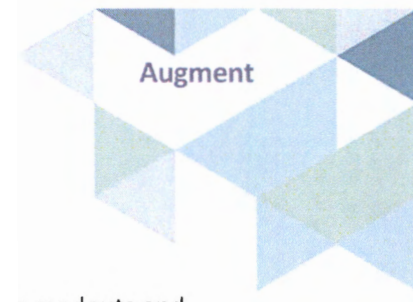
### Task 3: Noise Analysis

**Noise Analysis for CEQA.** FCS will evaluate project-related short-term (construction) and long-term (operational) noise impacts of the project. Construction noise and vibration impacts will be evaluated based on the sensitivity of the project area and whether the construction activities would result in an exceedance of the City of Costa Mesa's noise ordinance specifications. Mitigation measures consistent with best management practices will be included, if/as needed.

A quantitative assessment of long-term operational noise impacts related to existing and project-related vehicular trips will be performed. Project-related traffic noise impacts will be analyzed to determine whether the project would result in a permanent substantial increase in traffic noise levels in the project vicinity. Potential noise impacts from project-related stationary noise sources, such as parking lot activities and truck delivery loading/unloading activities, will also be evaluated to determine if they would result in a substantial permanent increase above the City's operational noise performance standards.

Finally, because the project is located near the John Wayne International Airport, the proposed land use development will be analyzed for compatibility with the airport noise contours and the noise land use compatibility standards contained in the Noise Element of the City's General Plan.





This noise analysis will be directly incorporated into the IS/MND, with noise monitoring readouts and modeling data appended to the IS/MND. This task does not include the preparation of a separate, stand-alone noise study.

**Noise Analysis for NEPA.** FCS will evaluate the project for compliance with the Department of Housing and Urban Development (HUD) Noise Assessment Guidelines, as contained in Chapter 5 of The Noise Guidebook. This analysis will be addressed in a technical memorandum.

The HUD regulatory framework will be summarized. The existing noise environment will be analyzed utilizing the methodology outlined in The Noise Guidebook, and quantified utilizing HUD's online Day/Night Noise Level Assessment tool. Noise impacts from surrounding roadways, airports, and railroads will be quantified. Relevant outdoor Noise Assessment Location receptors will be identified and the combined ambient noise level at each receptor location will be identified.

This noise analysis will then be summarized in the IS/MND, with technical noise memorandum appended to the IS/MND. Mitigation will be identified, as needed, to reduce any impacts to less than significant.

#### Task 4: Hazards Research

A Phase I Environmental Site Assessment (ESA) dated September 26, 2018, was prepared for the project site by AES Due Diligence, Inc. However, since the Phase I ESA was prepared, two aboveground storage tanks were constructed approximately 0.15 mile east of the project site, on the John Wayne Airport property. A preliminary database search indicates that, because the tanks are newly constructed, there is currently no available information regarding the contents or hazards-associated risk of the two tanks.

To support the required environmental analysis, FCS will evaluate the contents of the tanks and their concomitant risk to the project (and vice versa) in order to confirm residential development can be safely implemented in proximity to these tanks, will disclose the potential hazards-related risks to the project, and will propose mitigation to reduce such impacts to a less than significant, if feasible.

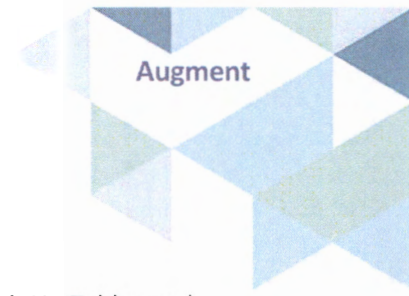
#### Task 5: Air Quality, Greenhouse Gas Emissions, and Energy Analysis

As a subconsultant to FCS, Ganddini Group, Inc. (Ganddini) will prepare the air quality, greenhouse gas, and energy analysis. The existing air quality setting in the area, applicable international, federal, state, SCAQMD's, and local rules and regulations will be identified. Ganddini will obtain existing air quality data from air quality monitoring stations within the study area utilizing California Air Resources Board (CARB) data sources. Data will also be obtained for air pollutants, including ozone, carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>. Greenhouse gases and their associated impacts to global climate change and thresholds of significance for the criteria pollutants and greenhouse gases will be identified.

Ganddini will evaluate and quantify regional criteria pollutant and greenhouse gas emissions associated with construction activities for the proposed project utilizing the most recent CalEEMod Model. If significant emission levels are found to be created from construction activities, feasible mitigation will be developed and quantified. Evaluate local NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> construction emissions at the







nearest sensitive receptors. The emissions will be compared against the SCAQMD Look-Up Tables and will follow the methodology described in Localized Significance Threshold Methodology, prepared by SCAQMD, July 2008.

Ganddini will evaluate and quantify regional criteria pollutant and greenhouse gas emissions associated with the operations of the proposed project utilizing the CalEEMod Model. All feasible mitigation will be identified and quantified through use of the CalEEMod Model. If the traffic data deems it necessary, prepare a micro-scale CO screening analysis of the study area intersections based on the traffic data prepared for the proposed project and verify if it is in accordance with the SCAQMD requirements as described in the CEQA Air Quality Handbook.

The operational greenhouse gas emissions will be evaluated using CalEEMod 2016.3.2. The project's emissions will be compared to the SCAQMD's draft greenhouse gas emissions threshold of 3,000 metric tons of CO<sub>2</sub>e per year for all land uses. If the greenhouse gas emissions exceed any applicable thresholds, provide mitigation to reduce the greenhouse gas emissions. As the City of Costa Mesa does not currently have a Climate Action Plan, the project will be compared to goals of the California Air Resources Board (CARB) Scoping Plan.

A qualitative odor analysis will be provided from the construction and operation of the proposed project. A discussion of project-related energy use during construction and operation will also be provided. Ganddini will prepare an air quality, greenhouse gas, and energy report documenting the results of the analysis.

### **Task 6: Assembly Bill 52 Consultation Assistance**

FCS will contact the Native American Heritage Commission (NAHC) and request a list of Native American representatives that may wish to consult on the project pursuant to Public Resources Code Sections 21080.3.1 and 21080.3.2 (a.k.a. AB 52). As of July 1, 2015, AB 52 established a new category of resources under CEQA called "tribal cultural resources" (TCRs) that considers tribal cultural values in addition to scientific and archaeological values when determining impacts and mitigation. Because the CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue must be included in environmental assessments for projects that may have a significant impact on those resources.

AB 52 details the roles, responsibilities and timeframes required of lead agencies and tribal representatives who may wish to initiate consultation on a proposed project. Compliance with tribal notification and consultation under AB 52 are the responsibilities of lead agencies under CEQA, and FCS will be able to facilitate the process.

FCS will draft notification letters for use by the City on the City's letterhead that will include a written summary of the project, a map illustrating the location and general features of the project, and advise tribes of the required response time under AB 52.

FCS will play a central role in facilitating the AB 52 consultation process. FCS will coordinate, prepare materials and facilitate up to two (2) telephone consultation meetings with tribal representatives and



the City, as well as prepare follow up emails, letters and documentation of consultation outcomes, as required. Additional consultation services beyond the current scope of work are available upon request.

This task also includes the additional coordination with the City staff and internal Cultural Resources Team that will be required for the AB 52 consultation process, as well as participation in the consultation process.

### Task 7: Project Description and IS/MND Revisions for 100 Beds

At the request of the City, FCS will revise the project description and completed sections of the IS/MND to analyze the maximum buildout (i.e., worst case scenario) of 100 beds for the proposed project. The project description, which was previously submitted to the City on April 15, 2019, analyzed 50 beds for the proposed project based on information and documentation provided by the City (i.e. City of Costa Mesa Bridge Shelter Management Operations and Procedures, trip generation rates, shuttle trips tables, etc.).

### FEES

The proposed fees are based upon the scope of work described above; they include all labor and direct costs.

Task	Fees
Task 1: Biological Resources Records Search	\$1,800
Task 2: Cultural, Tribal, and Paleontological Resources Records Searches	\$2,500
Task 3: Noise Analysis - CEQA	\$5,100
Task 3: Noise Analysis - NEPA	\$4,900
Task 4: Hazards Research	\$1,000
Task 5: Air Quality, Greenhouse Gas Emissions, and Energy Analysis	\$8,000
Task 6: Assembly Bill 52 Consultation Assistance	\$2,200
Task 7: Revise Project Description and IS/MND for 100 Beds	\$1,000
<b>Subtotal FCS Professional Labor</b>	<b>\$26,500</b>
<i>Existing Budget for Technical Analysis</i>	<i>(\$15,000)</i>
<b>Net Change Order/Amendment Request</b>	<b>\$11,500</b>