

(4)
Attachment G to Agenda File No. 2019-0380

**AMENDMENT NO. 5 TO AGREEMENT BETWEEN
SAN DIEGO UNIFIED PORT DISTRICT
and
GREAT ECOLOGY & ENVIRONMENTS, INC.
for
MITIGATION BANK CONSULTING SERVICES
FOR THE POND 20 SITE, SAN DIEGO, CA
AGREEMENT NO. 244-2016AC**

The parties to this Amendment No. 5 to Agreement are the SAN DIEGO UNIFIED PORT DISTRICT, a public corporation (District) and GREAT ECOLOGY & ENVIRONMENTS, INC., a California Corporation (Service Provider).

Recitals:

District and Service Provider are parties to an Agreement for Mitigation Bank Consulting Services for the Pond 20 Site, San Diego. The agreement is on file in the Office of the District Clerk as Document No. 65819 dated November 23, 2016, as amended by Amendment No. 1, Document No. 67604 dated December 26, 2017, as amended by Amendment No. 2, Document No. 67173 dated December 18, 2018 as amended by Amendment No. 3, Document No. 69324 dated January 31, 2019 as amended by Amendment No. 4, Document No. 69929 dated May 20, 2019. It is now proposed to increase the Agreement by \$9,000 and amend Attachment A and Attachment B.

The Parties Agree:

1. Section 3.a., **Maximum Expenditure**, is hereby increased by \$9,000 from a total amount of \$857,220 to a new maximum expenditure of \$866,220.
2. Attachment A, **SCOPE OF SERVICES**, Task 3, Subtask 4 shall be amended as reflected in **bold** as follows:

CHANGES TO TASK 3

Subtask 4: Sea Level Rise Analysis

Consultant shall complete a SLR analysis and hydraulic assessment to support planning, permitting and certification, including the CEQA/NEPA and Coastal Act Review planning processes.

- a. Assess changes in tidal and storm flows under SLR conditions.
- b. Complete an ecological analysis to predict shifts in habitat distributions and types at the site over time.
- c. The analysis will be completed on the updated 30% design and the No-ORERP scenario (a scenario where the ORERP is not constructed, Pond 20 is constructed, and the temporary berm remains in place), and will cover the Bank Parcel and Parcels A, B, and C of the District's Pond 20 property.
- d. Modeling will use the 2-D model and will focus on **five** SLR scenarios and time periods for both tidal and storm flows. Scenario selection should be consistent with other District planning efforts, which is based on latest policy and science guidance (currently OPC 2018 Guidance). SLR projections/scenarios, both with and without storm events, shall be evaluated for the 5% probability for years 2030 (0.7 feet), 2050 (1.4 feet), and 2100 (4.5 feet); the 50% probability for year 2100 (2.6 feet); **and the 0.5% probability for year 2100 (7.0 feet)**. The analysis shall identify any areas of potential project impacts due to potential future increases in sea level rise (temporary coastal flooding, and permanent inundation) and if the project exacerbates potential impacts on the environment resulting from sea level rise or associated events (**e.g., coastal flooding, etc.**).
- e. Modeling will cover the following:
 - (1) Existing Conditions (**ten** runs)
 - (a) 100-year fluvial event under **five** SLR scenarios
 - (b) Typical tides under **five** SLR scenarios
 - (2) Updated 30% Design (**ten** runs)
 - (a) 100-year fluvial event under **five** SLR scenarios
 - (b) Typical tides under **five** SLR scenarios
 - (3) No-ORERP Scenario (**ten** runs)
 - (a) 100-year fluvial event under **five** SLR scenarios

(b) Typical tides under **five** SLR scenarios

f. Methodology and results will be reported in the modeling report.

g. Consultant shall **include in the modeling report the information** summarizing the implications of the SLR modeling results on expected habitat resiliency, including shifts in distribution and acreage, prepared in tandem with the modeling report.

3. Attachment B, **COMPENSATION & INVOICING**, table shall be REPLACED with the following:

TASK No.	DESCRIPTION	ORIGINAL AMOUNT	AMD1	AMD2	AMD3	AMD4	AMD5
Task 1	Baseline Investigations	\$183,350	\$183,350	\$183,350	\$188,350	\$188,350	\$188,350
Task 2	General Development Plan and 30% Design	\$167,560	\$190,060	\$220,060	\$309,060	\$309,060	\$309,060
Task 3	60% Design	\$148,310	\$148,310	\$148,310	\$199,310	\$199,310	\$208,310
Task 4	Mitigation Bank Regulatory Elements	\$96,000	\$96,000	\$96,000	\$96,000	\$96,000	\$96,000
Task 5	Project Management, Communication and Project Summary Documentation	\$45,000	\$45,000	\$45,000	\$64,500	\$64,500	\$64,500
TOTAL (NOT-TO EXCEED)		\$640,220	\$662,720	\$692,720	\$857,220	\$857,220	\$866,220

4. All other terms, covenants, and conditions in the original Agreement shall remain in full force and effect and shall be applicable to this Amendment.

SAN DIEGO UNIFIED PORT DISTRICT**GREAT ECOLOGY &
ENVIRONMENTS, INC.***Jason H. Giffen*

Jason H. Giffen
Assistant Vice President
Planning & Green Port

Mark S. Laska

Dr. Mark Laska
President and Founder

Approved as to form and legality:
GENERAL COUNSEL

W.D. McMinn

By: Assistant/Deputy

A manually signed copy of this Amendment transmitted by email or any other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.