

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

939



FROM: Economic Development Agency and Riverside County Information Technology

SUBMITTAL DATE:
February 8, 2010

SUBJECT: Amendment to Professional Services Agreement for the Public Safety Enterprise Communication Project

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Amendment No. 1 to the professional services agreement between the County of Riverside and PBS&J of San Bernardino, California, in the amount of \$328,185;
2. Authorize the Chairman to execute said Amendment No. 1 on behalf of the County; and
3. Authorize the Assistant County Executive Officer/EDA, or his designee, to administer Amendment No. 1 in accordance with applicable Board policies.

BACKGROUND: (Commences on Page 2)

Greg Stoddard

for Matthew Frymire
Matthew Frymire, Chief Information Officer
Riverside County Information Technology

Robert Field
Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$328,185	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$328,185	Budget Adjustment:	No
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	09/10

SOURCE OF FUNDS: PSEC Project Funding General Fund Designation	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
BY: Jennifer L. Sargent
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: February 23, 2010
xc: EDA, RCIT

Kecia Harper-Ihem
Clerk of the Board
By: [Signature]
Deputy

Prev. Agn. Ref.: 3.13 4/30/07, 3.59 7/24/07, 3.20 12/23/08

District: All

Agenda Number:

3.30

FORM APPROVED BY COUNTY COUNCIL
BY: NEAL R. KIPNIS DATE: 2/10/10
Rev'd by C/PRC

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

BACKGROUND:

On December 23, 2008 (M.O. 3.20), the Board of Supervisors approved the contract award to PBS&J to support the Public Safety Enterprise Communication (PSEC) project's environmental regulatory compliance requirements. During the course of the project, 14 additional communication sites were added to facilitate coverage; all of which require environmental clearances ranging from biological and cultural resources surveys and documentation to full compliance with the National Environmental Policy Act (NEPA) process for sites located on federal lands. In order to maintain continuity in the environmental process for the PSEC project, staff recommends that PBS&J provide these services beyond the scope of the original agreement. The contracts not-to-exceed spending limits of \$472,400 have been reached and EDA wants to increase compensation paid to PBS&J by \$328,185 (for a new not-to-exceed limit for environmental services of \$800,585). Their assistance is crucial to meeting PSEC's critical deadlines. Without their assistance, construction schedules could be delayed.

County Counsel has reviewed and approved the amendment as to legal form.

FINANCIAL DATA:

There are funds available within the project budget to absorb this cost with the first amendment. Thus, no additional General Fund allocation is necessary.

AMENDMENT NO. 1

To The

AGREEMENT

Between

THE COUNTY OF RIVERSIDE AND PBS&J

The County of Riverside and PBS&J of San Bernardino, California hereby agree to amend that certain agreement for Professional Services Agreement approved on 12/23/08 Agenda Item M.O. 3.20 as follows:

- Section I. SCOPE OF SERVICES shall be modified in the first paragraph to read as follows:

“CONSULTANT shall provide additional services as outlined and specified in **Exhibit A** consisting of 17 pages attached hereto and incorporated herein by this reference”.

- Section II. PERIOD OF PERFORMANCE shall be modified to read as follows:

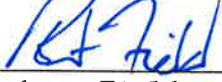
“The term of this Agreement shall be from January 1, 2010 and continue in effect until the Public Safety Enterprise Communication project is complete, unless terminated as specified in Paragraph 8. All applicable indemnification provisions in this Agreement shall remain in effect following the termination of this Agreement.”

- Section 3. COMPENSATION shall be modified in the first paragraph to read as follows:

“The COUNTY shall pay the CONSULTANT for services performed and expenses incurred in accordance with the terms of **Exhibit A** attached hereto and incorporated herein. The total amount of additional compensation paid to the CONSULTANT under this Agreement shall not exceed the sum of \$ **328,185** unless a written amendment to this Agreement is executed by both parties prior to performance of additional services.”

- All other terms and conditions of the agreement shall remain in full force and effect.

Recommended for Approval:



Robert Field
Assistant County Executive Officer

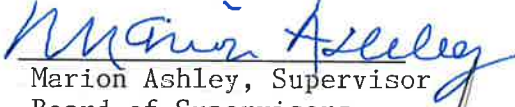
ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By 

Deputy

(Seal)

County of Riverside



Marion Ashley, Supervisor
Board of Supervisors

PBS&J

By 

Title Assoc. Vice President

FORM APPROVED COUNTY COUNCIL

BY: 

NEAL R. KIPNIS DATE 2/26/10

EXHIBIT A



An employee-owned company

January 8, 2010

Ms. Claudia Steiding
Senior Environmental Planner
Economic Development Agency
County of Riverside
3133 Mission Inn Avenue
Riverside, CA 92507

Mr. Dan Nila
Project Manager
Public Safety Enterprise Communication Project
7195 Alessandro Avenue
Riverside, CA 92507

**Subject: REVISED Status Report for Public Safety Enterprise Communication Project
Environmental Support Services; Proposal for Provision of Additional Services**

Dear Ms. Steiding and Mr. Nila:

This report serves as a status update regarding environmental compliance work completed by PBS&J for the Public Safety Enterprise Communication (PSEC) project. This report will identify the work completed and the work remaining to be completed. It will also identify the funds expended to date, and any additional funds that may be required to meet the needs of the project. This transmittal is a revision to the proposal we originally submitted on November 23, 2009, and includes revisions related to work that is now proposed to be undertaken by the County Environmental Programs Department (EPD) as well as supplemental information that has been provided since our original proposal.

As outlined in our previous proposals, our existing scope of work is split into two principal phases. Phase 1 constitutes the approximately 50 sites that were part of the original proposal. We have treated those as priority sites since they are scheduled to be constructed first, and are most critical to the overall operability of the project. Phase 2 consists of the approximately one dozen enhanced coverage sites that were identified later in the process. We have necessarily held off in completing substantive work on these sites since their final designs have not been determined and certain elements of this phase are still subject to change. Nevertheless, our experience with the Phase 1 sites has been very instructive in determining what level of work will be required for the Phase 2 sites. As such, modifications to our existing scope of work for Phase 2 are appropriate before we commence work on those sites, so this report also contains a proposal to address the restructuring of our Phase 2 scope of work.

Per our earlier conversations and emails we were authorized to move funds between tasks to meet project demands and to keep our work on schedule. Owing to project changes and uncertain agency requirements, the budgets for some tasks have been exceeded while the budgets for other tasks have remained essentially untouched. This has resulted in a budget that can more accurately be described as a "lump sum" arrangement that collects and combines available funds from all tasks. This report will provide

information on funds expended and funds remaining as a result of that arrangement. It will also present a revised scope of work estimate for Phase 2.

Phase 1: Summary of Work Completed

The work completed for Phase 1 has in a general sense followed the scope of work outlined in our initial proposal, but has varied considerably in terms of the volume of work required for clearing each site. Some sites have changed locations or have required unanticipated followup work relating to biological and cultural resources or specific CEQA and NEPA requirements. Agencies have changed their requirements or have introduced new staff members to the process that have requested changes to processes that had already been initiated. Meetings are an important part of the project's development and the number of meetings we have been asked to attend has been substantial even though efforts have been made by all parties to limit meeting requests. Throughout this process we have remained flexible in meeting the requirements of the project. Rather than refusing to do tasks that were out of scope we have quickly acted to meet the needs of the project instead of waiting for time-consuming contract amendments. As such, the Phase 1 items listed below do not exactly match our current scope of work arrangement. To date, the PBS&J team has completed the following general tasks for Phase 1:

- Western Riverside MSHCP compliance for 21 PSEC sites, including seven sites requiring RCA review and approval
- Coachella Valley MSCHP compliance for five PSEC sites
- Preparation and decision record of EA for first round of BLM sites (six sites)
- Preparation of EA for second round of BLM sites (five sites)
- Preparation and decision record of EA for the Bureau of Indian Affairs (Hidden Valley site)
- Coordination with Bureau of Indian Affairs and Morongo Indian Reservation staff to complete required NEPA work for the Morongo power alignment
- Completion of 12 visual simulations for sites and power alignments on BLM lands
- Completion of focused surveys as required for MSHCP compliance
- Completion of biological and cultural resource surveys for sites that had moved or otherwise required reassessment
- Completion of desert tortoise and general biological surveys for sites and power alignments on BLM lands
- Completion of cultural resource surveys for sites and power alignments on BLM lands
- Completion of modified biological and cultural resource assessment reports for sites on BLM lands
- Assistance with mitigation monitoring and general ongoing CEQA compliance
- Attendance at all site development meetings and other meetings as requested
- On-call provision of information and general project assistance on an immediate, as-needed basis

The summary above is general in nature and does not list the many smaller work efforts that our staff has undertaken to support the project over the last 10 months. We estimate that 15 to 20 hours per week are expended in general support of the project. This support includes, but is certainly not limited to, fielding phone calls and information requests from PSEC, County, and Motorola staff, general troubleshooting efforts, coordinating with federal agency representatives, and other forms of general project support. Throughout this effort we have striven to be exceptionally responsive in meeting the needs of this important project.

Phase 1: Work Remaining

At this time we have identified a number of tasks that remain incomplete in regards to the Phase 1 sites. It is likely that additional tasks for this phase will present themselves before the project is completed, but at this time the list below serves as a general summary for the work remaining for the Phase 1 sites:

- Revisions to second EA for second round of BLM sites following BLM review (moderate effort anticipated)
- Completion of updated biological and cultural resource reports for Big Maria and Green River sites
- Completion of visual simulations for the Big Maria and Green River sites
- Completion of BLM EA for the Big Maria site (moderate effort required)
- Completion of USACE EA for Green River site (moderate effort required)
- Continued project management and coordination support for Phase 1

Table 1, below, shows the funds expended and the funds remaining for each of the tasks in Phase 1. Since this phase can be considered as a lump sum arrangement, the total amount of funds remaining should be regarded as the amount available for completion of each of the remaining tasks associated with Phase 1.

Table 1: Phase 1 Budget Summary

Task	Original Contract Amount	Amount Expended	Amount Remaining¹
Task 1.1: Phase 1 Visual Simulations	31,200	43,344	(12,144)
Task 1.2: Environmental Assessment for Phase 1 BLM Sites	50,000	116,065	(66,065)
Task 1.3: NEPA Support for Phase 1 NPS Sites	25,000	736	24,264
Task 1.4: Western Riverside MSHCP Consistency Analysis	22,000	30,282	(8,282)
Task 1.5: Coachella Valley MSHCP Consistency Analysis	5,500	3,668	1,832
Task 1.6: Section 7 Consultation Support for Phase 1 Sites	25,000	0	25,000
Task 1.7: Updated Biological Surveys	50,000	21,429	28,571
Task 1.8: Expanded Biological and Cultural Resource Surveys	50,000	132,580	(82,580)
Task 1.9: Phase 1 CEQA Support	20,000	8,640	11,360
Task 1.10: Phase 1 Project Management and Coordination	30,000	42,669	(12,669)
Total²:	\$308,700	\$399,413	(\$90,713)
Notes:			
1 – As of October 31, 2009			
2 – Total does not include direct costs, which were proposed as \$18,000 total for Phase 1 and Phase 2. To date, approximately \$4,240 of this amount has been expended.			

As can be seen in Table 1, PBS&J has exceeded its Phase 1 budget by approximately \$90,713, principally due to the requirement to prepare multiple EAs, associated technical studies, and expanded biological and cultural resources surveys related to power runs. These overages have been billed to Phase 2 tasks, and a discussion of Phase 2 funds expended for these tasks are discussed later in this document. As noted in the previous paragraph, a number of Phase 1 work items remain to be completed. For this reason, additional funds will need to be transferred to Phase 1 tasks. This will further deplete the amount of funds available for Phase 2. Table 2, below, outlines those remaining Phase 1 tasks and provides an estimate for how much the completion of these efforts will cost. The table also includes a contingency component, since our experience with this project leads us to believe that the work that will ultimately be required to complete Phase 1 will not be limited to the tasks that have currently been identified.

Table 2: Cost Estimate for Work Remaining in Phase 1

Task	Estimated Cost
Revisions to second EA for second round of BLM sites following BLM review (moderate effort anticipated)	6,500
Completion of updated biological and cultural resource reports for Big Maria and Green River sites	10,000
Completion of visual simulations for the Big Maria and Green River sites	6,000
Preparation of Yuma BLM EA for the Big Maria site (moderate effort required)	11,000
Preparation of USACE EA for Green River site (moderate effort required)	9,000
Continued project management and coordination support for Phase 1	10,000
Contingency	10,000
Total:	\$62,500

The budget for Phase 2 was originally set at \$145,700. As noted above, Phase 1 tasks that could not be accommodated within the budget for that phase (\$90,713) have been billed to Phase 2. This leaves approximately \$55,000 in the overall budget to complete the remaining Phase 1 work as well as the Phase 2 work, which is discussed in detail below. Obviously, there is not sufficient funds to complete these tasks and a budget augment will be required.

It should also be noted that construction at several of the Phase 1 sites will require mitigation compliance that will also add additional cost. These efforts are not within our current scope. They include Stephens' kangaroo rat monitoring during construction at the Estelle Mountain site, as well as Munz's onion and many-stemmed dudleya surveys prior to construction. Several other construction-related measures will also be required at some of the other BLM sites, such as cultural resources monitoring within National Register of Historic Places (NRHP) eligible sites, desert tortoise training, and desert tortoise monitoring. These tasks are not included as part of this discussion since it is assumed that the costs for these efforts will be delegated to Motorola or its contractors. We can assist Motorola in these efforts, but our inclusion or exclusion in this process is ultimately their decision.

Phase 2 Communication Sites

The PSEC project team has proposed an additional 10 sites beyond those considered in Phase 1. In addition, three of the original Phase 1 sites (Margarita, Rancho Carrillo, and Timoteo) have been transferred to Phase 2, resulting in a total of 13 sites for Phase 2. These sites will need to be assessed and documented in a similar manner as the Phase 1 sites. However, the level of intensity for CEQA compliance will be significantly less, since these sites were already considered in the Programmatic EIR that was certified in September, 2008. Several of the proposed sites are not on federal lands, so NEPA analysis will not be required for those sites. A number of the sites, however, are on federal lands and also contain a substantial component relating to very long power runs. These sites will require unplanned efforts to get through the NEPA and permitting process.

The last point regarding power runs and the NEPA process must be emphasized. Several of these sites are in remote areas and will require the construction of lengthy power runs through biologically and culturally sensitive areas. Therefore, the level of survey work and NEPA documentation will be significant. A number of the sites will require multiple-day survey efforts by cultural and biological resource professionals in remote locations. The County needs to be fully aware that attaining environmental compliance clearance for some of these sites will require a level of effort that will be much greater in magnitude than that required for previous sites.

Some of these sites were visited and assessed in late 2008 by MBA. However, this work was for the purposes of constraints identification only. While some of the material is useful, it is not complete in regards to providing required information for NEPA and MSHCP compliance (when applicable). In addition, none of MBA's work assessed the various power alignments and infrastructure improvements, as that information was not available at the time of their surveys. While we will use this information to the extent possible, most of the sites will need to be revisited and surveyed, as applicable, and the required technical reports and NEPA document(s) will need to be prepared.

Below is a discussion of each Phase 2 site and the work that will be required. The scope of work that is presented here is a summary of the tasks we anticipate will be required. A more detailed listing of the scope of work and the costs associated with each site can be found on the attached spreadsheet (Exhibit A). This discussion is based on our current knowledge of each site and the level of development that is proposed. However, it continues to be our experience that the PSEC project is dynamic and is prone to change. As can be seen below, a number of the sites will almost certainly change or otherwise entail additional effort beyond that identified here. Any changes may increase or decrease the level of effort required, and thus affect the cost.

Billy Goat Hill (private land)

PBS&J's work for this site will be limited to cultural resource surveys and general CEQA report. It is our understanding that the Environmental Programs Department (EPD) will undertake biological resource surveys as well as all compliance efforts related to the WRMSHCP. We understand that the cultural resource survey mileage noted below is subject to change based upon the site that is ultimately selected. Additional survey time, if needed, will be billed on a Time and Materials basis. The summarized PBS&J scope of work for this site is listed below.

- Cultural resources survey and report (communication site and approximately 1.25 mile power run)
- CEQA Note to File

Box Canyon (BLM)

This site includes an approximately 5.5 mile power run, but we note that the length of this power run is subject to change based on a final determination of a power source. We also understand that this site may also be constructed as a solar-powered site and that a standard commercial power run may not be necessary. For purposes of budgeting, we assume a 5.5-mile power run based on information we have received from the PSEC project team. If additional survey time is required based on an extension of the power run beyond 5.5 miles, those costs would be billed on a Time and Materials basis.

The site is located on BLM lands and is also within Critical Habitat for desert tortoise. The bulk of the effort associated with this site will be the biological, cultural, and desert tortoise surveys that will be required along the power run. The cultural surveys, for example, will require the walking of approximately 22 miles of survey transects, and the desert tortoise surveys will require a similar effort. Since the power run is lengthy, it is likely that cultural resources will be discovered during the survey. As per state and federal regulations, these resources will need to be documented and recorded. Visual simulations will also need to be created and an Environmental Assessment (EA) for the BLM will be required. It is assumed that the development of each of the BLM sites will qualify for inclusion in the U.S. Fish and Wildlife Service's "small projects" Biological Opinion for desert tortoise and that intensive Section 7 consultation will not be required. The summarized PBS&J scope of work for this site is listed below.

- Biological resources survey and report (communication site, approximately 5.5 mile power run, and road improvements to reach site)
- Desert tortoise surveys (communication site, approximately 5.5 mile power run, and road improvements to reach site). Site is in Critical Habitat for desert tortoise
- Cultural resources survey and report (communication site, approximately 5.5 mile power run, and road improvements to reach site)
- Cultural resource recordation
- Visual simulations
- VRM contrast rating evaluation (VRM class for this area already established by BLM)
- CEQA Note to File
- BLM EA

Caltrans (BLM)

This site consists of a 12 mile power run alongside State Highway 177. The site is located on BLM lands. The bulk of the effort associated with this site will be the biological and cultural resource surveys associated with the lengthy power run. The cultural surveys, for example, will require the walking of approximately 48 miles of survey transects. The site is not located within Critical Habitat for desert tortoise, and since the power alignment will run immediately adjacent to the highway, we are not anticipating that desert tortoise surveys will be required. Visual simulations will need to be created and an Environmental Assessment (EA) for the BLM will be required. The summarized PBS&J scope of work for this site is listed below.

- Biological resources survey and report (communication site and approximately 12 mile power run)
- Cultural resources survey and report (communication site and approximately 12 mile power run)
- Cultural resource recordation
- Visual simulations
- Full VRM analysis (VRM classes have not been established by BLM for this area)
- CEQA Note to File

- BLM EA

High Point

It is our understanding that this site has been dropped from consideration in favor of the Billy Goat Hill site. Therefore we are not presenting a scope of work for this site.

Lake Hemet (quasi-public land)

This site is located within a disturbed area adjacent to an existing parking lot. Commercial power is adjacent. It is our understanding that the Environmental Programs Department (EPD) will undertake biological resource surveys as well as all compliance efforts related to the WRMSHCP. The cultural resource survey work prepared by MBA should be sufficient for the purposes of this site, so additional cultural survey work is not proposed beyond a brief summary in a letter report. The summarized PBS&J scope of work for this site is listed below.

- Cultural resources letter report
- CEQA Note to File

Margarita (private land)

This site is currently undergoing condemnation proceedings and has not been assessed by PBS&J. Our understanding is that a short power run will be required to reach the site. It is our understanding that the Environmental Programs Department (EPD) will undertake biological resource surveys as well as all compliance efforts related to the WRMSHCP. A cultural resource survey will need to be undertaken and a report prepared. Since the site is located within an area that is known to be of interest to the Pechanga tribe, some level of cultural resources coordination with the tribe is anticipated. The summarized scope of work for this site is listed below.

- Cultural resources survey (site and short power run) and tribal consultation
- CEQA Note to File

Midland (BLM)

This site includes an approximately seven mile power run in a very remote area. The site is located on BLM lands. While the site is not located with designated Critical Habitat for desert tortoise, it is likely that focused desert tortoise surveys will be required due to the remoteness of the site, and the quality of the habitat that is present. Therefore, the bulk of the work for this site will be related to the cultural and desert tortoise surveys. Approximately 28 miles of survey transects will need to be walked for each survey. The site is also located within an area associated with the World War II-era Desert Training Center (DTC), and has been determined to be eligible for listing in the NRHP. The discovery of large quantities of historic resources during the cultural surveys is almost a certainty. As per state and federal regulations, these resources will need to be documented and recorded. Visual simulations will also need to be created, and an Environmental Assessment (EA) for the BLM will be required. The summarized scope of work for this site is listed below.

- Biological resources survey (communication site and approximately 7 mile power run)
- Desert tortoise surveys (communication site and approximately 7 mile power run)
- Cultural resources survey and report (communication site and approximately 7 mile power run)
- Cultural resource recordation (substantial effort)
- Visual simulations
- Full VRM analysis (VRM classes have not been established by BLM for this area)
- CEQA Note to File
- BLM EA

Palen-McCoy (BLM)

Development at this site will consist of the extension of electric power an additional seven miles from the Midland site described above. Work at this site will be essentially identical to that described for the Midland site, but will be complicated further by the remoteness of the site and the site's location within an area that formed the core of the historic DTC. As such, the cultural resource survey and recordation efforts will be even greater than those expected for Midland. In addition, the tower that is proposed for this location will be a 330-foot guy-lined tower rather than the more typical self-supporting tower. Therefore, the area that will be impacted will be greater and the visual resource analysis will require substantially more effort. The summarized scope of work for this site is listed below.

- Biological resources survey and report (communication site and approximately 7 mile power run)
- Desert tortoise surveys (communication site and approximately 7 mile power run)
- Cultural resources survey and report (communication site and approximately 7 mile power run)
- Cultural resource recordation (substantial effort)
- Visual simulations
- Full VRM analysis (VRM classes have not been established by BLM for this area)
- CEQA Note to File
- BLM EA

Palo Verde (BLM)

Since the time of our original proposal, certain details regarding this site and the proposed power run have been conformed and provided to PBS&J. Therefore, this revised proposal contains details and a fee proposal for work associated with this site. The site is located on BLM lands. The bulk of the effort associated with this site will be the biological and cultural resource surveys associated with the power run. The cultural surveys, for example, will require the walking of approximately 22 miles of survey transects. The site is not located within Critical Habitat for desert tortoise, and since the power alignment will run immediately adjacent to an existing roadway, we are not anticipating that desert tortoise surveys will be required. Visual simulations will need to be created and an Environmental Assessment (EA) for the BLM will be required. The summarized PBS&J scope of work for this site is listed below.

- Biological resources survey and report (communication site and approximately 5.5 mile power run)
- Cultural resources survey and report (communication site and approximately 5.5 mile power run)
- Cultural resource recordation
- Visual simulations
- Full VRM analysis (VRM classes have not been established by BLM for this area)
- CEQA Note to File
- BLM EA

Rancho Carrillo (gravel pit)

We understand that the County wishes to pursue a parallel acquisition and clearance for both the original USFS site and the private land "gravel pit" site. PBS&J anticipates minimal work effort on the USFS site since the Cleveland National Forest will undertake all survey and NEPA work associated with that site. The gravel pit site will require some level of work, and since the site is within Orange County and is thus not subject to the WRMSHCP, a traditional and comprehensive biological resources assessment will be required. It should also be noted that the site may contain suitable habitat for coastal California gnatcatcher, a federally-listed species. The suitability of the habitat cannot be determined until the biological resources survey is completed, and PBS&J has not been authorized to visit this site. If the habitat is determined to be suitable for gnatcatcher, focused surveys will be required. Since it is uncertain

at this time whether or not focused surveys will be required, we do not provide a scope of work for that effort here. The summarized scope of work for the gravel pit site is listed below.

- Biological resources survey and report (site and approximately 1 mile power run)
- Cultural resources survey and report (site and approximately 1 mile power run)
- CEQA Note to File

Snow Peak (private lands)

This site is located in a large communication site complex on private lands within San Bernardino County. Commercial power is already available at the site. Based on these considerations, the environmental compliance effort will be minimal. Further, the biological and cultural resource survey work completed by MBA in 2008 will be sufficient and additional survey work will not be required. The existing information will need to be summarized into a CEQA Note to File. The summarized scope of work for this site is listed below.

- CEQA Note to File (summary of previous cultural and biological resource findings)

Thomas Mountain (SBNF)

This site is located on USFS lands. It is therefore assumed that all survey and NEPA work will be undertaken by the San Bernardino National Forest and PBS&J's work will be minimal, if any. Therefore the proposed scope of work is limited only to the preparation of CEQA compliance documents. The summarized scope of work for this site is listed below.

- CEQA Note to File

Timoteo (private lands)

This site is located upon private lands and will include an approximately 1.25-mile power run. It is our understanding that the Environmental Programs Department (EPD) will undertake biological resource surveys as well as all compliance efforts related to the WRMSHCP. A cultural resource survey will need to be undertaken and a report prepared. It should also be noted that the City of Moreno Valley also voiced concern over this site during the EIR process. Some level of coordination with the City and additional CEQA documentation work will probably be required for this site. The summarized scope of work for this site is listed below.

- Cultural resources survey and report (communication site and approximately 1.25 mile power run)
- Project coordination with the City of Moreno Valley
- CEQA Note to File

Toro Peak (Santa Rosa Indian Reservation)

This site is located within an existing communication complex on Santa Rosa Indian Reservation (SRIR) lands and is under the jurisdiction of the Bureau of Indian Affairs (BIA). At this time, the actual plan of development at the site is unknown. A number of alternatives are under consideration, including the construction of an all-new site and the rehabilitation of an abandoned communication facility. Since previous attempts to make use of an existing communication facility has often resulted in the need to construct all-new facilities, we assume for scope of work purposes that the plan of development at the site will probably be substantial. An EA for the BIA will need to be prepared, and appropriate surveys conducted. Since the site is already located within a fairly substantial communication complex, we assume that visual simulations will not be required. For this site we anticipate a level of effort that is

similar to that expended for the Hidden Valley site on the Colorado River Indian Reservation. The summarized scope of work for this site is listed below.

- Biological resources survey and report (site only)
- Cultural resources survey and report (site only)
- Tribal coordination
- BIA EA
- CEQA Note to File

Constraints on Budgetary Savings and Fixed Costs

The principal driver of costs for the Phase 2 sites are the lengthy power runs associated with the BLM sites and the need for multi-day survey efforts. The non-BLM sites, and even the Toro Peak Bureau of Indian Affairs (BIA) site, will be substantially less costly to evaluate simply because none of these sites contain multi-mile power runs. For the five BLM sites the level of survey effort is extremely high, as can be seen by the number of hours dedicated to survey time, especially for cultural resources. Approximately 150 miles of transects must be surveyed by cultural resource specialists over 16 very long survey days just for these five sites. This level of effort cannot be lessened while still remaining in compliance with BLM standards and the conditions of PBS&Js permits with the agency. Thus, these costs can essentially be considered fixed, with little to no flexibility afforded. Efforts have been made to lessen survey costs by utilizing personnel with technician-grade billing rates, but the aggregate level of effort required for each of these sites considerably adds to the overall cost.

General biological resource surveys do not require the walking of multiple transect alignments, so the costs for these surveys are substantially lower. Even the remote BLM sites can be surveyed in one day, including calculated driving times. The desert tortoise focused surveys for the Box Canyon, Midland, and Palen-McCoy sites, however, will require multiple transect surveys as required by U.S. Fish and Wildlife Service protocols. These surveys will require multi-day efforts. We have endeavored to contract with a lower-cost subcontractor to complete the desert tortoise surveys at these sites. The estimate of \$12,000 for each of these sites is extremely reasonable, but still adds up to \$36,000 for all three sites. As per standard practice within the consulting industry, the firm that is managing subconsultants typically includes a 10 percent markup to the proposed fees of subcontractors and passes that cost along to the client to account for management and oversight costs. In this instance, PBS&J is willing to waive the 10 percent markup for each of its subconsultants and to absorb the cost of their management and oversight. This will result in a cost savings of \$4,000 for both the desert tortoise survey efforts and the Timoteo site paleontological survey effort.

In regard to the EA for the four BLM sites, this document will require a substantially greater level of effort than the previous EAs. Since the sites are remote, and are in relatively pristine areas, they are likely to be subjected to a higher level of public scrutiny than the previous BLM sites. The long power runs will also require a higher level of analysis than the previous sites. We have worked to limit these costs to the absolute minimum, and the fee estimate provided here provides for little to no cushion for contingencies if a site changes or if unforeseen complications arise.

Project Coordination Assistance

Throughout the course of the two and-a-half years that members of the PBS&J team have been working on this project, we have striven to provide an extremely high level of responsiveness and service to the PSEC team. During the course of a given week, we expend several hours of our project management budget to attend the weekly site development meeting. This is considered a critical task related to the completion of the project, and a labor necessity. However, in a typical week we also usually field a number of phone calls and emails requesting assistance from the team. Often times, these requests relate

to sites that we have not been involved with for a considerable amount of time, adding to the amount of effort necessary for any given task. While many of these PSEC team requests are simple and can be completed quickly, other requests are more substantial and can require several hours of effort.

To outline the types of requests and the resultant work required to complete such tasks, consider the efforts during the week of December 7th, 2009. During this particular week, we were contacted by a member of the EDA staff and asked to compile a complete version of the first BLM EA for inclusion with the Board of Supervisors resolution for those sites. Completing this request took a member of our staff approximately two hours to field the phone call, locate the appropriate documentation, and compile the necessary document. We were also asked to compile a chronology of the contact we have had with the Yuma field office of the BLM over the last two years, and also our contacts with the U.S. Army Corps of Engineers regarding the Green River site. Completing this task took approximately three hours. In addition, PBS&J staff attended the weekly site development meeting, as well as a meeting with Matthew Frymire at the Riverside County Administration Center. While some weeks require more or less labor hours related to management and coordination efforts, we estimate that a typical week includes approximately 10 hours of professional labor time for these types of services. We believe, and it is likely that members of the PSEC and EDA team would agree, that this level of service has been exceptionally helpful. Our team's expertise and familiarity with agency processes and personnel is important to the success of the project.

This level of service, however, is not without cost. Even 10 hours per week adds substantial cost to the project. For instance, at an average billing rate of \$130 per hour, the expenditure of 10 hours per week over the course of 12 months adds up to \$67,600. The intensity of these efforts is difficult to predict and accurately account for because they occur on an as-needed basis and are often a matter of some urgency. Even attendance at the weekly site development meeting by one member of our staff will result in a 12-month cost of approximately \$17,000.

Based on these considerations, PBS&J's project coordination and assistance budget is substantial. Unless the PSEC team is willing to completely forgo PBS&J's services in this regard, then there is only a limited amount of cost savings that can be realized for this task. PBS&J's proposed budget assumes up to 10 hours per week for project coordination assistance. However, in light of the need to lessen the overall project budget, we offer to provide these services at the cost of a not-to-exceed budget of \$41,400 over the next 12 months. This will result in a discount of \$26,200 from the full price for these services.

Assumptions and Exclusions

The proposed budget is carefully constructed to minimize costs. There is little cushion in the amount of work effort that is proposed, so this proposal must be accompanied by a list of assumptions and exclusions. These caveats must be considered so that PBS&J does not exceed its allotted budget:

- PBS&J has endeavored to be as thorough as possible in its consideration of this proposed scope of work, as established by the current framework of environmental compliance requirements. Additions to the identified work effort resulting from situations that are beyond our control (including, but not limited to, agency staff changes, revisions to compliance requirements, inaccurate information, etc.) are not included. The scope of services to be provided by PBS&J is strictly limited to those tasks identified on the attached spreadsheet. Additional work efforts not included in this proposal will result in the need for a contract amendment.
- An accounting of the assumptions used to calculate the number of survey hours proposed is provided on the attached spreadsheet. If the hours budgeted for these tasks are exceeded for reasons that are beyond the reasonable control of PBS&J, then a contract amendment will be required.

- The sites identified in this proposal will not change location or require additional survey and evaluation efforts beyond those specifically identified. Additional survey days beyond those presented in this proposal, as well as any hours required to make revisions to reports and other work products resulting from changes to the project description will be billed on a Time and Materials basis at the professional labor rates specified. Prior to exceeding the prescribed budget, PBS&J will inform the County of the pending overage and will request authorization for additional funds.
- It is assumed that all biological resource surveys and associated WRMSHCP work effort for the Billy Goat Hill, Lake Hemet, Margarita, and Timoteo sites will be undertaken by the Environmental Programs Department (EPD). Any survey reports, MSHCP compliance documents, etc. will be provided to PBS&J for its use in preparation of the CEQA Note to File for these sites.
- It is assumed that one EA will be prepared to address all five of the BLM sites. Preparation of multiple BLM EAs will result in the need for a contract amendment.
- Project coordination assistance will be limited to an average of 10 hours per week over the course of 12 months. These coordination and assistance efforts will consist of attendance by one PBS&J staff member at the weekly site development meeting, and also as-needed requests put forth by the PSEC and EDA staff. Additional work effort beyond the allotted hours will be billed on a Time and Materials basis at the professional labor rates specified. Prior to exceeding the prescribed budget, PBS&J will inform the County of the pending overage and will request authorization for additional funds.

Conclusion

Based on the above discussion, it is clear that completion of the Phase 2 work will constitute a major undertaking. Many of the sites are remote, and number of them will require extensive power run surveys that were not within our original scope of work. In addition, a number of the sites present special challenges in terms of NEPA compliance and biological and cultural resources clearances. Nevertheless, we believe that our team's experience with this project places it in a unique position to continue to move the project forward and to get the project completed.

PBS&J appreciates the County's consideration of this revised scope of work. This project is critical to the safety of the County's citizens, and PBS&J has been honored to participate in its development. Those of us who have worked on this project previously, as well as additional PBS&J team members that will be working on Phase 2 of the project, are excited about this opportunity. If you have any questions about this proposal or any other matter, please do not hesitate to call me at 909.890.5951.

Sincerely,



Thomas J. McGill, PhD
Senior Group Manager
PBS&J
650 East Hospitality Lane, Suite 450
San Bernardino, CA 92408

Attachments: Phase 2 Fee Proposal (Exhibit A)

**Exhibit A
Revised Proposed Budget for PSEC Phase 2 Communication Sites (January 8, 2010)**

TASK	PERSONNEL										COST		ASSUMPTIONS AND NOTES
	Project Manager (Luke Evans)	Associate Project Manager (Jennifer Sanka)	Project Biologist (Marlie Mckeman)	Cultural Resources Technician (Ailin-Kay)	Graphic Designer (Raul Henderson)	GIS Technician (Tony Duerkop)	Word Processing (Sandi Polk)	Hours		Subtotal: Dollars			
								Project Manager	Word Processor	Subtotal: Hours	Subtotal: Dollars		
TASK BREAKDOWN BY SITE													
1.0 Billy Goat Hill (Private Land)													
PSEC Phase 2 - Cost Breakdown by Site													
1.1	Cultural resources survey (communication site and approximately 1.25 mile power run)	10			15			2		27		\$2,175	REVISED SOW ASSUMES THAT EPD WILL BE RESPONSIBLE FOR ALL BIO AND MSHCP WORK. Driving time 2 hours each way. No lodging required. 1.25-mile power run. 5 miles of cultural transects. Cultural survey time includes records searches, permitting, etc.
1.2	Cultural resources letter report	2			8			2		14		\$1,120	
1.3	Cultural resources recordation (T&M/NTE)	2								2		\$210	
1.4	CEQA Note to File	5								6		\$880	
2.0 Box Canyon (BLM)													
2.1	Biological resources survey (communication site and approximately 5.5 mile power run and road improvements to reach site)			12				2		14		\$1,830	Driving time 3 hours each way. ROW on one side of road; 5.5-mile power run. 22 miles cultural transects; 3 days of cultural survey time; moderate cultural recordation effort likely; lodging in Indio; driving time from Indio to site 1 hour. Cultural survey time includes records searches, permitting, etc.
2.2	Draft biological resources report	4		23				2	3	32		\$4,250	
2.3	Final biological resources report	1		3				1	1	6		\$735	
2.4	Cultural resources survey (communication site and approximately 5.5 mile power run and road improvements to reach site)	38			42			2		82		\$6,870	
2.5	Draft cultural resources report	2		20	8			3	3	36		\$3,405	
2.6	Final cultural resources report	1		4				1	1	7		\$735	
2.7	Cultural resources recordation (T&M/NTE)	10			8					18		\$1,570	
2.8	Visual simulations	1		2				30		33		\$3,370	
2.9	VRM contrast evaluation (VRM class for this area already established by BLM)	1		5						6		\$685	
2.10	Administrative Draft BLM EA	32		13				10	3	58		\$7,475	
2.11	Public BLM EA	10		8				2	2	22		\$2,250	
2.12	Final BLM EA (T&M/NTE)	10							2	12		\$1,760	
2.13	Agency coordination	5		3						8		\$1,115	
2.14	CEQA Note to File	5							1	6		\$880	
3.0 Callrams (BLM)													
3.1	Biological resources survey (communication site and approximately 1.2 mile power run)			14				2		16		\$2,110	Driving time 4 hours each way. ROW on one side of road; 1.2-mile power run. 48 miles cultural transects; 4 days of cultural survey time; moderate cultural recordation effort; lodging in 29 Palms; driving time from 29 Palms to site 1.5 hours. Cultural survey time includes records searches, permitting, etc.
3.2	Draft biological resources report	4		23				3	3	33		\$4,325	
3.3	Final biological resources report	1		3				1	1	6		\$735	
3.4	Cultural resources survey (communication site and approximately 1.2 mile power run)				55			2		109		\$9,185	
3.5	Draft cultural resources report	2		20	8			3	3	36		\$3,405	
3.6	Final cultural resources report	1		4				1	1	7		\$735	
3.7	Cultural resources recordation (T&M/NTE)	10			8					18		\$1,570	
3.8	Visual simulations	1		2				30		33		\$3,370	
											\$4,385		
											\$37,430		
											\$40,625		

Exhibit A
Revised Proposed Budget for PSEC Phase 2 Communication Sites (January 8, 2010)

Activity	PERSONNEL										COST	ASSUMPTIONS AND NOTES	
	Project Manager (Luke Evans)	Associate Project Manager (Jenniffer Sanka)	Project Biologist (Manlie Mckernan)	Cultural Resources Technician (Ailin-Kay)	Graphic Designer (Raul Henderson)	GIS Technician (Tony Duerkop)	Word Processing (Sandi Palkki)	Subtotal: Hours		Subtotal: Dollars			
								Project Manager	Associate Project Manager	Project Biologist			Cultural Resources Technician
3.9 Full VRM analysis (VRM class has not been established by BLM for this area)	1	10							11	\$1,210			
3.10 Administrative Draft BLM EA	32	13							58	\$7,475			
3.11 Public BLM EA	10	8							22	\$2,750			
3.12 Final BLM EA (T&M/NTE)	10								12	\$1,760			
3.13 Agency coordination	5	3							8	\$1,115			
3.14 CEQA Note to File	5								6	\$860			
4.0 Lake Hemet (quasi-public lands)													
4.1 Cultural resources letter report		3							6	\$545		REVISED SOW ASSUMES THAT EPD WILL BE RESPONSIBLE FOR ALL BIO AND MSHCP WORK. Driving time 2 hours each way. No lodging required. No associated power run. No cultural survey required (use MBA writeup).	
4.2 CEQA Note to File	4								4	\$640			
											TOTAL		
												\$1,185	
5.0 Margarita (private land)													
5.1 Cultural resources survey (site and short power run)	1	10							12	\$1,200		REVISED SOW ASSUMES THAT EPD WILL BE RESPONSIBLE FOR ALL BIO AND MSHCP WORK. Driving time 1.5 hours each way. No lodging required; Pechanga coordination required. Cultural survey time includes records searches, permitting, etc.	
5.2 Cultural resources letter report		8							12	\$1,200			
5.3 Tribal consultation		8							8	\$840			
5.4 Cultural resources recordation (T&M/NTE)		2							2	\$210			
5.5 CEQA Note to File	5								6	\$860			
6.0 Midland (BLM)													
6.1 Biological resources survey (communication site and approximately 7 mile power run)			14						16	\$2,110		Driving time 5 hours each way; ROW on one side of road; 7-mile power run, 28 miles cultural transects; 3 days of cultural survey time; major cultural recordation effort; lodging in Blythe; driving time from Blythe to site 1 hour. Cultural survey time includes records searches, permitting, etc.	
6.2 Draft biological resources report	4		23						33	\$4,325			
6.3 Final biological resources report	1		3						6	\$735			
6.4 Cultural resources survey (communication site and approximately 7 mile power run)		42		45					89	\$7,485			
6.5 Draft cultural resources report	2	20		8					36	\$3,405			
6.6 Final cultural resources report	1	4							7	\$735			
6.7 Cultural resources recordation (T&M/NTE)		20		12					32	\$2,880			
6.8 Visual simulations	1	2			30				33	\$3,370			
6.9 Full VRM analysis (VRM class has not been established by BLM for this area)	1	10							11	\$1,210			
6.10 Administrative Draft BLM EA	32	13							58	\$7,475			
6.11 Public BLM EA	10	8							22	\$2,750			
6.12 Final BLM EA (T&M/NTE)	10								12	\$1,760			
6.13 Agency coordination	5	3							8	\$1,115			
6.14 CEQA Note to File	5								6	\$860			
7.0 Felen-McCoy (BLM)													
												\$42,655	
												Driving time 4 hours each way; ROW on one side of	

**Exhibit A
Revised Proposed Budget for PSEC Phase 2 Communication Sites (January 8, 2010)**

Activity	PERSONNEL							COST	ASSUMPTIONS AND NOTES	
	Project Manager (Luke Evans)	Associate Project Manager (Jennifer Sanaka)	Project Biologist (Marlie Mckeman)	Cultural Resources Technician (Marnie Allin-Kay)	Graphic Designer (Raul Henderson)	GIS Technician (Tony Duerkop)	Word Processing (Sandi Palaki)			
	Project Manager	Associate Project Manager	Project Biologist	Cultural Resources Technician	Graphic Designer	GIS Technician	Word Processor			
7.1 Biological resources survey (communication site and approximately 7 mile power run)			14			2		16	\$2,110	road; 7-mile power run, 28 miles cultural transects; 3 days of cultural survey time; lodging in Blythe; driving time from Blythe to site 1 hour. Cultural survey time includes records searches, permitting, etc. Additional time provided for visual simulations due to proposed guy-lined tower at site.
7.2 Draft biological resources report	4		23			3		33	\$4,325	
7.3 Final biological resources report	1		3			1		7	\$815	
7.4 Cultural resources survey (communication site and approximately 7 mile power run)		50		55		2		107	\$8,975	
7.5 Draft cultural resources report	2	20		8		3		36	\$3,405	
7.6 Final cultural resources report	1	4				1		7	\$735	
7.7 Cultural resources recordation (T&M/NTE)		20		12				32	\$2,680	
7.8 Visual simulations	1	2			40			43	\$4,370	
7.9 Full VRM analysis (VRM class has not been established by BLM for this area)	1	10						11	\$1,210	
7.10 Administrative Draft BLM EA	32	13				10		58	\$7,475	
7.11 Public BLM EA	10	8						20	\$2,600	
7.12 Final BLM EA (T&M/NTE)	10							12	\$1,760	
7.13 Agency coordination	5	3						8	\$1,115	
7.14 CEGA Note to File	5							6	\$880	
8.0 Palo Verde (BLM)									\$39,550	
8.1 Biological resources survey (communication site and approximately 7 mile power run)			14			2		16	\$2,110	Driving time 5 hours each way; ROW on one side of road; 5.5-mile power run, 22 miles cultural transects; 3 days of cultural survey time; lodging in Blythe; driving time from Blythe to site 1 hour. Cultural survey time includes records searches, permitting, etc.
8.2 Draft biological resources report	4		23			3		33	\$4,325	
8.3 Final biological resources report	1		3			1		7	\$815	
8.4 Cultural resources survey (communication site and approximately 7 mile power run)		38		42		2		82	\$6,870	
8.5 Draft cultural resources report	2	20		8		3		36	\$3,405	
8.6 Final cultural resources report	1	4				1		7	\$735	
8.7 Cultural resources recordation (T&M/NTE)		20		12				32	\$2,680	
8.8 Visual simulations	1	2			30			33	\$3,370	
8.9 Full VRM analysis (VRM class has not been established by BLM for this area)	1	10						11	\$1,210	
8.10 Administrative Draft BLM EA	32	13				10		58	\$7,475	
8.11 Public BLM EA	10	8						20	\$2,600	
8.12 Final BLM EA (T&M/NTE)	10							12	\$1,760	
8.13 Agency coordination	5	3						8	\$1,115	
8.14 CEGA Note to File	5							6	\$880	
9.0 Rancho Camillo/Gravel Pit (private lands)									\$9,830	
9.1 Biological resources survey (communication site and approximately 1.0 mile power run)			9			2		11	\$1,410	REVISSED SOW ASSUMES THAT PBS&J WILL BE CARRYING OUT ALL BIO WORK RATHER THAN EPD. Driving time 1.5 hours each way. No lodging required. 1-mile power run.

**Exhibit A
Revised Proposed Budget for PSEC Phase 2 Communication Sites (January 8, 2010)**

	PERSONNEL								COST		ASSUMPTIONS AND NOTES	
	Project Manager (Luke Evans)	Associate Project Manager, Archaeologist (Jennifer Sanka)	Project Biologist (Marlie McKernan)	Cultural Resources Technician (Marlie Alain-Kay)	Graphic Designer (Raul Henderson)	GIS Technician (Tony Duerkop)	Word Processing (Sandi Pakki)	Subtotal: Hours	Subtotal: Dollars	TOTAL		
S.2	Midland desert tortoise survey and report (communication site and approximately 7 mile power run and road improvements to reach site)								\$12,000			
S.3	Palen-McCoy desert tortoise survey and report (communication site and approximately 7 mile power run and road improvements to reach site)								\$12,000			
S.4	Timoteo paleontological resource survey record search, field survey, and report								\$4,000			
Estimated Direct Costs												
	Direct Costs (mileage, lodging, meals, per diem, etc.) (T&M/NTE)								\$0		\$0	
TOTAL BUDGET												
											\$328,185	

Direct cost budget assumes that remaining funds in the Phase 1 budget (approximately \$10,000) will be transferred to the Phase 2 budget.