

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIRST AMENDMENT TO CONTRACT BETWEEN THE CITY OF WATSONVILLE AND DANIEL B. STEPHENS & ASSOCIATES, INC., A CORPORATION, FOR THE DEVELOPMENT OF A VAPOR INTRUSION AND SAMPLING WORKPLAN FOR SITE LOCATIONS IN THE VICINITY OF 1350 FREEDOM BOULEVARD; DEVELOPMENT OF A RISK ASSESSMENT; AND CONDUCTING SEMI-ANNUAL MONITORING AND REPORTING, ADDING TO SCOPE OF SERVICES; EXTENDING TERM OF CONTRACT, AND ADDING TO COMPENSATION (INCREASING THE CONTRACT BY \$319,176) FOR A REVISED AMOUNT NOT TO EXCEED \$625,854.76; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME; AND AUTHORIZING A BUDGET APPROPRIATION OF \$319,176 FROM THE WASTEWATER ENTERPRISE FUND TO PROJECT ACCOUNT: 710-530-7361-11046

WHEREAS, on September 8, 2020, the City Council adopted Resolution No. 165-20 (CM) approving a Contract for Consultant Services between the City and Daniel B. Stephens & Associates (DBS&A) for work associated with soil contamination sampling, monitoring, and mitigation from a former dry cleaning business in the vicinity of 1350 Freedom Boulevard; and

WHEREAS, additional work must be performed for the cleanup activities requiring a contract amendment to cover the added costs; and

WHEREAS, this First Amendment will add to “Section 1. Scope of Services”, extend the term of the contract from September 30, 2022 to December 31, 2023, and increase the contract amount by \$319,176 for a revised total amount not to exceed \$625,854.76.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that

adopting a Resolution approving First Amendment to Contract with Daniel B. Stephens & Associates does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and if a "project," is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. This First Amendment to Contract between the City of Watsonville and Daniel B. Stephens & Associates, a corporation, a copy of which First Amendment is attached hereto and incorporated herein by this reference is hereby approved.

3. The City Manager is hereby authorized and directed to execute said First Amendment for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.

4. That the budget appropriation of \$319,176 from the Wastewater Enterprise fund balance to project account: 710-530-7361-11046 is hereby authorized.
