

## RESOLUTION NO. 2012-21

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING AN AGREEMENT WITH CLEARWATER HYDROLOGY FOR DESIGN SERVICES FOR THE NORTHEAST SPECIFIC PLAN

WHEREAS; the City entered into an agreement to obtain engineering peer review services for hydrology reports related to the University District Specific Plan on February 25, 2011; and

WHEREAS, the City amended this agreement based on an expanding scope of work on both June 2, 2011 and August 25, 2011;

WHEREAS, the City desires to expand this agreement to include engineering peer review services for the Northeast Specific Plan including review of possible flood mitigation measures;

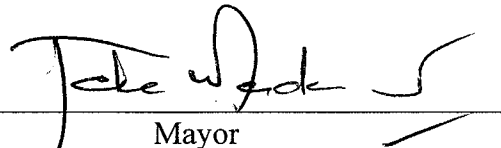
WHEREAS, Design Professional hereby represents to the City that Design Professional is skilled and able to provide such services.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park that it does hereby authorize and approve an agreement by and between Clearwater Hydrology, a California sole proprietorship, and the City of Rohnert Park, a municipal corporation, for engineering peer review services in connection with Northeast Specific Plan.


**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to take all actions to effectuate this agreement for and on behalf of the City of Rohnert Park, including execution, if necessary, in substantially similar form to the agreement attached hereto as Exhibit "A," subject to minor modifications by the City Manager or City Attorney.

**DULY AND REGULARLY ADOPTED** this 28th day of February, 2012.

**CITY OF ROHNERT PARK**

  
Mayor

**ATTEST:**

  
City Clerk, *Interim*



AHANOTU: <u>AYE</u>	BELFORTE: <u>AYE</u>	CALLINAN: <u>AYE</u>	STAFFORD: <u>AYE</u>	MACKENZIE: <u>AYE</u>
AYES: (5)	NOES: (0)	ABSENT: (0)	ABSTAIN: (0)	

**THIRD AMENDMENT TO THE DESIGN PROFESSIONAL SERVICES AGREEMENT  
WITH CLEARWATER HYDROLOGY  
FOR DESIGN SERVICES FOR THE NORTHEAST SPECIFIC PLAN**

This Third Amendment to the Agreement between the City of Rohnert Park ("City") and Clearwater Hydrology ("Design Professional") for additional peer review services ("Third Amendment") is entered into as of the 16<sup>th</sup> day of February, 2012, ("Effective Date"), by and between City and Design Professional.

**RECITALS**

- A. City and Design Professional are parties to that certain Agreement for Services for the Vast Oaks Grading Phase 2 dated February 25, 2011 ("Agreement").
- B. City and Design Professional now desire to enter into this Third Amendment to provide for additional work as described below.

**AGREEMENT**

NOW, THEREFORE, in consideration of the following mutual promises, the parties hereby amend the Agreement as follows:

1. Scope of Services. In addition to the services provided under the Agreement, Design Professional shall provide additional services, including but not limited to, the review of hydrologic and hydraulic analyses and related modeling of flood control elements; review of on-site grading and drainage plans; review of stormwater facilities designs and plans and LID features; preparation of technical memos regarding peer review findings; preparation of letters of design acceptance; and attendance at additional meetings requested by the developer as further described in the attached Exhibit A.
2. Compensation. Design Professional shall perform the services described in this Third Amendment for total not to exceed amount of \$39,894.
3. Agreement in Effect. Except as amended by this Third Amendment, the Agreement shall remain in full force and effect.
4. Counterpart Signatures. This Third Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS THEREOF, the parties have executed this Third Amendment as of the date first written above.

**CITY OF ROHNERT PARK:**

By: G. A. Gonzalez 13/1/12  
Gabriel A. Gonzalez, City Manager (Date)  
Per Resolution No. 2012-21 adopted by the Rohnert Park City Council at its meeting of February 28, 2012.

**ATTEST:**

Carrie Willis  
Deputy City Clerk

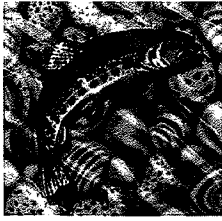
**APPROVED AS TO FORM:**

[Signature]  
City Attorney

**CLEARWATER HYDROLOGY:**

By: William Vandivere 12/16/12  
Name: William Vandivere (Date)  
Title: Principal

By: \_\_\_\_\_ / \_\_\_\_\_  
Name: \_\_\_\_\_ (Date)  
Title: \_\_\_\_\_



CLEARWATER  
HYDROLOGY

Consultants in Hydrology  
and Water Resources

Watershed Management

Stream and Wetland  
Restoration

Wetland Delineation  
and Permit Acquisition

Stormwater Drainage  
and Flooding

Feb. 14, 2012

Darrin Jenkins, P.E./Pat Barnes, P.E.  
Developmental Services  
City of Rohnert Park  
130 Avram Ave.- Second Floor  
Rohnert Park, CA 94928

**RE: Proposal for Additional Peer Review Hydrology Consulting on Proposed  
Rohnert Park Development Projects: Northeast Specific Plan**

Gentlemen,

Clearwater Hydrology (CH) has exhausted the funding provided by Amendment No. 2 for the Vast Oaks- Phase 2 Grading Plan peer review which was approved by the City on Aug. 25, 2011. As you know, CH is no longer providing peer review services on the Vast Oaks- Phase 2 Grading Plan project, so this third contract amendment proposal covers only the anticipated peer review work on the Northeast Specific Plan project.

Since the NESP subdivision hydrologic and hydraulic design will contain many of the same components as those proposed for the Vast Oak- Phase 2 project, we expect that the tasks associated with the engineering hydrologic peer review could include one or more of the following:

1. Attendance at meetings requested by the City, with City staff and engineering consultants representing the project.
2. Review of hydrologic and hydraulic data, including rainfall, soils, land use and groundwater data, and related analyses, including computer modeling (e.g. HEC-HMS, HEC-RAS, TR-55 or other) of peak flows, flood hydrographs, flood water surface profiles, culverts, bridges and other stormwater or flood control elements.
3. Review of on-site grading and drainage plans, stormwater facilities (including detention storage features) designs and plans, and low impact development (LID) features designed to counter the effects of hydromodification.
4. Preparation of a letters of certification to the City regarding potential flooding impacts associated with development on the peer-reviewed projects.

To date, CH has attended a preliminary NESP project meeting at the City offices, held on Oct. 28, 2011. The time expended for this meeting is incorporated into this contract amendment budget proposal. Based on our recent discussions regarding the project's

2974 Adeline St.  
Berkeley, CA 94703  
Tel: 510 841 1836  
Fax: 510 841 1610

initial modeling assessment, the City is interested in a detailed analysis of the NOAA precipitation data used by both the NESP and Vast Oaks project flood hydrograph analyses in order to verify the validity of the design rainstorms used, as well as the compatibility of the rainfall-runoff assumptions applied in each case. Thus, the current proposed budget incorporates time for this assessment, which may include some discussions with City staff and Larry Gossett, the City's current peer reviewer for the Vast Oaks project. In addition, the budget covers the expected time required to review three iterations of NESP design submittals and a 15% contingency. Implicit in the estimate is the assumption that the first submittal and rainfall assessment will require more review effort, with progressively less time required for subsequent submittals.

CH assumes that previously established protocols for CH technical interaction with project engineering consultants will continue to apply. Thus, while direct contact will occur between these consultants and CH, we will continue to copy the City in all written and email correspondence. At each stage of the review and assessment, CH will update the City regarding any concerns about lack of missing data or analyses, technical sufficiency, or other pertinent questions requiring clarification by the applicant's team.

Once all project submittals have been reviewed and deemed sufficient to address potential project impacts on flooding (or related issues such as downstream sedimentation and its impact on drainageway or hydraulic structure capacities) along affected reaches of streams within the City's jurisdiction, CH will prepare letters attesting to the adequacy of the project designs to mitigate any increases in local and downstream flooding.

Our proposed budget for the above scope of work is \$39,894, including expenses, and based on the assumptions noted above.

If you have any questions regarding this Amendment 3 proposal, please give me a call to discuss. We appreciate the opportunity offered by the City to continue providing these peer review consulting services.

Yours truly,

A handwritten signature in black ink, appearing to read 'William Vandivere', with a long horizontal flourish extending to the right.

William Vandivere, P.E.  
Principal  
RCE #35613

TASK-SPECIFIC BUDGET FOR ADDITIONAL PEER REVIEW HYDROLOGY CONSULTING- AMENDMENT 3: CITY OF ROHNERT PARK: NESP				
CLEARWATER HYDROLOGY: 2/14/12				
Task		Time - hrs.		
		WV	SN	
1. Attend meetings requested by the City. (4 max.)		24	24	
2. Review of hydrologic and hydraulic analyses and related modeling of flood control elements.		40	80	
3. Review of on-site grading and drainage plans, stormwater facilities designs and plans, and LID features.		20	40	
4. Prepare technical memos re: peer review findings.		12	16	
5. Prepare letters of design acceptance, certifying no resulting increase in flooding due to proposed development projects.		10	6	
6. Administration and project management.		20	2	
Totals =		126	168	
CH Labor:				
William Vandivere, M.S., P.E., Principal				
\$140/hr. for 126 hrs =			\$17,640	
Steve McNeely, M.S., EIT, Water Res. Engr.				
\$100/hr. for 168 hrs =			\$16,800	
Total Labor =			\$34,440	
Expenses:				
Travel mileage, computer/phone=			\$250	
CH TOTAL w/o contingency=			\$34,690	
15% Contingency=			\$5,204	
CH TOTAL w/ contingency=			\$39,894	