

**PROFESSIONAL SERVICES AGREEMENT**  
**FOR**  
**ANNEXATION OF THE ORD COMMUNITY INTO**  
**THE MARINA COAST WATER DISTRICT**  
**BETWEEN**  
**MARINA COAST WATER DISTRICT**  
**AND**  
**DENISE DUFFY AND ASSOCIATES**

**CHANGE ORDER NO. 2**

The Agreement for Professional Services to the Marina Coast Water District (DISTRICT) and Denis Duffy & Associates (CONSULTANT), related to planning and environmental review services regarding the District's Annexation of the Ord Community dated May 15, 2017 (AGREEMENT) is hereby amended in accord with contract item 13 that stipulates:

*13. This Agreement supersedes and integrates all prior writings and understandings between the parties concerned, is binding on the parties and their successors, and may be amended only by written agreement signed by the Marina Coast Water District and the Consultant.*

The Scope of Work is modified as follows:

CONSULTANT shall provide Professional Services to the District related to planning and environmental review services regarding the District's Annexation of the Ord Community as delineated and specified in the base contract.

The attached Phase 3 – LAFCO Re-Initiation/Revision per Settlement Agreement, proposal letter serving as Exhibit A, which is made part of this Change Order No. 2, shows the scope to file an updated Notice of Determination and Notice of exemption revise the Local Agency Formation Commission (LAFCO) application for Annexation of Portion of the Ord Community Project; Project Management/Meetings/Coordination with MCWD/LAFCO; Revise LAFCO Application Package; Submit Final LAFCO Application Package Processing; and LAFCO MCWD Meeting/Hearing Attendance .

Compensation to the CONSULTANT for work performed is modified as follows:

Based on additional work needed for the Phase 3- LAFCO Re-Initiation/Revision per Settlement Agreement proposal letter, additional budget is requested to cover work that was not included in the original scope and budget. See attached Exhibit A for an itemized compensation budget for Change Order No. 2 in the amount of \$12,001. The new Not-to-Exceed value of the contract shall be \$68,800.00.

All other elements and items within the AGREEMENT remain the same.

DISTRICT and CONSULTANT have caused this Agreement to be amended by representatives duly authorized to act, all as of the effective date of \_\_\_\_\_.

Prepared by: Michael Wegley Date: 10/17/18  
Michael Wegley  
District Engineer

**CONSULTANT:**  
Denise Duffy & Associates

**DISTRICT:**  
Marina Coast Water District

By Denise Duffy  
Denise Duffy  
Project Manager

By Keith Van Der Maaten  
Keith Van Der Maaten  
General Manager

Date 10/17/18

Date 10/22/18

## **EXHIBIT A**

Itemized Scope of Work and Cost Estimate  
Phase 3 – LAFCO Re-Initiation/Revision per Settlement Agreement



**Marina Coast Water District**  
**Annexation of Portion of the Ord Community**  
**Phase 3 – LAFCO Re-Initiation/Revision per Settlement Agreement**

Denise Duffy & Associates (DD&A) is currently under contract with the Marina Coast Water District (MCWD) to prepare an application to LAFCO in support of the Ord Community Sphere of Influence Amendment and Annexation Project. Phase 1 – CEQA Process and Phase 2 – LAFCO Application of the project are complete. The following provides a Phase III scope of work covers re-initiation of the LAFCO application based on the settlement agreement between MCWD and Seaside County Sanitation District as well as the CEQA lawsuit settlement.

**PHASE 3 – LAFCO RE-INITIATION AND SETTLEMENT AGREEMENT**

**Task III.1: LAFCO Application Re-Initiation & Finalize CEQA Process**

DD&A will work with MCWD staff and the project engineer to get all updated information from the settlement agreement, including the metes and bounds map and legal description, to incorporate into the updated LAFCO application. As a part of this task, DD&A will update the Notice of Determination (NOD) and Notice of Exemption (NOE) per the settlement agreement and re-file the notices with the County Clerk. (Note these CEQA notices were completed and filed per MCWD).

**Task III.2: Project Management/Meetings/Coordination with MCWD/LAFCO**

The complex nature of the settlement agreement and potential unforeseen issues have required additional coordination and liaison effort. DD&A will provide project management services that include client and agency communication, scheduling, contract management, and administration. This task also includes efforts to assist the project engineer in management of the project, as well as liaison with MCWD and LAFCO.

**Task III.3: Revise LAFCO Application Package (with review by MCWD/S&W/LAFCO)**

LAFCO has a specific set of requirements and protocol for annexation requests for service boundary adjustments. DD&A will update the application text and forms with the appropriate settlement documentation to finalize the processing of this request through LAFCO.

DD&A will provide a complete versions of the LAFCO application (including updated drafts of the required application forms, maps and materials) to MCWD, Schaaf & Wheeler (S&W), & LAFCO for review and approval before official submittal to LAFCO. Due to the complex nature of the project multiple revisions of the draft application is anticipated, this task assumes that up to three rounds of comments will be incorporated in the draft application and that survey maps, and engineering

information specific to the boundary annexation and Sphere of Influence amendment areas, as required by the application process, will be provided by MCWD for incorporation into the application as needed.

**Task III.4: Submit Final LAFCO Application Package and Processing**

DD&A will prepare a Final LAFCO application package and provide to MCWD for final approval before submitting to LAFCO. This task assumes that DD&A will assist in the processing of the project application materials through LAFCO. DD&A will meet with LAFCO staff regarding the application processing requirements. All application fees will be paid by MCWD.

**Task III.5: LAFCO and MCWD Meeting/Hearing Attendance**

DD&A would be available to attend the following meetings/conference calls to focus on the application, environmental documentation and related issues:

- One or more LAFCO meetings to discuss application filing and processing;
- Multiple MCWD staff meetings and follow-up conference calls on application contents;
- Internal meetings/conference calls, to be scheduled on an as-needed basis, to discuss comments on Draft application with MCWD, S&W, and LAFCO (potentially separately);
- Three (3) LAFCO Board or MCWD Meetings for approval of LAFCO Application; and
- Follow-up NOD submittal, if required.

**DD&A, Inc. - Phase 3 Add-On Request  
for MARINA COAST WATER DISTRICT  
Annexation of Portion of the Ord Community Project**

Task	Principal	Assoc Planner/Scientist	GIS/Computer Specialist	Admin/Editing	Hours Per Task	Phase 3 Add-On
		\$220	\$105	\$100	\$61	
<b>PHASE 1 - CEQA REVIEW - COMPLETE</b>						
<b>PHASE 2 - LAFCO APPLICATION - COMPLETE</b>						
<b>PHASE 3 - LAFCO RE-INITIATION AND SETTLEMENT AGREEMENT</b>						
III.1	LAFCO Application Re-Initiation & Finalize CEQA Process	1	4	-	1	6 \$ 701
III.2	Project Management/Meetings/Coordination with MCWD/LAFCO	3	8	-	2	13 \$ 1,622
III.3	Revise LAFCO Application Package (with review by MCWD/S&W/LAFCO)	6	16	6	6	34 \$ 3,966
III.4	Submit Final LAFCO Application Package and Processing	4	10	2	2	18 \$ 2,252
III.5	LAFCO and MCWD Meeting/Hearing Attendance	8	10	4	-	22 \$ 3,210
	Misc Expenses - Phase 3					\$ 250
	<b>Total</b>	<b>\$4,730</b>	<b>\$ 4,944</b>	<b>\$1,176</b>	<b>\$ 660</b>	<b>\$ 12,001</b>