

CONSENT

OHLONE COMMUNITY COLLEGE DISTRICT MEMORANDUM

TO: Board of Trustees

FROM: Douglas Treadway

DATE: June 8, 2005

SUBJECT: Approval of Contract Amendment for Jerry Haag, Urban Planner, Relating to Burrowing Owl Mitigation

LSA Associates, Inc., has been providing services under the Jerry Haag, Urban Planner Environmental Impact Report contract for planning and implementation of Burrowing Owl mitigation at the Ohlone College Newark Center for Health Sciences and Technology.

The previous amendment covered mitigation measures up until Mid May 2005. This amendment covers the mitigation measures through the start of actual excavation (expected the second week of June, 2005) and additional measures that were required up to Mid May 2005. The fees for these services shall not exceed \$20,690.00. This amendment does not include services that may be required in Fall 2005 relating to the passive relocation of the Burrowing Owls.

With this amendment, the revised contract total with Jerry Haag, Urban Planner will be \$247,819.00.

RECOMMENDATION:

The President/Superintendent recommends approval of a contract amendment with Jerry Haag, Urban Planner, for Environmental Impact Report Services mitigation issues in an amount not to exceed \$20,690.00.

Ohlone Community College District

CONTRACT AMENDMENT #4

Contract #164-1202-001

Date of original contract: January 29, 2003

Date of Amendment: June 8, 2005

This is an amendment to the Agreement dated January 29, 2003, between **Jerry Haag, Urban Planner ("Consultant")** and **Ohlone Community College District ("District")** for Consultant Services to prepare the Environmental Impact Report for the Ohlone College Newark Center for Health Sciences and Technology as detailed in Contract number 164-1202-001.

The parties agree to the following changes and/or additions to the Agreement:

1. **Consultant will perform additional services as stated in the Consultant's Proposal dated May 26, 2005, utilizing LSA Associates. as their sub consultant.**
2. **Fees will be paid for services as described in the Jerry Haag, Urban Planner proposal dated May 26, 2005, which is attached hereto. The Total Fee for the additional services shall not exceed \$20,690.00, which will increase the amended contract amount of \$227,129.00 to a revised total of \$247,819.00, which consists of the original contract amount of \$128,380.00, amendment #1-\$53,258.00, amendment #2-\$9,999.00, amendment #3-\$35,492.00 and amendment #4-\$20,690.00.**

In all other respects, the terms of the original agreement remain in full effect. However, if there is a conflict between this Amendment and the original agreement, the terms of the original agreement will prevail.

Mr. Jerry Haag
Jerry Haag, Urban Planner
2029 University Avenue
Berkeley, CA 94704

Marian Castaneda
Director of Purchasing, Contract Administration,
Auxiliary Services
Ohlone Community College District
43600 Mission Blvd.
Fremont, CA 94539

Signature

Signature

Date

Date

Jerry Haag

URBAN PLANNER

2029 University Ave.
Berkeley CA 94704
(510) 644 2106
fax (510) 548 6123

May 26, 2005

Ms. Marian Castaneda, Director of Purchasing
Ohlone Community College District
43700 Mission Boulevard
Fremont CA 94539

Subject: Request for Change Order No. 4-- PO # B0001408 &
Contract# 164-1202-001

Dear Ms. Castaneda:

This is a request to approve Change Order No. 4 for the above existing contract with the District, which is to prepare an Environmental Impact Report for the proposed Newark Center facility.

The scope of the requested Change Order is to allow the project biologist (LSA Associates) to continue monitoring the Newark Center site for burrowing owls during the construction phase of project construction. LSA's current monitoring effort only extended through May of this year and the budget has been exhausted. This effort has been required by the California Department of Fish and Game.

The amount of the Change Order is \$20,690, which includes \$19,690 (LSA cost) plus my contract administration cost (\$1,000), which is approximately 5% of the supplemental consulting cost.

This will bring the total contract value to \$247,819.

Please call me if you have questions about this request.

Sincerely,


Jerry Haag
Principal

Copies: Simon Barros
Donald Eichelberger