

TASK ORDER
TASK ORDER NO. HBG-2024-02
TO MASTER ENVIRONMENTAL SERVICES AGREEMENT
FOR
REGULATORY AGENCY REQUIRED MITIGATION MONITORING AND
COMPLIANCE REPORTING ASSOCIATED WITH THE FOSTER CITY LEVEE
PROTECTION PLANNING AND IMPROVEMENT PROJECT (CIP 327-657)

This Task Order No. **HBG-2024-02** ("Task Order") is made and entered into by and between the City of Foster City/Estero Municipal Improvement District ("City/District") and Huffman-Broadway Group, Inc. ("Consultant") on August 5, 2024.

RECITAL

A. City and Consultant entered into an agreement entitled Master Environmental Services Agreement ("Agreement"), by which the Consultant agreed to perform professional on-call environmental support services in accordance with Task Orders issued by the City.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **INCORPORATION BY REFERENCE.** This Task Order hereby incorporates by reference all items and conditions set forth in the Agreement.
2. **SCOPE OF TASK ORDER.** Consultant shall perform the services described in Exhibit "A", attached hereto and incorporated herein by reference, in accordance with the terms and conditions of the Agreement.
3. **PAYMENT.** For services performed by Consultant in accordance with this Task Order, City will compensate Consultant in accordance with the terms and conditions of the Agreement and in accordance with the schedule attached hereto as Exhibit A, in an amount not to exceed \$111,300 (including all hourly billings as well as reimbursable costs).
4. **SIGNATURES.** The individuals executing this Task Order represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Task Order on behalf of the respective legal entities of the Consultant and the City.

IN WITNESS WHEREOF, the City and Consultant do hereby agree to the full performance of the terms set forth herein.

City of Foster City

Consultant

By: _____

Title: Mayor

Date: _____

By: Terry Huffman

Title: President

Date: _____

Tax ID No.: 94-3074848

EXHIBIT A

SERVICES TO BE PROVIDED, PAYMENTS, PROJECTS, AND SCHEDULE, PROFESSIONAL ON-CALL ENVIRONMENTAL SERVICES

SERVICES TO BE PROVIDED

This is an Exhibit attached to and made a part of and incorporated by reference to the Task Order No. HBG-2024-02 ("Task Order") , by and between Huffman-Broadway Group, Inc., hereinafter referred to as "**CONSULTANT**" and the City of Foster City/Estero Municipal Improvement District, hereinafter referred to as "**CITY/DISTRICT**" providing for professional services.

- 1. DESCRIPTION OF SERVICES** - Huffman-Broadway Group, Inc. (HBG) will conduct biological mitigation performance and maintenance monitoring and reporting as required as a condition of Project compliance by the environmental regulatory agencies authorizing the Foster City Levee Protection Planning and Improvement Project (CIP-657) (Project). The environmental regulatory agencies include the Corps of Engineers, San Francisco Bay Regional Water Quality Control Board, US Fish and Wildlife Service, San Francisco Bay Conservation and Development Commission, and the California Department of Fish and Wildlife (Regulatory Agencies). Location: Monitoring shall be performed within Phase 1, 2, and 3 and O'Neill Slough, where project plantings were installed (e.g., shrubs and hydroseeding).

2. BASIC SERVICES:

Task 1. Mitigation Monitoring Year 1 (07/01/24-12/31/24). HBG will continue to conduct annual mitigation performance and maintenance monitoring. The purpose of the monitoring is to identify any need for maintenance to be conducted by the Permittee to ensure mitigation performance success standards required by the Regulatory Agencies are met. An annual monitoring report (for Year 1, 2024 monitoring) will be prepared in accordance with agency requirements and submitted to the Regulatory Agencies annually upon client approval. All monitoring and reporting activities will be conducted in accordance with the conditions of project authorization.

HBG will coordinate with client and other designated representatives regarding project status and needs related to the above work tasks, and to project issues related to project design and implementation on an as-needed basis through telephone calls, meetings, and written documentation.

Task activities being conducted include:

1. Year 1 maintenance monitoring & documentation (Q3 & Q4)
2. Year 1 water quality monitoring & documentation (Q3 & Q4)
3. Year 1 channel cross sections survey (by end of 2024)
4. Year 1 vegetation performance monitoring & documentation
5. Year 1 hydrology performance monitoring & documentation
6. Year 1 recommendation of maintenance action to be taken, if needed, for performance standards to be met (Q3 & Q4)
7. Respond to agency comments
8. Attending City and regulatory agency field review(s), if required.

Assumptions for Mitigation Monitoring

1. Permittee / owner is responsible for performing maintenance identified during site monitoring that is needed to satisfy mitigation performance standards. The work can be performed by the Permittee or landscape contractor. (Estimated to be \$30,000 spread over 3 years or \$10,000 /

year). This cost is not part of HBG's costs as identified in this proposal.

2. Participation in two (2) agency on-site project meetings / inspections. HBG will try to coordinate meetings, so they occur when mitigation or maintenance monitoring occurs.
3. Participate in two (2) virtual Client meetings. Assumes one half (0.5) hour per meeting.
4. It is estimated that a total of 83 work hours per year plus expenses will be necessary for this task.

Task 2. Mitigation Monitoring, Year 2 (01/01/25-12/31/25). HBG will continue to conduct annual mitigation performance and maintenance monitoring. The purpose of the monitoring is to identify any need for maintenance to be conducted by the Permittee to ensure mitigation performance success standards required by the Regulatory Agencies are met. An annual monitoring report (for Year 1, 2024 monitoring) will be prepared in accordance with agency requirements and submitted to the Regulatory Agencies annually upon client approval. All monitoring and reporting activities will be conducted in accordance with the conditions of project authorization.

HBG will coordinate with client and other designated representatives regarding project status and needs related to the above work tasks, and to project issues related to project design and implementation on an as-needed basis through telephone calls, meetings, and written documentation.

Task activities to be conducted include:

1. Year 2 maintenance monitoring & documentation (quarterly)
2. Year 2 water quality monitoring & documentation (quarterly)
3. Year 2 channel cross sections survey (by end of year)
4. Year 2 vegetation performance monitoring & documentation
5. Year 2 hydrology performance monitoring & documentation
6. Year 2 recommendation of maintenance action to be taken, if needed, for performance standards to be met (quarterly)
7. Prepare agency required Year 1 monitoring report (due January 2025)
8. Submit Year 1 annual report for client review & comment prior to submission to Regulatory Agencies (January 2025)
9. Submit Year 1 annual report to Regulatory Agencies (end of January 2025)
10. Respond to agency comments
11. Attending city and regulatory agency field review(s), if required.

Assumptions for Mitigation Monitoring

1. Permittee / owner is responsible for performing maintenance identified during site monitoring that is needed to satisfy mitigation performance standards. The work can be performed by the Permittee or landscape contractor. (Estimated to be \$30,000 spread over 3 years or \$10,000 / year). This cost is not part of HBG's costs as identified in this proposal.
2. Participation in two (2) agency on-site or virtual project meetings / inspections. HBG will try to coordinate meetings, so they occur when mitigation or maintenance monitoring occurs.
3. Participation in two (2) on-site project meetings with Client and/or landscape contractor for the purpose of coordinating wetland landscape maintenance activities. Assumes fourteen (14) hours.
4. Participate in two (2) virtual Client meetings. Assumes one half (0.5) hour per meeting.
5. It is estimated that a total of 165 work hours per year plus expenses will be necessary for this task.

Task 3. Mitigation Monitoring: Year 3 (01/01/26-12/31/26). HBG will continue to conduct annual mitigation performance and maintenance monitoring. The purpose of the monitoring is to identify any need for maintenance to be conducted by the Permittee to ensure mitigation performance success standards required by the Regulatory Agencies are met. All monitoring and reporting activities will be conducted in accordance with the conditions of project authorization.

HBG will coordinate with client and other designated representatives regarding project status and needs related to the above work tasks, and to project issues related to project design and implementation on an as-needed basis through telephone calls, meetings, and written documentation.

Task activities to be conducted include:

1. Year 3 maintenance monitoring & documentation (quarterly)
2. Year 3 water quality monitoring & documentation (quarterly)
3. Year 3 channel cross sections survey (by end of year)
4. Year 3 vegetation performance monitoring & documentation
5. Year 3 hydrology performance monitoring & documentation
6. Year 3 recommendation of maintenance action to be taken, if needed, for performance standards to be met (quarterly)
7. Prepare agency required Year 2 monitoring report (January 2026)
8. Submit Year 2 annual report for client review & comment prior to submission to Regulatory Agencies (January 2026)
9. Submit Year 2 annual report to Regulatory Agencies (end of January 2026)
10. Respond to agency comments
11. Attending city and regulatory agency field review(s), if required.

Assumptions for Mitigation Monitoring

1. Permittee / owner is responsible for performing maintenance identified during site monitoring that is needed to satisfy mitigation performance standards. The work can be performed by the Permittee or landscape contractor. (Estimated to be \$30,000 spread over 3 years or \$10,000 / year). This cost is not part of HBG's costs as identified in this proposal.
2. Participation in two (2) agency on-site or virtual project meetings / inspections. HBG will try to coordinate meetings, so they occur when mitigation or maintenance monitoring occurs.
3. Participation in two (2) on-site project meetings with Client and/or landscape contractor for the purpose of coordinating wetland landscape maintenance activities. Assumes fourteen (14) hours.
4. Participate in two (2) virtual Client meetings. Assumes one half (0.5) hour per meeting.
5. It is estimated that a total of 165 work hours per year plus expenses will be necessary for this task.

Task 4. Mitigation Monitoring Close Out (01/01/27-12/31/27). HBG will prepare an annual monitoring report (Year 3, 2026) in accordance with agency requirements and submit it to the Regulatory Agencies upon client approval.

As a condition of regulatory agency authorizations, an official determination of completion in writing can be requested by the permittee once the 3-year mitigation / maintenance monitoring period has been completed and all mitigation performance standards have been successfully achieved. HBG will prepare a technical letter request following submission of the Year 3 monitoring report at the end of January 2027 to the Regulatory Agencies which demonstrates that the mitigation has been successfully completed and no further monitoring or maintenance is required and submit letter to Client for review and approval. Once client approval is received, HBG will submit a letter request to the Regulatory Agencies for a mitigation completion determination and acknowledgement either by letter or email that all mitigation requirements have been satisfied.

HBG will coordinate with client and other designated representatives regarding project status and needs related to the above work tasks, and to project issues related to project design and implementation on an as-needed basis through telephone calls, meetings, and written documentation.

Task activities to be conducted include:

1. Prepare agency required Year 3 monitoring report (due January 2027)

2. Submit Year 3 annual report for client review & comment prior to submission to Regulatory Agencies (January 2027)
3. Submit Year 3 annual report to Regulatory Agencies (end of January 2027)
4. Respond to agency comments
5. Attend regulatory field review, if required.

Assumptions for Year 3 monitoring Report Preparation and Determination of Mitigation Completion.

1. This proposal assumes the Regulatory Agency's required performance standards will be met in 3 years upon submission of the Year 3 monitoring report.
2. Preparation of the technical letter with figures and photos is estimated to take 12 hours.
3. Participation in one (1) on-site interagency mitigation site project inspection. Assumes eight (8) hour meeting.
4. Participate in three (3) virtual client meetings. Assumes one half (0.5) hour per meeting.
5. It is estimated that a total of 100 work hours plus expenses will be necessary for this task.

PAYMENTS and SCHEDULE

1. The maximum payment to CONSULTANT under this Task Order for the Project shall be: **\$111,300**
2. TIMES OF PAYMENTS: On a monthly basis or as invoices received.
3. Invoices shall specify task under which the work was performed, number of hours, hourly rate for all personnel, materials used and cost for materials.
4. Consultant shall furnish a monthly summary that shall include the following:
 - 1 Narrative of specific accomplishments, inspections, etc. during the reporting period.
 - 2 Current period and cumulative expenditures under this Task Order to date.
 - 3 Approved budget and balance remaining.
 - 4 Itemization by Task.
 - 5 Actual cost to complete each task within each project.
5. Invoices are to be submitted monthly. The invoice shall be accompanied by a cost breakdown, in approved format.

HBG will compile the necessary documentation and coordinate with appropriate parties to provide the work products and coordination services as closely as possible to the estimated schedule and costs indicated in the table below. Cost estimate is a not to exceed cost without prior Client authorization.

Task	Work Products	Estimated Completion	Estimated Costs (\$)
Task 1. Mitigation Monitoring, Second Half, Year 1 (7/01/24-12/31/24)	1. Maintenance recommendations in email, if any (Quarterly)	12/31/24	12,900
Task 2. Mitigation Monitoring Year 2 (01/01/25-12/31/25)	1. Maintenance recommendations in email, if any (Quarterly) 2. Year 1 Mitigation Monitoring Report	12/31/25	39,200
Task 3. Mitigation Monitoring Year 3 (01/01/26-12/31/26)	1. Maintenance recommendations in email, if any (Quarterly) 2. Year 2 Mitigation Monitoring Report	12/31/26	39,200

Task	Work Products	Estimated Completion	Estimated Costs (\$)
Task 4. Mitigation Monitoring Close Out: 01/01/27-12/31/27	1. Year 3 Mitigation Monitoring Report 2. Technical letter request with supporting documentation requesting release from further mitigation	12/31/27	20,000
SUBTOTALS			111,300
CONTINGENCY	Requires prior written authorization from City Manager or designee		12,000
TOTALS+CONTINGENCY			123,300

END OF EXHIBIT A