

## PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is dated for convenience February 11, 2020 and is entered into agreement between Dudek (hereinafter “Contractor” or “Consultant”) and the Pleasanton Unified School District (hereinafter “PUSD”).

### **RECITALS**

Whereas, PUSD desires Contractor to provide professional services as detailed in Contractor’s response to PUSD’s Pool RFP for CEQA Services on the E-10 Construction Project dated December 18, 2019. (hereinafter “RFP”), and

Whereas, Contractor represents itself as able and, for a consideration, willing to perform the services outlined in Contractor’s response to PUSD’s RFP.

Now, therefore, the parties enter into this Agreement for Contractor to provide professional services to PUSD as detailed herein. This Agreement attaches and incorporates by reference as though fully set forth herein the following documents: PUSD RFP, W-9 Form, Contractor’s Disclosure Form Regarding PUSD Officials, and Other General Conditions to Professional Services Agreement, (collectively constituting the “Agreement”).

**A. TERM: EFFECTIVE DATE**

This Agreement shall become effective February 11, 2020.

**B. SERVICES CONTRACTOR AGREES TO PERFORM**

Contractor agrees to perform the services provided for in Contractor’s response to PUSD’s RFP attached as Appendix B.

**C. COMPENSATION**

The breakdown of costs and payment schedule associated with this Agreement are detailed in Contractor’s response to the RFP. Contractor shall furnish invoices in a form acceptable to PUSD which shall include the full name of the individual employed by PUSD who requested the service shown on the invoice. All amounts paid by PUSD to the Contractor shall be subject to audit by PUSD. Upon receipt of an acceptable invoice, payment shall be made within 30 days of approval by PUSD’s Deputy Superintendent of Business Services, in his or her sole discretion that the services, set forth in the RFP, have been rendered satisfactorily, and in a professional and timely manner in accordance with this Agreement. If PUSD and Contractor mutually agree that the scope of work described herein is increased, the Agreement may also be increased provided that there is a prior written modification to the Agreement. It shall be the responsibility of the Contractor to ensure that the total approved amount of the Agreement is not exceeded. Any work performed in excess of said amount shall not be compensated. **In no event shall PUSD be liable for interest or late charges for late payments.**

**D. NOTICE TO PARTIES**

All notices to be given by the parties hereto shall be in writing and served by depositing the same in the United States Post Office, postage prepaid and registered, as follows:

**NOTICE TO PUSD CONTRACT OFFICE:**

Pleasanton Unified School District  
Purchasing Department  
4750 1<sup>st</sup> Street  
Pleasanton, CA 94566  
Attn: Amy Nichols  
Ph: 925.565.9660      Fax: 925.462.6065  
Email: [anichols@pleasantonusd.net](mailto:anichols@pleasantonusd.net)

**NOTICE TO THE CONTRACTOR:**

CONTRACTOR	<b>Dudek</b>
CONTACT PERSON NAME	<b>Katherine Waugh</b>
STREET ADDRESS	<b>605 Third Street</b>
CITY, STATE, ZIP	<b>Encinitas, CA. 92024</b>
TELEPHONE/FAX	510.601.2500
EMAIL ADDRESS	<a href="mailto:kwaugh@dudek.com">kwaugh@dudek.com</a>

## **Appendix A**

### **Calculation of Charges**

**Total Cost of the Agreement (Not to Exceed Amount) shall be \$153,595.00. COMPENSATION TO CONTRACTOR SHALL NOT EXCEED THE AMOUNT AUTHORIZED BY THIS AGREEMENT. Additionally, all items listed under Task 5, in Dudak's proposal, will only be billed for should a determination be made that a full EIR is required. Optional items will only be performed at the written direction of PUSD.**

**The hourly rate breakdown is as shown in the Contractor's response to the RFP.**

**Rate increases or changes, must have prior written approval from PUSD. Billings to be submitted monthly based on percentage of tasks completed.**

***NOTE: All contractual agreements to exceed \$45,000 shall require prior approval of the PUSD Board of Trustees (BP 3312).***

**Appendix B**  
**RFP Response**



# DUDEK



## Pleasanton Unified School District Elementary School #10 CEQA Services

### **PREPARED FOR**

Pleasanton Unified School District

January 7, 2020

# Cover Letter

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January 7, 2020

Eric Van Pelt, Program Director for PUSD Measure I-1  
Van Pelt Construction Services  
Via e-mail

**Subject:** Proposal for Elementary School #10 Construction

Dear Mr. Van Pelt,

Dudek is pleased to submit this proposal to provide California Environmental Quality Act (CEQA) services for the Elementary School #10 Construction (project). Our firm is uniquely qualified to provide the Pleasanton Unified School District (District) with environmental consulting and documentation services. For over 30 years, Dudek has worked for school districts on modernization, new construction, expansion, renovation, demolition, attendance boundary changes, and student enrollment increase projects throughout California.

Dudek offers the District the following advantages:

**Knowledge of Regulatory Requirements for School Projects.** Our knowledge gained through extensive experience with school districts and our robust in-house technical expertise will make the environmental review process for the District efficient and informative. This allows us to complete environmental review for the new elementary school with a streamlined schedule and budget, so that we support the District in maximizing project values. We address a range of issues, including local community concerns; hazards and associated requirements under the California Code of Regulations Title 5, California Occupational Safety and Health Administration, Title 8, Environmental Protection Agency regulations, the Education Code, California Department of Education, and Department of Toxic Substances Control; threatened and endangered species; jurisdictional wetlands; floodplains; traffic, including pedestrian safety; and noise.

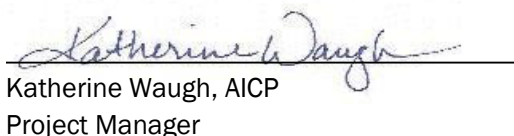
**Hands-on and Responsive Project Management.** As a client-focused consultant, Dudek will respond promptly to all information requests and will be available to discuss compliance strategies. The relationship between District staff and the project manager is an important one, and Dudek empowers its project managers to fully serve the needs of our clients. Dudek also has a deep bench of experts, enabling efficient mobilization of adequate project management and technical staff to meet the District's needs.

If you have any questions regarding our qualifications, please contact Ms. Waugh at [kwaugh@dudek.com](mailto:kwaugh@dudek.com) or 530.863.4642.

Sincerely,



Joseph Monaco, AICP  
President



Katherine Waugh, AICP  
Project Manager

*Joseph Monaco is authorized to sign on behalf of Dudek.*

# Table of Contents

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SECTIONS

Cover Letter..... i

Scope of Work .....1

Project Schedule ..... 12

Project Team ..... 14

Cost Estimate..... 19

TABLE

1 Schedule..... 12

FIGURE

1 Team Organization ..... 14

APPENDIX

A Resumes

# Scope of Work

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## Project Understanding

Dudek understands that the District is considering developing the property adjacent to Donlan Elementary School with a new elementary school. The new school would serve grades 4 and 5, with a projected capacity of 500 students. Donlan Elementary would continue to serve grades T-K through 3, with a projected capacity of 700. The project site is currently covered in landscaped and maintained lawn with a few trees around the perimeter. The site borders Denker Drive and Payne Road.

Based on our preliminary review of site conditions and the proposed new campus, Dudek expects that a mitigated negative declaration (MND) will be the appropriate CEQA document for the proposed project because it will allow the District to demonstrate careful consideration of potential environmental impacts and to identify feasible and effective mitigation measures to keep all impacts to less-than-significant levels. However, the information currently available is not sufficient to conclusively determine that an MND would be appropriate for this project. An environmental impact report (EIR) would be required if the technical studies and/or public comments on the project indicate that there is a fair argument that the project could have a significant environmental effect. Dudek has provided a contingency task to accommodate preparation of a focused EIR. A focused EIR provides detailed analysis only of those topics where a project has a potential to create a significant impact, as compared to a full-scope EIR, which provides detailed analysis of all topics that are addressed by CEQA.

## Scope of Services

### Task 1: Project Initiation and Description

A key initial step in the CEQA process is to prepare a project description that defines the project components and areas of disturbance so that technical studies can appropriately consider all potentially affected resources. Dudek will coordinate and attend a project initiation meeting with District staff and other members of the project team to review project background, basic elements of the project description, existing conditions at the project site and in the vicinity, data needs and approach to technical studies, and the project schedule. Following this meeting, Dudek will prepare a detailed project description that includes:

- Project objectives
- Project site description (existing conditions)
- Proposed on-site improvements to existing facilities, including the footprint of disturbance
- Construction activities and timing
- Anticipated operational characteristics
- Required approvals and permits

The project description will include maps and figures identifying the project site location and conditions, conditions in the project vicinity, and the proposed infrastructure improvements and new facilities.

Dudek will submit an electronic draft of the project description to the District for review prior to commencing work on the initial study (IS). The project description will be revised to incorporate comments from the District.

Dudek will also review planning documents and environmental impact analyses recently prepared for other projects within the region. This will include the District's background planning and facility assessment documents as well as the City of Pleasanton General Plan. Dudek will consult with the District and outside agencies, such as the City of Pleasanton, to identify any relevant planning and environmental issues that may affect or be affected by the proposed project.

## Task 2: Technical Studies

The technical review tasks described below are necessary to provide substantial evidence to support preparation of the IS. It is assumed that the District will provide a geotechnical investigation and a drainage report.

### 2a: Phase I Environmental Site Assessment

Dudek proposes to conduct a Phase I ESA in accordance with ASTM Standard E 1527-13 and DTSC guidelines for site assessments for school properties. Additionally, the Phase I ESA will address the CDE requirements to identify air quality hazards and pipeline hazards in the vicinity of the property. This will include the following efforts:

The Phase I ESA investigation will include a computerized database search conducted by Environmental Data Resources (EDR) of regulatory agency records to see if there are currently, or were previously, any reports of hazardous materials contamination or usage at the property or contamination at other sites within the search radius. The databases searched will include the ASTM Standard databases, as well as additional environmental databases searched by EDR. In addition to the EDR database search, Dudek will review on-line maps of oil wells and hazardous pipelines on the Division of Oil, Gas, and Geothermal Resources (DOGGR) and National Pipeline Mapping System websites.

The EDR report will also note information on the environmental setting near the property. This information includes mapped wetlands and flood zones, mapped water wells, and mapped oil wells. Dudek will review and summarize this information.

Dudek will review available regulatory agency files for the property. Dudek will request files from the following agencies (if a physical address is not available for the property, a file review may not be able to be completed, depending on the agency):

- Alameda County Department of Environmental Health
- San Francisco Bay Regional Water Quality Control Board
- Bay Area Air Quality Management District
- Department of Toxic Substances Control
- City of Pleasanton

Dudek will review historical source information in order to evaluate past uses of the property. Available historical aerial photographs, historical topographic maps, Sanborn fire insurance maps, and City Directory listings will be obtained from EDR.

Dudek will conduct a site reconnaissance to identify potential recognized environmental conditions associated with current site features. Dudek will take photographs of site features and present the photographs in the Phase



I ESA report. Dudek will review adjacent sites from the property or from public rights of way. Dudek will also conduct an interview with the District as the current property owner.

In addition, the following items will also be evaluated for the Phase I ESA:

- Proximity to high-voltage above-ground power transmission lines, based on visual observations and aerial photography.
- Information from the BAAQMD regarding the near-by facilities that emit hazardous air emissions and determination if such facilities may present a hazard to the proposed school.
- Identify if there are any railroad tracks within 1,500 feet of the school, based on review of topographic maps and the site visit.
- Review on-line maps of hazardous pipelines on the National Pipeline Mapping System website to determine if hazardous pipelines are located near the proposed school site.
- The locations of near-by storage facilities such as water storage tanks or reservoirs will also be noted based on review of aerial photographs and topographic maps to determine if they could pose hazards to the school site in seismic events or other emergencies.

Based on the information gathered during the investigation, the report will conclude that either 1) no recognized environmental conditions were identified, 2) a Phase I addendum should be prepared, or 3) a PEA is necessary. If a Phase I addendum or PEA is required, a cost estimate will be prepared at that time. The scope and estimated cost of a potential Phase I addendum or PEA will depend on the recognized environmental conditions identified in the Phase I ESA. Dudek assumes that the District will submit the Phase I ESA to the Department of Toxic Substances Control; this scope does not include the \$1,500 Department of Toxic Substances Control submittal fee.

## 2b: Cultural Resources Assessment

Cultural resources work will be completed with the intent of satisfying CEQA requirements. Based on review of the Request for Proposals, federal agency review for compliance with Section 106 of the National Historic Preservation Act is not anticipated. For the purposes of this scope, we assume that the project area consists of less than 10 acres, situated within undeveloped athletic fields.

Dudek's cultural resources investigation will include an inventory of all cultural resources within the Area of Potential Effect (APE). Dudek will conduct a records search for a 0.5-mile radius around the project area at the Northwestern Information Center to obtain information on previously recorded cultural resources and investigations. We anticipate the turnaround for this search to be a minimum of 3 weeks, as dependent on Northwestern Information Center scheduling, and the direct costs for the records search to be no more than \$800.00.

Upon written notice to proceed, we will also initiate correspondence with the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File for any known Native American resources identified within the APE. As part of the results of this search, the NAHC will provide a contact list of tribal individuals and organizations that may have additional information concerning resources in the vicinity. It is assumed that follow-up communication and formal consultation with Native American tribes pursuant to Assembly Bill (AB) 52 will be completed by District staff. Should it be requested, Dudek would be glad to assist with answering questions pursuant to AB 52 and facilitation of the AB 52 process. We assume no more than one round of certified sent letters to NAHC-listed tribal representatives will be needed to meet these requirements.

Following archival research, Dudek will complete an intensive pedestrian survey of the APE. This is anticipated to take one archaeologist no more than one day of survey. We assume no Native American monitor will be necessary during the survey. Dudek assumes that no archaeological or built environment resources (buildings over 45 years

in age) will be identified within the APE. If any resources are identified, they must be subject to field-inventory-level documentation sufficient to prepare and Department of Parks and Recreation 523 Site Record Form. This is considered the minimum standard of recordation recommended by the California Office of Historic Preservation. Should additional field documentation of identified resources be required to evaluate these resources for California Register of Historical Resources listing, Dudek will work with you to prepare an additional cost and scope to support these efforts.

Dudek will document the results of the cultural resources investigation in a CEQA-compliant letter report. This report will include a table of contents, project location and description, regulatory context, review of geomorphic information for suitability to support unanticipated cultural resources, a summary of records search results and tribal outreach, a discussion of impacts to cultural resources, and recommended mitigation. Should resources be discovered that require formal significance evaluation within the project area, and project avoidance is not considered feasible, we will work with you to augment this cost as appropriate to complete this additional work.

## 2c: Biological Resources Assessment

Based on review of aerial photographs, the project site has been kept as an irrigated turf field since at least 2003. The site is surrounded by the existing school, residential development, and a community park. These surrounding land uses further reduce the habitat value of the project site. No wetland features are evident on aerial photographs or in the National Wetland Inventory mapping. Therefore, potential habitat for special-status species is limited to the ornamental tree plantings surrounding the project site. Information on species' potential to occur will be drawn from agency databases such as the California Natural Diversity Database, the California Native Plant Society Inventory of Rare and Endangered Plants of California, and the US Fish and Wildlife Service Information for Planning and Consultation. A Dudek biologist will visit the site to briefly review potential habitats within the APE for their potential to support special-status species or migratory birds. The findings of the database search and habitat assessment will be documented in a brief letter report biological resources assessment (BRA) to support any environmental impact analysis or local entitlement permitting that may be required.

## 2d: Air Quality Analysis

### 2d.1 Criteria Air Pollutant Emissions

Dudek will estimate criteria air pollutant emissions associated with the construction phase of the project using the California Emissions Estimator Model (CalEEMod). The analysis of short-term construction emissions will be based on scheduling information (e.g., overall construction duration, phasing and phase timing) and probable construction activities (e.g., construction equipment type and quantity, workers, and haul trucks) developed by the City, the applicant, its representatives, and/or standardized approaches. Dudek will then evaluate the significance of the construction emissions based on the BAAQMD significance criteria.

CalEEMod will also be used to estimate project-generated operational criteria air pollutant emissions associated with mobile, energy, and area sources. Dudek will estimate mobile source emissions using the trip generation rates and additional necessary trip characteristics provided in the traffic report to be prepared for the project. Unless project specifics are available, energy and area source emissions (e.g., natural gas combustion and consumer products) will be estimated using the default values in CalEEMod for the proposed land use. Dudek will compare the total operational emissions to the BAAQMD significance thresholds.

### 2d.2 Land Use Compatibility Health Risk Assessment

Since the project would locate sensitive school receptors within 0.25 mile of existing sources of TACs, including Interstate 680 (approximately 0.22 miles to the west of the school site) and the Dublin San Ramon Services District Wastewater Treatment Plant (WWTP) (approximately 0.15 miles to the northwest of the school site), Dudek proposes to prepare a land use compatibility health risk assessment. Per the Education Code Section

17213, Dudek proposes to consult with the Bay Area Air Quality Management District (BAAQMD) in order to determine if these sources of TACs necessitate a quantitative health risk assessment. Based on this consultation, (1) if the BAAQMD indicates that quantitative modeling is not required, a qualitative description will be included in the environmental document, or (2) if the BAAQMD recommends quantitative health risk analysis, Dudek will develop a health risk assessment to evaluate the land use compatibility of the proposed project site, based on the following approach:

- For I-680, the dispersion of TACs and their health risk impacts at sensitive receptors at the project site will be modeled using a combination of the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) and the Hot Spots Analysis and Reporting Program Version 2 (HARP2), along with meteorological data provided by the BAAQMD for the project area, and the estimated annual diesel particulate matter (DPM) emissions from vehicles traveling on I-680. Gasoline vehicles also result in TACs, however, DPM is the primary driver of risk from highways and will be the only TAC assessed. The maximum cancer risks at the appropriate receptors (e.g., future students) will be tabulated. The assessment will also include the estimated chronic (long-term) hazard indices due to non-cancer health effects associated with DPM. The hazard indices will be tabulated at the appropriate locations. No acute relative exposure values are established for DPM.
- For the WWTP, Dudek will use the BAAQMD geo-referenced database of permitted emissions sources throughout San Francisco Bay Area for estimating health risks. Depending on the types of emission sources, the health risk values provided by BAAQMD would be scaled based on the distance between the source and receptor.
- The health risk values from I-680 and proximate stationary sources will be compared to the BAAQMD health risk thresholds. If the estimated risk exceeds thresholds, Dudek can conduct a refined health risk assessment for stationary sources under a separate scope and budget.
- The discussion of the methodology and results of the health risk assessment will be summarized within the air quality section of the environmental document and detailed results will be provided in an appendix.

### 2d.3 Construction Health Risk Assessment

The existing school and residences in the project vicinity represent sensitive receptors for air pollutants. CEQA requires analysis of the potential health effects for these sensitive receptors. The main contaminant of concern associated with construction activities is diesel particulate matter (DPM), which has been listed as a toxic air contaminant by the California Air Resources Board. Dudek will evaluate the project's potential health risks associated with construction activities using an appropriate exposure period to evaluate short-term emissions increases. The dispersion of DPM will be modeled using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) dispersion model and the California Air Resources Board Hot Spots Analysis and Reporting Program Version 2 (HARP2), along with meteorological data provided by BAAQMD for the project area. HARP2 performs health impact calculations based on the Office of Environmental Health Hazards Assessment's Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. Additionally, fine particulate matter, which can pose a localized health threat to sensitive receptors at relatively low concentrations, will be estimated and compared to the BAAQMD significance threshold. The maximum cancer risks at the appropriate receptors (e.g., proximate residential and school receptors) will be tabulated. Cancer risk isopleths (i.e., lines of equal cancer risk) will be plotted on figures showing the project site if the maximum cancer risk exceeds the BAAQMD significance threshold of 10 in 1 million. The assessment will also include the estimated chronic (long-term) hazard indices resulting from non-cancer health effects associated with DPM. The hazard indices will be tabulated at the appropriate locations and plotted on figures similar to that showing estimated cancer risks if they exceed the BAAQMD significance threshold of 1.0. No acute relative exposure values are established for DPM. If the health impacts exceed the thresholds of significance, we will suggest appropriate mitigation measures to reduce the health impacts. A health risk assessment will be prepared



as a technical appendix, and a summary of the methodology and results will be provided in the air quality section of the environmental document.

## 2e: Traffic Impacts Analysis

Dudek's in-house transportation planners and engineers will conduct an assessment of potential transportation and circulation impacts of the proposed project, a new elementary school for grades 4 and 5, adjacent and west of the existing Donlon Elementary School in the City of Pleasanton (City). The existing Donlon Elementary School has a current enrollment of 759 students in grades Kindergarten through 5<sup>th</sup> grade. The proposed project would build a new elementary school for grades 4 and 5 and accommodate 500 students, while the existing Donlon school would be converted to a Kindergarten through 3<sup>rd</sup> grade elementary school accommodating 700 students. Therefore, an additional 441 students would be destined to/from the adjacent K-3 and grades 4/5 schools.

The technical traffic data, analysis findings, and circulation recommendations will be taken from the *Donlon Elementary School Circulation Study* prepared by Hexagon Transportation Consultants (October 2018). Based on a December 4, 2018 letter from the City Manager of Pleasanton, the City is supportive of the proposed project, and has approved the Hexagon circulation study:

*"...From the standpoint of offering the best circulation option for student drop-off and pick-up, as well as most efficient circulation alternative for the surrounding neighborhood, the City is most supportive of the TK-3 and 4/5 option.*

*This configuration separates Donlon into two schools which disperses the traffic impact between Dorman Road and Payne Road/Denker Drive. The existing south parking lots and loading and queuing lane will remain. Two new parking lots with loading/unloading lanes are proposed which will improve traffic circulation. The expanded drop off in the north east quadrant of the school site will provide additional loading space to improve the circulation on Donlon. The new drop-off loop along Payne/Denker will provide needed school site loading curb space at the new 4/5 campus..."*

Dudek will prepare the Transportation section of the CEQA document using information from the Hexagon circulation study and ensure consistency with the current CEQA checklist items. In addition, to comply with SB 743, which is formally required in July 2020, Dudek will prepare a qualitative vehicle miles traveled (VMT) analysis. Significant VMT impacts are not anticipated for the proposed project as it is accommodating planned student enrollment in the District. The Transportation section of the project's CEQA document will contain a summary of the methodology and findings of the potential traffic and circulation impacts, and if necessary, provide mitigation measures to reduce project impacts to a less than significant level.

## 2f: Noise Analysis

Dudek will conduct a noise and vibration assessment for the proposed school for incorporation into the IS/MND noise section. The analysis will identify and discuss applicable noise exposure standards at the local (City of Pleasanton General Plan and City Code), state, and federal levels. Potential temporary and permanent noise impacts associated with the project at nearby sensitive receptors will be predicted and evaluated against the applicable thresholds.

Dudek will develop and execute a noise-level monitoring program to quantify the existing ambient acoustical conditions in the project vicinity. The existing ambient noise monitoring program is anticipated to include noise-level measurements at up to three locations; incorporating short-term (i.e., 10- to 15-minute) measurements at up to two locations and long-term (i.e., 24-hour) monitoring at one location.

Potential construction noise (temporary noise) at nearby noise-sensitive land uses will be discussed with respect to the application of the City of Pleasanton Code and empirical reference noise level data. Construction-related vibration will be discussed based on appropriate guidance by the US Department of Transportation, Federal Transit Administration, and California Department of Transportation.

Long-term (operational) noise effects in relation to existing, future, and project-related vehicle trips along selected nearby roadways will be predicted using the Federal Highway Administration's traffic noise prediction algorithms, which will rely on traffic data and other input parameters supplied by the District and/or contained in the project's Traffic Impact Analysis.

On-site operational (a.k.a., stationary) noise associated at nearby noise-sensitive land uses from on-site operational noise (heating, ventilation, and air conditioning equipment, school bells, recreation activities noise, etc.) will be discussed at a qualitative level, based on available reference sound emission data.

The significance of noise and vibration impacts will be assessed based on the relevant City of Pleasanton, state, and federal criteria and guidelines. The regulatory background, existing noise environment, study methodology, results of the noise analysis, and findings of potential effects will be discussed and presented in a noise section of the IS.

#### 2f.1: (Optional Task) Community Noise Exposure and Land Use Compatibility

As an optional add-on to the above scope of services, Dudek can provide an evaluation of on-site noise level exposure and land use compatibility within the existing and future noise environments. This optional analysis would be performed to evaluate the project for compliance with the City of Pleasanton General Plan Noise Element land use planning criteria and applicable state and federal classroom noise exposure standards. Traffic noise exposure at on-site sensitive receptors on the project site would be analyzed based on available traffic data, through further implementation of the Federal Highway Administration Traffic Noise Model version 2.5 algorithms. Interior noise level exposure from nearby noise sources will be calculated based on construction details (wall construction, window specifications, dwelling unit configuration, etc.) provided by the District (assumed to be performed for up to four classrooms/units representative of the typical configurations). The results of the community noise exposure and land use compatibility assessment would be incorporated into a stand-alone technical memorandum, with further recommendations included as necessary to achieve compliance with the applicable criteria.

#### 2f.2: (Optional Task) Detailed Acoustical Modeling for On-Site Noise Sources

Dudek can also complete detailed three-dimensional computerized noise simulation modeling of on-site and off-site noise levels as necessary to provide additional impact assessment, site planning, and mitigation effectiveness. The outputs of the noise simulation modeling provide detailed information on how the sound is behaving between the source and key receiver locations of concern, as well as detailed graphics that aid in interpretation of the effect of the project on the surrounding community. On-site operational elements associated with the project would be predicted based on information provided by the District. Dudek would incorporate the findings of the detailed acoustical modeling into the IS and provide additional support information to inform project planning and development.

### Task 3: Initial Study

Dudek will prepare a detailed IS to evaluate all potential impacts of the project, using the current CEQA Guidelines Appendix G Initial Study Checklist. Each section will provide a description of the relevant physical conditions and regulatory requirements; assess the project's impacts; and identify appropriate, feasible, and effective mitigation measures, as needed. Technical studies and other information sources will be referenced in characterizing

existing conditions and evaluating potential impacts. As appropriate, the IS will summarize and incorporate by reference relevant information from existing planning and environmental review documents.

Dudek will submit the Administrative Draft IS to the District and project team for review. Dudek will meet with District staff and other members of the project team to discuss impact significance conclusions and mitigation measures, and to determine whether an MND can be supported or if an EIR is required. Based on those discussions and written comments on the IS from the District and project team, Dudek will finalize the IS for use in the appropriate CEQA document.

## Task 4: Mitigated Negative Declaration

### 4a: Proposed MND

If it is determined that an MND can be supported, Dudek will prepare a Proposed MND, associated public notices, and the mitigation monitoring and reporting program (MMRP) for circulation with the IS/Proposed MND. The MMRP will specify timing, performance, and monitoring requirements for each mitigation measure identified in the IS. Dudek will submit the Proposed MND, other public notices, MMRP, and revised IS to the District and project team for final review. Dudek will also provide the District with a memorandum documenting the individual steps necessary for public noticing and distribution of the IS/MND.

Based on District and project team comments on the documents, Dudek will revise the IS and MMRP and prepare the IS/MND for the required 30-day public review period.

Dudek will be responsible for submittal of the documents to the State Clearinghouse, all local agencies, and direct mailing of the Notice of Availability (NOA) and Notice of Intent to Adopt an MND. Dudek will also coordinate with the local newspaper for publication of the Notice of Intent, but our budget does not include costs of such publication, and we assume the District will pay the newspaper publication fees directly.

### 4b: Final IS/MND

After the public circulation period closes, Dudek will review comments received on the draft document and consult with the District regarding any substantive comments. If warranted, Dudek will prepare written responses to substantive comments and/or a memorandum discussing the public comments. Any changes to the text of the IS needed to address the comments will be made. Dudek will submit the responses to comments and revised IS (if applicable) to the District in electronic format for review. The budget for this task assumes that no more than 15 individual comments will be received on the IS/Proposed MND.

Dudek will prepare a Notice of Determination for submittal to the County Clerk should the MND be adopted and the project approved. Dudek's budget does not include the costs for filing the NOD with the County Clerk, which is currently \$2,404.75 for a project where an MND was adopted.

## Contingency Task 5: CEQA Compliance – Focused EIR

Contingency Task 5 would accommodate preparation of a Focused EIR, should one be warranted by conditions under which there is a fair argument that the project could have a significant environmental effect. The determination of which topics require analysis in the EIR would be based on the project description, technical studies, and public comments; for the purpose of budgeting, it is assumed that four topics would be required.

## 5a: Notice of Preparation and Scoping

Dudek will prepare a Notice of Preparation (NOP) to document the project and the anticipated scope of the EIR. The NOP will include the IS prepared under Task 3, which will include the analysis and evidence necessary to demonstrate that impacts would remain less than significant in most resource areas. Dudek will submit a draft of the NOP to the District for review, revise the NOP based on District comments, and prepare the NOP for public distribution and circulation, including delivering 15 copies of the NOP to the State Clearinghouse and completing distribution to local agencies and interested parties, including direct mailing of the NOA as required.

## 5b: Administrative Draft EIR

Dudek will prepare the Administrative Draft EIR pursuant to the requirements of the CEQA statutes, CEQA Guidelines, and CEQA case law. Each of the environmental analysis sections will contain the following sections: environmental setting, regulatory framework, impacts, and mitigation measures. The impacts analysis in each section will include specific consideration of cumulative impacts. For the cumulative impacts analysis, the geographic area in which cumulative impacts may occur will be defined, the cumulative development scenario within that area will be identified, the potential for significant impacts to occur under the cumulative development scenario and the project's contribution to those impacts will be evaluated, and a determination of the significance of the project's contribution will be made. In addition to the environmental analysis sections, the Administrative Draft EIR will include the following:

- CEQA-Mandated Sections. This section will evaluate sections specifically required by CEQA in an EIR.
- Growth Inducement. This section will evaluate the potential for the project to induce additional growth in the project vicinity. This analysis will consider the degree to which the project may remove barriers to growth and/or provide infrastructure and other improvements that could support additional growth.
- Significant and Unavoidable Impacts and Irreversible Environmental Effects. Based on the analysis presented in each of the environmental resource sections, a list of the project's significant and unavoidable impacts will be provided. Further, the use of nonrenewable resources and commitment of environmental resources associated with the project will be evaluated to determine if the project would result in additional irreversible environmental effects.
- Alternatives to the Proposed Project. This chapter will evaluate appropriate alternatives identified for the project. Dudek will work with District staff to identify up to two substantive project alternatives. Dudek will evaluate each of the selected project alternatives and the no-project alternative with respect to the potential for an alternative to reduce or avoid the project's significant impacts.

## 5c: Screencheck Draft EIR

Once the District and project team have reviewed the Administrative Draft EIR and responded with a single set of consolidated comments, Dudek will revise the Administrative Draft EIR and submit a Screencheck Draft EIR to the District and project team for final review. Dudek will also prepare an MMRP to document the timing, monitoring requirements, and performance criteria for all mitigation measures included in the IS and EIR.

## 5d: Draft EIR

Based on District and project team comments on the screencheck submittal, Dudek will prepare the Draft EIR for public review. Dudek will work with District staff to assemble, notice, and distribute the Draft EIR for public review. Dudek will be responsible for all notification and distribution, including submitting the EIR to the State Clearinghouse and local agencies and direct mailing of the NOA to interested parties.

## 5e: Administrative Final EIR and Findings

Following conclusion of the public review period, Dudek will catalog and categorize comments on the Draft EIR and prepare responses to comments for inclusion in the Final EIR. This scope assumes that Dudek will respond to up to 30 substantive public comments on the Draft EIR (note that a single comment letter may contain multiple comments). Dudek will also assemble text changes to the EIR, as appropriate. Dudek will submit electronic copies of the Administrative Final EIR for District review. Dudek will also prepare a draft of the Findings of Fact documenting the CEQA process followed for the project, the administrative record for the EIR, and the required findings for each impact determined to be potentially significant. A statement of overriding considerations will be included if significant unmitigated impacts are identified as part of the CEQA review process. We have not retained counsel for review of the Findings and assume that the District's legal counsel will review the findings prior to any public hearings on the Final EIR.

## 5f: Screencheck Final EIR and Findings

Once the District and project team have reviewed the Administrative Final EIR and Findings and responded with a single set of consolidated comments, Dudek will revise the documents as appropriate and submit the Screencheck Final EIR and Findings for final District and project team review.

## 5g: Final EIR and Findings

Based on District and project team comments on the screencheck submittal, Dudek will prepare the Final EIR for the Board of Trustees consideration. Dudek will work with District staff to assemble, notice, and distribute the Final EIR as required. Dudek will be responsible for all notification and distribution, including submitting the Final EIR to the State Clearinghouse and local agencies and direct mailing of the NOA to interested parties.

Finally, Dudek will prepare a Notice of Determination for submittal to the County Clerk should the EIR be certified and the project approved. Dudek's budget does not include the costs for filing the NOD with the County Clerk, which is currently \$3,321.00 for projects where an EIR was certified.

## Task 6: Project Management and Meetings

We prioritize project management and believe that a focused, well-managed effort on the part of the Dudek team, District, and entire consulting team will be key to achieving the District's processing goals for the project. This task includes preparation of regular progress reports to be submitted with our monthly invoice to the District. A key element of Dudek's progress report procedures is identification of upcoming issues and obstacles, as well as a summary of tasks completed during the previous month to identify issues as early in the process as possible, maintaining project momentum.

Throughout the project, Ms. Waugh will be available to consult with District staff by telephone and email, with a goal of responding to emails within 24 hours. She will also actively engage with all of the Dudek team members to ensure all parties have consistent project information, are meeting project milestones, and are working within the agreed-upon scope of work and budget.

In addition to the project initiation meeting, Dudek staff will attend the following meetings:

- MND or EIR kickoff meeting
- Two conference call project status/document review meetings with District staff and other project team members
- Scoping meeting (if an EIR is prepared)
- Draft EIR hearing (if an EIR is prepared)
- CEQA document adoption or certification/project approval hearing

Ms. Waugh will lead the kickoff meeting and each of the telephone conference call meetings with District staff to review project status, document progress, comments on administrative drafts of documents, and other project issues. Ms. Waugh will also coordinate additional telephone and email communication as necessary to keep the project moving forward.

At public meetings and hearings, Dudek will be available to present a summary of the documents being reviewed or considered, respond to questions, and provide any necessary information. During each public meeting, Dudek staff will summarize and explain the results of the EIR to public officials and receive comments on the document.

# Project Schedule

Table 1 presents Dudek's schedule for completion of environmental documentation for the construction of Elementary School #10.

**Table 1. Schedule**

Task Name	Weeks Elapsed	Total Weeks Elapsed
<b>Task 1 Project Initiation</b>		
Initiation Meeting	1 week	1 week
Draft Project Description submitted	1 week	2 weeks
District/project team review	1 week	3 weeks
Final Project Description	0.5 week	3.5 weeks
<b>Task 2 Technical Studies</b>		
2a Phase I ESA	3 weeks from end of Task 1	6.5 weeks
2b Cultural Resources	5 weeks from end of Task 1	8.5 weeks
2c Biological Resources	4 weeks from end of Task 1	7.5 weeks
2d Air Quality	5 weeks from end of Task 1	8.5 weeks
2e Traffic Impacts	4 weeks from end of Task 1	7.5 weeks
2f Noise Analysis	4 weeks from end of Task 1	7.5 weeks
<b>Task 3 Initial Study</b>		
Draft IS	2 weeks from end of Task 2b	10.5 weeks
District/project team review	2 weeks	12.5 weeks
<b>Task 4 Mitigated Negative Declaration</b>		
Revised IS/MND and notices	2 weeks	14.5 weeks
District/project team review	1 week	15.5 weeks
Finalize Draft IS/MND and notices	1 week	16.5 weeks
Public review	4.5 weeks (30 days)	21 weeks
Responses to comments/IS revisions	2 weeks	23 weeks
District/project team review	1 week	24 weeks
Final IS/MND and responses	1 week	25 weeks
NOD	Within 5 days of project approval	
<b>Contingency Task 5 Focused EIR</b>		
Draft NOP	1.5 weeks from end of Task 3	14 weeks
District/project team review	1 week	15 weeks
Final NOP	0.5 week	15.5 weeks

Table 1. Schedule

Task Name	Weeks Elapsed	Total Weeks Elapsed
NOP Circulation	4.5 weeks (30 days)	20 weeks
Admin Draft EIR	3 weeks	23 weeks
District/project team review	2 weeks	25 weeks
Screencheck Draft EIR	1.5 weeks	26.5 weeks
District/project team review	1.5 weeks	28 weeks
Finalize Draft EIR	1.5 weeks	29.5 weeks
Public Review	6.5 weeks (45 days)	36 weeks
Responses to Comments, Final EIR, Findings	2.5 weeks	38.5 weeks
District/project team review	1.5 weeks	40 weeks
Screencheck Final EIR and Findings	1.5 weeks	41.5 weeks
District/project team review	1 week	42.5 weeks
Final EIR	1 week	43.5 weeks
NOD	Within 5 days of project approval	

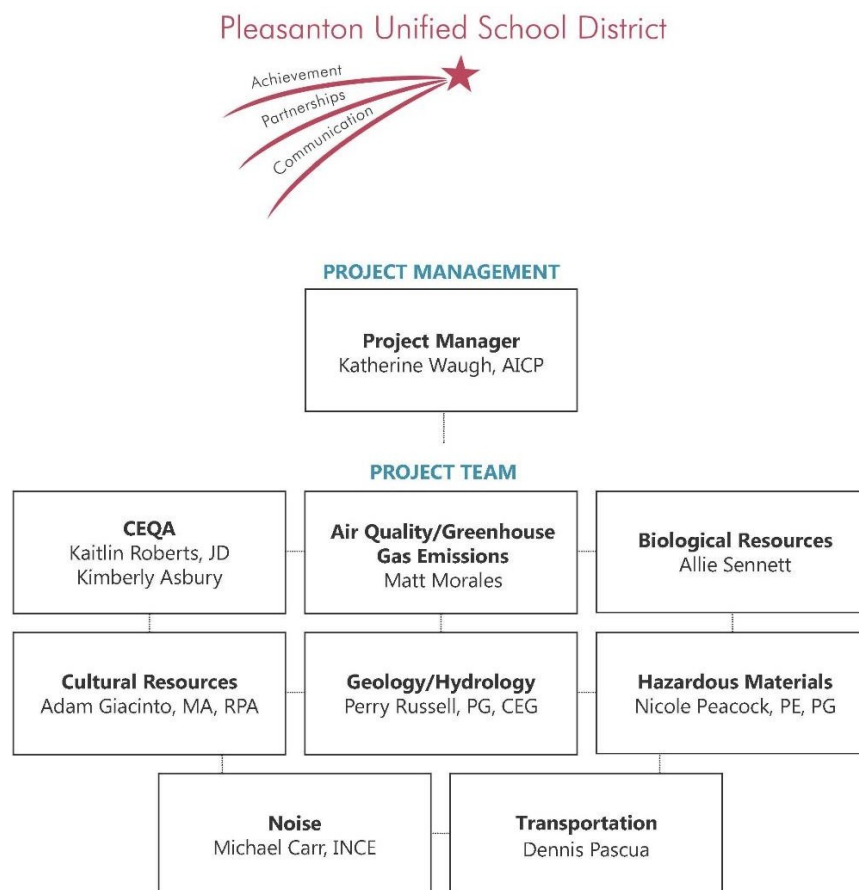


# Project Team

We have assembled a team that can provide all necessary services with in-house staff working primarily from our Northern California offices. Katherine Waugh, AICP, will serve as the project manager for the Elementary School #10 Construction Project and will be the District's primary point of contact for the project. Ms. Waugh is a senior planner in our Auburn office with 18 years' experience in CEQA, current planning methods, and environmental documentation for educational and other planning and construction projects. She will manage technical staff and reports as well as the preparation of any environmental documentation. She will be supported by regional technical staff to address all of the issues in order to prepare a comprehensive environmental document.

Figure 1 presents our team organization and project team responsibilities for the project. Brief biographical summaries highlighting the qualifications of the proposed staff are provided following the organization chart. Full resumes are provided in Appendix A.

*Figure 1. Team Organization*



## Project Manager

### Katherine Waugh, AICP

Katherine Waugh is a senior planner with 20 years' experience with CEQA statutory requirements, current planning methods, and environmental documentation procedures. She prepares CEQA documents for a wide range of public and private projects, managing projects effectively and maintaining momentum to meet schedule and budget requirements. Ms. Waugh applies planning and environmental laws and regulations practically and with an attention to detail, allowing her to quickly identify and resolve critical planning and environmental issues. She maintains relationships with many local and state agencies, enabling efficient consultation and thorough attention to their concerns, while integrating outside agency requirements with the Lead Agency's mitigation measures and development review procedures. Ms. Waugh has provided CEQA services for education projects for the District as well as for the Tahoe Truckee Unified School District, Dixon Unified School District, and Rocketship Charter Schools in San Jose.

#### Education

*University of California (UC), Davis  
BS, Environmental Policy Analysis  
and Planning*

#### Certifications

*American Institute of Certified  
Planners*

#### Professional Affiliations

*American Planning Association  
Association of Environmental  
Professionals*

## CEQA

### Kaitlin Roberts, JD

Kaitlin Roberts serves as an environmental specialist with 11 years' experience in the preparation of general plans, zoning ordinances, EIRs, ISS, negative declarations, public notices, and staff reports for a variety of planning projects. Ms. Roberts authors EIR chapters and conducts research, site visits, document review, and document tracking for environmental review projects. She is experienced in preparing impact analysis in the areas of biological resources, cultural resources, geology, noise, public services, and public utilities and in preparing responses to comments on draft documents. Ms. Roberts has extensive experience preparing environmental documents for projects throughout Northern California, including the Bay Area, and has assisted with CEQA documentation for an elementary school expansion in Nevada County.

#### Education

*Lincoln Law School of Sacramento  
JD*

*California Polytechnic State  
University, San Luis Obispo  
BS, Social Sciences*

#### Certifications

*State Bar of California, 2010*

### Kimberly Asbury

Kimberly Asbury is an environmental planner/analyst with 4 years' experience preparing environmental issues, as well as interacting with the public in an educational role. Ms. Asbury's studies focused on the interaction between people and their built and natural environments. As an environmental planner/analyst, she specializes in CEQA document preparation and compliance. Her education experience includes preparing environmental documents for Tahoe Truckee Unified School District projects and reconstruction of an existing school campus for the ACE Charter at Bridges Academy in Palo Alto.

#### Education

*UC Santa Barbara  
BA, Environmental Studies and  
Global Studies*

## Air Quality/Greenhouse Gas Emissions

### Matt Morales

Matt Morales is an air quality specialist with 14 years' experience preparing technical analyses for numerous planning and environmental projects related to development, natural resource management, and facility expansion. Mr. Morales is trained in air quality, including greenhouse gas emissions and climate change, and noise analysis, and he is adept at applying air quality models, such as the California Emissions Estimator Model, Caline4, AERSCREEN, AERMOD, and HARP2, to perform quantitative analyses for National Environmental Policy Act (NEPA) and CEQA environmental documents, such as EIRs, ISS, and MNDs.

### Education

UC Davis  
BS, Environmental Toxicology

### Professional Affiliations

Association of Environmental Professionals  
Air and Waste Management Association

## Biological Resources

### Allie Sennett

Allie Sennett is a biologist with 9 years' experience in terrestrial and aquatic biology. Ms. Sennett conducts general biological surveys, tree inventories, wetland delineations, rare plant surveys, and habitat assessments for special-status species. She prepares biological constraints memoranda, baseline biological studies, wetland delineation reports, biological assessments for Section 7 Endangered Species Act consultation, and other technical documents used in the CEQA/NEPA process. Ms. Sennett evaluates potential project impacts, proposes mitigation measures, prepares permit applications, and researches special-status species for public- and private-sector projects throughout California. She has served as project biologist for several higher education projects, including the Master Plan Update and Physical Sciences Building Renovation at California State University, Chico. Additionally, she has prepared biological technical reports for K-12 athletic field improvement projects.

### Education

University of San Francisco  
MS, Environmental Management  
UC Santa Cruz  
BA, Environmental Studies

### Certifications

CDFW Plant Voucher Collecting Permit, No. 2081(a)-16-016-V  
Wetland Delineation I – 40 Hours of Basic Training, USF 2015  
Wetland Delineation II – 24 Hours of Advanced Training, USF 2016  
Section 10(a)(1)(A) California red-legged frog and California tiger salamander Permit

## Cultural Resources

### Adam Giacinto, MA, RPA

Adam Giacinto is an archaeologist with 13 years' experience preparing cultural resource reports, site records, and managing archaeological survey, evaluation, and data recovery-level investigations. His research interests include prehistoric hunter-gatherer cultures and contemporary conceptions of heritage. Mr. Giacinto has managed archaeological and historic architecture services and has provided tribal relations assistance pursuant to AB 52 requirements for CEQA projects throughout the state, including for higher education clients. He is Dudek's Northern California lead for cultural resources services and works closely with project managers to successfully prepare environmental documents for development, infrastructure, restoration, and planning projects for a broad range of clients. Mr. Giacinto has served as principal investigator for a number of education projects, including the Solano Community College District's Vacaville Center Campus Project.

### Education

San Diego State University  
MA, Anthropology  
Sonoma State University  
BA, Anthropology/Linguistics  
Santa Rosa Junior College  
AA, Anthropology

### Certifications

Register of Professional Archaeologists

### Professional Affiliations

Society for California Archaeology  
American Anthropological Association  
American Anthropological Association

## Geology/Hydrology

### Perry Russell, PG, CEG

Perry Russell is a geologist with 33 years' experience, including more than two decades specializing in completing geology/soils, hydrology/water quality, hazards/hazardous materials, and utilities sections for CEQA and NEPA documents. Mr. Russell has also completed erosion control studies, geologic hazards surveys, and Phase I ESAs. Mr. Russell has completed CEQA sections for a wide range of projects located throughout California, including commercial developments, large-scale residential development, water supply projects, on- and off-shore telecommunication cable projects, wind farm projects, oil field development projects, a nuclear power plant project, and large-scale port redevelopment projects.

### Education

California State University,  
Northridge  
MS, Geological Resources  
UC Santa Barbara  
BA, Geological Sciences

### Certifications

Professional Geologist (PG),  
CA No. 5777  
Certified Engineering Geologist  
(CEG), CA No. 1837

## Hazardous Materials

### Nicole Peacock, PE, PG

Nicole Peacock is an environmental engineer and geologist with 20 years' experience. Ms. Peacock performs numerous tasks dealing with hazardous waste investigation and remediation projects, including soil, soil vapor, and groundwater investigation and remediation and litigation support and cost allocation among potentially responsible parties for hazardous waste sites. She also provides Phase I and II ESAs, school site assessments, landfill monitoring, environmental compliance, and community relations. Ms. Peacock's education experience includes providing ESAs for school districts throughout the state.

### Education

UC Los Angeles  
BS, Civil and Environmental  
Engineering/Geology

### Certifications

Professional Civil Engineer (PE),  
CA No. 68775  
PG, CA No. 8553  
Certified Hydrogeologist,  
CA No. 940

## Noise

### Michael Carr, INCE

Michael Carr is an acoustician with more than 21 years' experience in acoustics and related industries, with an emphasis on environmental acoustics, noise, and vibration. Mr. Carr is a member of the Institute of Noise Control Engineering (INCE) and an expert in acoustics, noise, and vibration control; sound insulation; and electro-acoustics. His broad range of experience and technical depth encompass a number of markets, including structural and building acoustics, residential, commercial, recreational, transportation, environmental noise, and vibration control. Mr. Carr has managed, supervised, and performed acoustic, noise, and vibration analyses for both the private and public sectors, including federal, state, regional, and local agencies; and has prepared technical studies, environmental assessments, and other documentation in support of CEQA and NEPA. His education experience includes conducting environmental noise surveys for the Millerton Health and Science University EIR in Fresno County.

### Education

California State University,  
Northridge  
MS, Geological Resources  
UC Santa Barbara  
BA, Geological Sciences

### Certifications

Professional Geologist (PG),  
CA No. 5777  
Certified Engineering Geologist  
(CEG), CA No. 1837

## Transportation

### Dennis Pascua

Dennis Pascua is a senior transportation planner and Dudek's transportation services manager with 26 years' experience in transportation planning/engineering in Southern California. Mr. Pascua has successfully managed a variety of projects for local agencies and private developers, including traffic and circulation impact analyses and parking demand studies in both highly urbanized and rural areas. He is highly experienced with CEQA/NEPA and transportation topics and policies surrounding active transportation, context sensitive solutions, and complete streets throughout California. Mr. Pascua's education experience includes traffic studies and analyses at Fullerton College and Fresno State University.

### Education

UC Irvine

BA, Social Ecology (Environmental Analysis and Design)

### Professional Affiliations

American Planning Association

Association of Environmental Professionals

# Cost Estimate

Employee	K Waugh	M Henry	M Morales, A Giacinto, N Peacock, D Pascua	K Roberts, L Burris	M Carr, P Russell, A Herschberger	A Sennett, W Burns, I McIntire	K Asbury	B Dokkestul	H Wertheimer	D Yurovsky	Labor Hours	Labor @ Billing Rates	Reimbursables Billing	Direct Costs	Total
Billing Category	Senior Specialist IV	Senior Specialist II	Specialist V	Specialist IV	Specialist III	Specialist I	Analyst II	GIS Specialist I	Technical Editor I	Publications Specialist I					
% Used on job	16%	0%	9%	10%	14%	16%	23%	2%	5%	5%					
Phase	230.00	200.00	180.00	170.00	160.00	130.00	90.00	130.00	115.00	85.00					
Task 1 Project Initiation and Description	6						4	3	2		15	2,360	35		2,395.00
Task 2 Technical Studies											-	-	-		-
2a Phase I ESA	1		15		28			2	4	2	52	8,300	100		8,400.00
2b Cultural Resources Assessment	1		12			12		3			28	4,340	35	800	5,175.00
2c Biological Resources Assessment		2		3		8		3			16	2,340	35		2,375.00
2d Air Quality Analysis											-	-	-		-
2d.1 Criteria Air Pollutant Emissions			8			20					28	4,040	-		4,040.00
2d.2 Land Use Compatibility Health Risk			20			32			3		55	8,105	-		8,105.00
2d.3 Construction Health Risk Assessment			15			28			3		46	6,685	-		6,685.00
2e Traffic Impacts Analysis	1		8		38			3	3		53	8,485	35		8,520.00
2f Noise Analysis	1				42						43	6,950	35		6,985.00
Task 3 Initial Study	12		14	16	8	48	20	4			122	17,840	-		17,840.00
Task 4 Mitigated Negative Declaration											-	-	-		-
4a Proposed MND	4						16				20	2,360	-		2,360.00
4b Final IS/MND	8						12				20	2,920	-		2,920.00
Contingency Task 5 Focused EIR											-	-	-		-
5a Notice of Preparation and Scoping	4						6		2		12	1,690	-		1,690.00
5b Administrative Draft EIR	24			32	20	12	75	5	22	14	204	26,840	-		26,840.00
5c Screencheck Draft EIR	10			16			30		10	8	74	9,550	-		9,550.00
5d Draft EIR	8						10			8	26	3,420	-		3,420.00
5e Administrative Final EIR and Findings	18			20			28			10	76	10,910	-		10,910.00
5f Screencheck Final EIR and Findings	8			8			16			5	37	5,065	-		5,065.00
5g Final EIR and Findings	5						8			5	18	2,295	-		2,295.00
Task 6 Project Management and Meetings	45						6		4		55	11,350	175		11,525.00
Total Hours	156	2	92	95	136	160	231	23	53	52	1,000				
Total Billing	35,880	400	16,560	16,150	21,760	20,800	20,790	2,990	6,095	4,420		147,095	450	800	\$147,095.00

Employee	K Waugh	M Henry	M Morales, A Giacinto, N Peacock, D Pascua	K Roberts, L Burris	M Carr, P Russell, A Herschberger	A Sennett, W Burns, I McIntire	K Asbury	B Dokkestul	H Wertheimer	D Yurovsky	Labor Hours	Labor @ Billing Rates	Reimburseables Billing	Direct Costs	Total
Billing Category	Senior Specialist IV	Senior Specialist II	Specialist V	Specialist IV	Specialist III	Specialist I	Analyst II	GIS Specialist I	Technical Editor I	Publications Specialist I					
% Used on job	16%	0%	9%	10%	14%	16%	23%	2%	5%	5%					
Phase	230.00	200.00	180.00	170.00	160.00	130.00	90.00	130.00	115.00	85.00					
Optional Tasks															
2f.1 Community Noise Exposure and Land Use Compatibility					16	6					22	3,340			3,340.00
2f.2 Detailed Acoutical Modeling for On-Site Noise Sources					10	12					22	3,160			3,160.00
Total Hours with Optional Tasks	156	2	92	95	162	178	231	23	53	52	1,044				
Total Billing with Optional Tasks	35,880	400	16,560	16,150	21,760	20,800	20,790	2,990	6,095	4,420		153,595	450	800	\$153,595.00

# Appendix A

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## Resumes



# Katherine Waugh, AICP

## Project Manager

Katherine Waugh is a senior planner with 18 years' experience with California Environmental Quality Act (CEQA) statutory requirements, current planning methods, and environmental documentation procedures. She prepares CEQA documents for a wide range of public and private projects, managing projects effectively and maintaining momentum to meet schedule and budget requirements. Ms. Waugh applies planning and environmental laws and regulations practically and with an attention to detail, allowing her to quickly identify and resolve critical planning and environmental issues. She maintains relationships with many local and state agencies, enabling efficient consultation and thorough attention to their concerns, while integrating outside agency requirements with the Lead Agency's mitigation measures and development review procedures.



Katherine Waugh

### Education

*University of California, Davis  
BS, Environmental Policy Analysis  
and Planning*

### Certifications

*AICP*

### Professional Affiliations

*American Planning Association  
Association of Environmental  
Professionals*

## Project Experience

Amador Valley High School Additions, Pleasanton Unified School District, Pleasanton, California. Project manager for preparation of a Notice of Exemption for the Pleasanton Unified School District's project to add a new two-story science and miscellaneous classrooms building to the Amador Valley High School campus, and associated removal of portable classrooms. Dudek's work included review of biological and hazardous materials databases as well as a cultural resource records search and field survey. Based on the results of these reviews, Dudek prepared a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 1 – Existing Facilities and Class 14 – Minor Additions to Schools for this project.

Foothill High School Additions, Pleasanton Unified School District, Pleasanton, California. Project manager for preparation of a Notice of Exemption for the Pleasanton Unified School District's project to add six English and science classrooms, two computer labs, and one science preparation room in a new two-story structure to the Foothill High School campus, and associated removal of portable classrooms. Dudek's work included review of biological and hazardous materials databases as well as a cultural resource records search and field survey. Based on the results of these reviews, Dudek prepared a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 1 – Existing Facilities and Class 14 – Minor Additions to Schools for this project.

Washington Middle School New Gymnasium, Cloverdale Unified School District, Cloverdale, California. Project manager for preparation of a Notice of Exemption for the Cloverdale Unified School District's project to add a new gymnasium to the Washington Middle School campus. The gymnasium is proposed to be constructed on existing black top area. The project includes disturbance to unpaved ground to provide necessary vehicle circulation and parking facilities. Dudek's work included review of biological and hazardous materials databases as well as a cultural resource records search and field survey. Based on the results of these reviews, Dudek prepared a Notice of Exemption under CEQA Guidelines Class 14 – Minor Additions to Schools.

Jefferson Elementary School New Gymnasium, Cloverdale Unified School District, Cloverdale, California. Project manager for preparation of a Notice of Exemption for the Cloverdale Unified School District's project to add a 12-classroom, 2-story building to the Washington Middle School campus, and associated removal of portable classrooms. The classroom building is proposed to be constructed where a play structure is currently located. A new play structure would be constructed in the northern portion of the campus. Dudek's work included review of biological and hazardous materials databases as well as a cultural resource records search and field survey. Based on the results of these reviews, Dudek prepared a Notice of Exemption under CEQA Guidelines Class 14 – Minor Additions to Schools.

Dixon Middle School Relocation, Dixon Unified School District, Dixon, California. Project manager for preparation of a Notice of Exemption for relocation of the Jacobs Middle School to the former Dixon High School campus. A new high school had been constructed and occupied several years prior. The former high school campus had been used in the interim for enrichment programs and training classes hosted by the school district and City of Dixon. As part of the district's long-term facilities master plan, the district proposed to relocate their middle school (grades 6 through 8) campus to the former high school campus. Dudek prepared a traffic impacts analysis to evaluate whether school traffic could adversely affect intersection operations in the vicinity, with particular consideration given to the intersections where at-grade railroad crossings posed a constraint to routine traffic flow. Dudek also considered the potential for other unusual circumstances to exist by reviewing biological and hazardous materials databases and completing a cultural resources records search and field survey. Based on the results of these reviews, Dudek prepared a Notice of Exemption under CEQA Guidelines Class 1 – Existing Facilities, Class 3 – New Construction or Conversion of Small Structures, and Class 14 – Minor Additions to Schools.

On-Call CEQA Consultant Services, Tahoe Truckee Unified School District, Truckee, California. Dudek has provided on-call CEQA consultant services to the Tahoe-Truckee Unified School District (TTUSD) since 2016. We have completed two IS/MNDs for school expansions/modernizations, an Addendum to one of the IS/MNDs to document environmental effects associated with a change in the approved projects, and Notices of Exemption (NOEs) for five other modernization projects. For each of the sites where an NOE was adopted, Dudek completed technical analyses to support the NOE by documenting that no sensitive resources would be affected by the project. Key project issues have included aesthetics, presence of wetlands and habitat for special-status species, and potential presence of historic resources. We also have provided support to District staff in complying with Native American notification requirements under AB 52, and in identifying the appropriate CEQA compliance process for handling new projects as well as revisions to projects that were evaluated in previously adopted CEQA documents. Served as Project Manager for the following TTUSD projects:

- IS/MND Addendum for parking lot expansion. This project, which has been completed, altered the parking lot improvements that had been anticipated under the Truckee High School Track and Field Facilities project. Dudek prepared an addendum to the IS/MND prepared for the prior project to demonstrate that the environmental effects of this modification would be consistent with the effects identified in the IS/MND.
- IS/MND for improvements to the Truckee High School Track and Field Facilities. This project, which has been completed, involved converting the high school's cinder-surface track to an all-weather surface, installing bleachers and a PA system, improving the parking lot, and adding a sidewalk from Donner Pass Road to extend pedestrian access into the TTUSD property. The project allowed increased use of the track, including for additional high school and middle school track team practices and for Truckee High School to host regional track meets. Dudek prepared a biological resources assessment, wetland delineation, and environmental noise assessment and worked with LSC Transportation Consultants to prepare a traffic impacts analysis. Dudek prepared a Mitigated Negative Declaration for the project, conducted local and state agency distribution of the IS/MND for public review, prepared public notices of

the availability of the IS/MND, presented a summary of the IS/MND findings to the School Board, and supported TTUSD in obtaining state and federal permits to allow impacts to wetlands.

- IS/MND for Tahoe Lake Elementary School Modernization. This project, which is currently under construction, involved modifying the parking lot to improve safety and circulation, demolishing some of the existing structures at the campus and replacing them with new construction, as well as extensive remodeling and renovations of other structures. Dudek completed a biological resources assessment, wetland delineation, tree inventory, historic resources evaluation, and environmental noise assessment; and worked with LSC Transportation Consultants to prepare a traffic impacts analysis. Dudek prepared a Mitigated Negative Declaration for the project, conducted local and state agency distribution of the IS/MND for public review, prepared public notices of the availability of the IS/MND, presented a summary of the IS/MND findings to the School Board, and supported TTUSD in obtaining state and federal permits to allow impacts to wetlands.
- Notice of Exemption for Alder Creek Middle School parking access road. This project involved paving a new access road between the existing parking lot and nearest public road. Dudek completed a biological resources reconnaissance survey to determine whether there were any unusual circumstances that would preclude the use of a Notice of Exemption for this project. Finding a potential for the site to support a special-status plant species, Dudek completed a protocol-level survey for that plant, which confirmed that the plant was not present within the project site. Based on those results, Dudek completed a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.
- Notice of Exemption for Truckee High School Modernization. This project, which is currently in the final design phase, is anticipated to include modifications to existing buildings, construction of new buildings (including eight new classrooms), and parking lot improvements within the existing 16-acre campus that serves 657 students. Following completion of a biological reconnaissance survey and historic resource evaluation, both of which concluded there are no sensitive or historic resources that the project could affect, Dudek prepared a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.
- Notice of Exemption for Maintenance and Operations Building. This project involved demolition of two existing storage buildings and construction of a new Maintenance and Operations building located between the existing District offices and the Truckee High School Track. Following completion of a biological reconnaissance survey and historic resource evaluation, both of which concluded there are no sensitive or historic resources that the project could affect, Dudek prepared a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.
- Notice of Exemption for Phase 2 for Glenshire Elementary School. This project involved interior modifications at the Glenshire Elementary School. Dudek prepared a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.
- Notice of Exemption for Truckee Elementary School. This project proposed to replace existing modular buildings with permanent structures; modify vehicular access and circulation through the site to improve safety, increase parking, and improve emergency access; provide a new entrance/lobby to increase campus security; and replace and upgrade recreational facilities on-site. Through preparation of a biological resources site reconnaissance, historic resources evaluation, and cultural resources records search, Dudek confirmed there are no sensitive or historic resources that the project could affect. Dudek prepared a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.
- Notice of Exemption for Kings Beach Elementary School. This project involved modernization of the existing Kings Beach Elementary School but did not increase capacity at the school. To determine whether any unusual circumstances would preclude the use of a Notice of Exemption, Dudek completed a biological resources site reconnaissance and found potential wetlands in and adjacent to the project

footprint. Dudek then completed a wetland delineation to support the District in designing the project to avoid impacts to wetlands. In addition, Dudek completed a historic resources evaluation that concluded the school campus does not contain any historic resources and supported District staff in consulting with the Washoe Tribe under AB 52. With the negative results of those efforts and the wetland avoidance project design, the project met the requirements for a Notice of Exemption. Dudek prepared the NOE and supported District staff in filing the NOE with the County Clerk.

- Notice of Exemption for Donner Trail Elementary School. This project involved adding two classrooms to the existing Donner Trail Elementary School. Although the building was originally constructed in 1948, Dudek's historic resources evaluation concluded that the building is not a historic resource due to a loss of integrity resulting from prior upgrades and modifications. Dudek also completed a biological resources site reconnaissance and cultural resources records search and found no sensitive resources within the project site. Dudek prepared a Notice of Exemption for this project and supported District staff in filing the NOE with the County Clerk.

Rocketship Jackson Avenue Public Elementary Charter School, Launchpad Development Company, San Jose, California. Served as project manager for an MND for construction of a public elementary charter school, parking lot, and playground on a 1.3-acre site that supports a former U.S. Post Office. Project issues are expected to include traffic, noise, and aesthetics.

Rocketship Brilliant Minds Public Elementary Charter School, City of San Jose, California. Served as project manager for an MND for construction of a public elementary charter school, parking lot, and playground on approximately 1.4 acres of a 2.5-acre church property. Project issues included traffic, noise, hazardous materials, and provision of adequate turf, landscaping, and active play areas for students. Prepared a health risk screening analysis which supported a finding of less than significant health risk effects related to the proximity of the site to high-volume roadways and gas stations.

Rocketship Sylvandale Public Elementary Charter School, Launchpad Development Company, San Jose, California. Served as project manager for an MND for construction of a public elementary charter school, parking lot, and playground on a 1.4-acre site owned by the Franklin McKinley School District (FMSD). The site is currently a grass field adjacent to the FMSD Sylvandale Middle School and is bordered by single-family residences. Traffic, noise, and hazardous materials were critical project issues.

Rocketship Alma Academy, Launchpad Development Company, San Jose, California. Served as project manager for an MND for the proposed construction and operation of a charter public elementary school serving 550 students. The project site consisted of a 1-acre site with two existing structures in an old neighborhood. Project issues included visual and noise impacts to neighbors, demolition of existing buildings (which could contain hazardous materials) and removal of hazardous materials from site soil, transportation and circulation, and use of BMPs during construction to protect water quality and air quality.

Rocketship Tamien Public Elementary Charter School and Joint-Use Facilities, Launchpad Development Company, San Jose, California. Served as project manager for an MND for construction of a public elementary charter school and parking lot and playground to serve as joint-use facilities shared by the elementary school and a city park planned for an adjacent site. Project issues included visual and noise impacts to neighbors, removal of hazardous materials from site soil, transportation and circulation, and use of BMPs during construction to protect water quality and air quality.

Kentucky Greens School MND, Placer County, Newcastle, California. Served as project manager for an MND for the proposed relocation of an existing special-needs education program serving approximately 45 children to a new five-classroom facility and medical therapy unit at an existing elementary school. The MND was adopted and the project has been constructed.

# Kaitlin Roberts, JD

## Environmental Planner

Kaitlin Roberts serves as an environmental specialist with 11 years' experience in the preparation of General Plans, Zoning Ordinances, environmental impact reports (EIRs), Initial Studies, Negative Declarations, public notices, and staff reports for a variety of planning projects. Ms. Roberts has also assisted in the preparation of Biological Resource Assessment and wetland delineation reports and federal and state permitting packages.

Ms. Roberts authors EIR chapters and conducts research, site visits, document review, and document tracking for environmental review projects. She is experienced at preparing impact analysis in the areas of biological resources, cultural resources, geology, noise, public services, and public utilities and in preparing responses to comments on draft documents. Ms. Roberts also provides project administration services and assists contract planners in the preparation of staff reports and public notices.

## Project Experience

Chicago Park School District CEQA, Chicago Park School District, Nevada County, California. Prepared environmental documentation for expansion of a gymnasium/multiuse facility and addition of four portable classrooms to an elementary school campus in unincorporated Nevada County.

Zoning Ordinance Amendments, City of Rohnert Park, California. Assisted in drafting text amendments to the City of Rohnert Park's Zoning Ordinance necessary for implementing certain housing programs included in the City's General Plan Housing Element. Assisted in the preparation of staff reports and presentations for Planning Commission and City Council hearings.

General Plan Amendments and Update, City of Rohnert Park, California. Assisted in the preparation of a complete update of the text, tables and graphics of the City of Rohnert Park General Plan. Reviewed amendments to the Plan to ensure that current policy language was included in the final version. Assembled and formatted the final document for printing.

McKinley Villages EIR, Thomas Law Group, Sacramento, California. Authored the Public Services, Public Utilities and Energy, and Cultural Resources EIR chapters for a highly controversial project in the city of Sacramento. The project consists of a 328 residential unit development, a neighborhood recreation center, parks, and associated infrastructure. A controversial issue associated with the provision of public services to the project involved changes to the local school district boundaries.



Kaitlin Roberts

### Education

*Lincoln Law School of Sacramento  
JD, 2009*

*California Polytechnic State  
University, San Luis Obispo  
BS, Social Sciences*

### Certifications

*State Bar of California, 2010*



Roseville Hotel and Conference Center EIR, City of Roseville Planning Department, Placer County, California. Assisted in drafting a detailed Initial Study supporting preparation for a focused EIR, and prepared the Public Utilities EIR chapter for a proposed 250-room hotel and 35,000 square foot conference center proposed be located on an 11-acre site adjacent to Highway 65 in the city of Roseville.

Fitness Center Initial Study and EIR, Life Time Fitness, Roseville, California. Authored the Initial Study and the Noise, Cultural Resources, and Biological Resources EIR chapters for a controversial project proposing to develop a fitness center proposed to be located on approximately 17.4 acres in the city of Roseville. Critical project issues included noise impacts to adjacent neighbors, aesthetics, and transportation and circulation.

Digital Billboard Initial Study, Clear Channel Outdoor, Roseville, California. Authored the Initial Study for a digital billboard proposed in the city of Roseville. The digital billboard would replace an existing, static billboard and be located adjacent to Interstate-80.

Orchard at Penryn California Environmental Quality Act (CEQA), County of Placer, California. Environmental documentation for the proposed development of 150 multifamily residential units on an approximately 15.1-acre property. Responsible for drafting EIR sections on public services, editing EIR chapters on aesthetics, hydrology/water quality, and biological resources to incorporate/respond to administrative County comments, and preparing Responses to Comments.

Placer County Animal Shelter Initial Study, Placer County Department of Facility Services, Placer, California. Project manager for a Mitigated Negative Declaration (MND) for construction of a new county animal shelter and associated facilities. The proposed site, currently used by the County Public Works Department for materials storage, is located within the County Government Center campus (DeWitt Center) adjacent to the existing animal shelter. Project issues include noise impacts to neighbors and adjacent County offices and the use of Best Management Practices (BMPs) during construction to protect water quality and air quality.

Martis Valley Trail CEQA/National Environmental Policy Act (NEPA), County of Placer, California. Environmental documentation for a 9.5-mile trail through Martis Valley. Responsible for drafting Notice of Preparation and a detailed Initial Study supporting preparation for a focused EIR, and preparation of EIR chapters on aesthetics, biological resources, and recreation.

Water Resource Setback Ordinance, County of Sierra, California. Assisted in drafting ordinance to establish structural and septic system setbacks from water resources including lakes, streams, and wetlands. Assisted in drafting CEQA Initial Study to evaluate environmental effects associated with ordinance implementation.

# Kimberly Asbury

## Environmental Planner/Analyst

Kimberly Asbury is an environmental planner/analyst with 4 years' experience preparing environmental issues, as well as interacting with the public in an educational role. Ms. Asbury's studies focused on the interaction between people and their built and natural environments. She is fluent in Spanish and has lived and studied abroad in Granada, Spain. As an environmental planner/analyst, she specializes in California Environmental Quality Act (CEQA) document preparation and compliance.



Kimberly Asbury

## Project Experience

Amador Valley High School Additions, Pleasanton Unified School District, Pleasanton, California. CEQA Analyst for preparation of a Notice of Exemption for the Pleasanton Unified School District's project to add a new site-built classroom building and remove portable classrooms at the Foothill High School campus. Incorporated results of biological database review, hazardous materials database review, and cultural resource records search and field survey to prepare a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 1 – Existing Facilities and Class 14 – Minor Additions to Schools for this project.

Foothill High School Additions, Pleasanton Unified School District, Pleasanton, California. CEQA Analyst for preparation of a Notice of Exemption for the Pleasanton Unified School District's project to add a new site-built classroom building and remove portable classrooms at the Foothill High School campus. Incorporated results of biological database review, hazardous materials database review, and cultural resource records search and field survey to prepare a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 1 – Existing Facilities and Class 14 – Minor Additions to Schools for this project.

Washington Middle School New Gymnasium, Cloverdale Unified School District, Cloverdale, California. CEQA Analyst for preparation of a Notice of Exemption for the Cloverdale Unified School District's project to add a new gymnasium to the Washington Middle School campus. The gymnasium is proposed to be constructed on existing black top area, with extension of roadway and construction of parking facilities on currently unpaved ground. Incorporated results of biological database review, hazardous materials database review, and cultural resource records search and field survey to prepare a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 14 – Minor Additions to Schools.

Jefferson Elementary School New Gymnasium, Cloverdale Unified School District, Cloverdale, California. CEQA Analyst for preparation of a Notice of Exemption for the Cloverdale Unified School District's project to add a 12-classroom, 2-story building to the Washington Middle School campus, and associated removal of portable classrooms. The classroom building is proposed to be constructed where a play structure is currently located. Incorporated results of biological database review, hazardous materials database review, and cultural resource records search and field survey to prepare a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 14 – Minor Additions to Schools.

### Education

University of California,  
Santa Barbara  
BA, Environmental Studies and  
Global Studie

Dixon Middle School Relocation, Dixon Unified School District, Dixon, California. CEQA Analyst for preparation of a Notice of Exemption for relocation of the Jacobs Middle School to the former Dixon High School campus. Incorporated results of traffic impacts study, biological database review, hazardous materials database review, and cultural resource records search and field survey to prepare a Notice of Exemption under CEQA Guidelines Categorical Exemption Class 1 – Existing Facilities, Class 3 – New Construction or Conversion of Small Structures, and Class 14 – Minor Additions to Schools for this project.

Tahoe Lake Elementary IS and MND, Tahoe Truckee Unified School District (TTUSD), Tahoe City, California. Project consisted of the modernization of the aging elementary school. Issues included accounting for impacts due to offsite instruction during the construction period. Provided assistance to project managers with research, writing, editing, and preparation of Notices for the school district and state clearing house.

Truckee High School IS and MND, TTUSD, Truckee, California. Project consisted of the modernization and expansion of a high school with aging infrastructure. Issues included the school's proximity to Interstate 80. Provided assistance to project managers, which included preparation of the IS, as well as writing, editing, and preparation of Notices for the school district and state clearing house.

ACE Charter at Bridges Academy IS and MND, Palo Alto, California. Project consisted of the reconstruction of an existing school campus to accommodate the inclusion of an additional charter middle school. Project included traffic concerns and the reconfiguration of parking and street access. Provided assistance to project managers, which included preparation of the IS, as well as writing, editing, and preparation of Notices for the school district and state clearing house.

Village at Loomis Environmental Impact Report (EIR), Town of Loomis, California. Project consisted of the development of 66 acres along Interstate 80 and included residential, commercial, and mixed use. Issues included land use, zoning changes, and traffic concerns. Provided assistance to project managers throughout the EIR process, which including writing, editing, and responding to public comments.

3877 El Camino Real Initial Study (IS) and Mitigated Negative Declaration (MND), City of Palo Alto, California. Project consisted of the construction of residential and commercial/office on an already developed site. Issues included parking and circulation concerns. Provided assistance to project managers, which included preparation of the IS, and writing, editing, and preparation of Notices for the City and state clearing house.

Expansion at Avenidas IS and MND, City of Palo Alto, California. Project consisted of the expansion of an existing senior community center. Issues focused on the historical status of the building. Provided assistance to project managers, which included preparation of the IS, and writing, editing, and preparation of Notices for the City and state clearing house.

General Plan Biological Chapter Update EIR, El Dorado County, California. Project consisted of on an update to the oak resource policies for the County of El Dorado in order to provide clear standards for development, as well as oak resource retention. Provided assistance to project managers throughout the EIR process, which included research, editing, and responding to public comments.



# Matthew Morales

## Air Quality Specialist

Matthew Morales is an air quality specialist with 14 years' experience preparing technical analyses for numerous planning and environmental projects related to development, natural resource management, and facility expansion. Mr. Morales is trained in air quality, including greenhouse gas (GHG) and climate change, and noise analysis, and he is adept at applying air quality models, such as the California Emissions Estimator Model, Caline4, AERSCREEN, AERMOD, and HARP 2, to perform quantitative analyses for National Environmental Policy Act and California Environmental Quality Act (CEQA) environmental documents, such as environmental impact reports (EIRs), initial studies (ISs), and mitigated negative declarations (MNDs).



Matthew Morales

## Project Experience

Monterey Bay Regional Water Project EIR/EIS, California State Lands Commission, Monterey County, California. Team member for preparation of an EIR/EIS for a proposed regional desalination facility in the Moss Landing area of Monterey County, in coordination with the Monterey Bay National Marine Sanctuary. The proposed project consists of a seawater reverse osmosis (SWRO) desalination facility that includes seawater intake and brine discharge systems capable of producing 25,000 acre-feet per year (AFY) of potable water. The facility would be co-located with a seawater-cooled computer data center with back-up power generation. The project includes three product water distribution systems to provide potable water to locations in Monterey and Santa Cruz Counties. Assessed the criteria air pollutant, GHG, and energy impacts of the project, which included marine vessels, natural gas generators, off-road equipment, and on-road vehicles.

Station Avenue Project – Central Rohnert Park Priority Development Area Plan EIR Consistency Review, City of Rohnert Park, California. The Station Avenue Project is within the Central Rohnert Park Priority Development Area Plan area. This analysis was prepared to evaluate the consistency of the project with the Priority Development Area EIR. The project would remove the two existing buildings (former State Farm Insurance building and City's Corporation Yard), surface parking lots, trees, and grass areas and would result in the construction of a central business district, urban neighborhood, and new downtown area for the city. As part of the consistency review, an HRA was performed that assessed potential cancer and chronic health risk at existing residences proximate to the site, as well as operational health risk for the new residents associated with exposure to TACs from major roadways and the adjacent Sonoma-Marin Area Rail Transit operations.

Meridian West Campus-Lower Plateau Project, March JPA, California. Prepared the air quality and GHG analyses as part of a comprehensive EIR for a large-scale business and warehouse development project in the western portion of the March JPA jurisdiction. The project, approved by the Board Commissioners in 2017, would result in the construction of approximately 2.3 million square feet of industrial warehouse and business park uses. Air and GHG emissions were one of the key issues associated with the project.

### Education

University of California, Davis  
BS, Environmental Toxicology

### Professional Affiliations

Association of Environmental  
Professionals  
Air and Waste  
Management Association

Belden Barns Farmstead and Winery EIR, Sonoma County, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of a winemaking, hospitality, and farmstead food production facility.

Roberts' Ranch Specific Plan EIR, City of Vacaville, California. As the air quality analyst, assessed the criteria air pollutant emissions associated with construction and operation of the Roberts' Ranch Specific Plan land uses in the City of Vacaville.

Land Park Commercial Center Project EIR, City of Sacramento, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the Commercial Center project and alternatives. For GHGs, included a compliance analysis based on the City of Sacramento Climate Action Plan Consistency Review Checklist.

Ponte Palmero Phase 2 Project EIR, El Dorado County, California. Assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of a community care facility, an assisted living facility, and a clubhouse as Phase 2 of the Ponte Palmero retirement village.

Avram Apartments Air Quality and GHG Technical Memorandum, City of Rohnert Park, California. As the air quality analyst, assessed the criteria air pollutant, GHG, and toxic air contaminant emissions associated with the construction and operation of the Avram Apartments project. A construction health risk assessment was prepared to estimate potential risk of proximate sensitive receptors from exposure to diesel exhaust from construction equipment and trucks. An operational health risk assessment was also prepared to estimate potential risk of on-site residents to diesel particulate matter from truck traffic on Highway 101.

Oakmont Senior Assisted Living Facility IS/MND, City of Novato, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the proposed assisted living community within the City of Novato.

Clearwater at Sonoma Hills Assisted Living and Memory Care Facility IS/MND, City of Rohnert Park, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of an assisted living and memory care facility within the City of Rohnert Park.

Residences at Five Creek Project IS/MND, City of Rohnert Park, California. As the air quality analyst, assessed the criteria air pollutant, GHG, and toxic air contaminant emissions associated with the construction and operation of the Residences at Five Creek mixed-use and City public safety and public works facility. A construction health risk assessment was prepared to estimate potential risk of proximate sensitive receptors from exposure to project-related diesel exhaust from construction equipment and trucks. A cumulative operational health risk assessment was also prepared to estimate potential risk of on-site residents to toxic air contaminants from permitted stationary sources within 1,000 feet of the project site.

Bellevue Ranch 7 Project IS/MND, City of Santa Rosa, California. As the air quality analyst, assessed the criteria air pollutant and GHG emissions associated with construction and operation of the project, which includes development of 30 single-family homes within the City of Santa Rosa.

High Speed Rail Preconstruction, Dragados-Flatiron Joint Ventura, Fresno, California. Assessed criteria air pollutant emissions associated with re-examination of changes to select construction activities in comparison to the Final EIR/environmental impact statement prepared for the project.

# Allie Sennett

## Biologist

Allie Sennett is a biologist with 8 years' experience in terrestrial and aquatic biology. Ms. Sennett conducts general biological surveys, tree inventories, wetland delineations, rare plant surveys, and habitat assessments for special-status species. She prepares biological constraints memos, baseline biological studies, wetland delineation reports, biological assessments for Section 7 Endangered Species Act consultation, and other technical documents used in the California Environmental Quality Act (CEQA)/ National Environmental Policy Act (NEPA) process. Ms. Sennett evaluates potential project impacts, proposes mitigation measures, prepares permit applications, and researches special-status species for public and private sector projects throughout California. She has prepared numerous scopes of work for a range of biological services.

Ms. Sennett attends annual courses and seminars on plant identification, special-status species biology, natural resources, CEQA/NEPA, and regulatory permitting. She has extensive training and experience in habitat assessments, protocol surveys, and construction monitoring for a range of special-status species, including California tiger salamander (*Ambystoma californiense*), foothill yellow-legged frog (*Rana boylei*), California red-legged frog (*Rana draytonii*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), Swainson's hawk (*Buteo swainsonii*), burrowing owl (*Athene cunicularia*), and spotted owl (*Strix occidentalis* and *S. occidentalis caurina*).

## Project Experience

Cloverdale High School Field Improvement, Sonoma County, California. Served as biologist. Conducted a general biological survey, habitat assessment, and preliminary jurisdictional delineation of waters of the U.S. and State in the project site. Prepared a biological technical report that summarized the environmental baseline and biological resources with potential to be impacted by the proposed project. Special-status species and resources included wetlands, streams, tree-roosting bats, and nesting birds. Assisting with CEQA documentation and permitting strategy.

Chico CSU Master Plan Update, Butte County, California. Serving as project biologist for the proposed Master Plan Update for Chico California State University. Conducted a general biological survey of the Master Plan Area, including the main campus, university farm, and a university-owned apartment complex. Responsible for preparing the biological resources technical section of the EIR, including the impact assessment and avoidance and minimization measures.



Allie Sennett

### Education

University of San Francisco  
MS, Environmental Management  
(Ecology concentration)

University of California, Santa Cruz  
BA, Environmental Studies  
(Restoration Ecology focus)

### Certifications

CDFW Plant Voucher Collecting  
Permit, No. 2081(a)-16-016-V

Wetland Delineation I – 40 Hours  
of Basic Training, USF 2015

Wetland Delineation II – 24 Hours  
of Advanced Training, USF 2016

Section 10(a)(1)(A) California red-  
legged frog and California tiger  
salamander Permit (Application  
Pending)

### Professional Affiliations

The Wildlife Society

Chico CSU Physical Sciences Building Renovation, Butte County, California. Served as biologist. Conducted a general biological survey and habitat assessment of the project site. Summarized the results of the survey in a memo, which was used to support an application to CDFW for a Fish and Game Code Section 1602 Streambed Alteration Agreement. Assisted with preparation of the permit application. Special-status species with potential to occur on the project site include steelhead, chinook salmon, western pond turtle, valley elderberry longhorn beetle, yellow warbler, and four special-status plants.

Bowman Charter School Athletic Fields, Placer County, California. Prepared a biological technical report for the project, which included a summary of environmental conditions and existing onsite biological resources, as well as an assessment of special-status species with potential to occur in the project vicinity. Special-status species and resources included wetlands and streams, California red-legged frog, tricolored blackbird, tree-roosting bats, and eight special-status plants.

South Mountain Village Intersection Mitigation, Sonoma County, California. Served as biologist. Conducted a biological resources assessment at three road improvement sites. Prepared a memo summarizing potential biological constraints, including California tiger salamander, tree-roosting bats, and nesting birds.

Palm Villas Saratoga Development, Santa Clara County, California. Conducted a biological resources assessment at the proposed project site and prepared the biological resources technical section of the draft EIR, including the impact assessment and avoidance and minimization measures. Biological resources with potential to occur in the project vicinity included western pond turtle, tree-roosting bats, nesting birds, and San Francisco dusky-footed woodrat.

Hunter Subdivision Development, Napa County, California. Conducted an updated wetland delineation at the project site and at a cumulative impact site located at the Pope Street Road bridge over Napa Creek. Prepared the biological resources technical section of the draft EIR, including the impact assessment and avoidance and minimization measures. Biological resources with potential to occur in the project vicinity include tree-roosting bats, nesting birds, and white-tailed kite.

Beck Avenue Development, Solano County, California. Served as project manager on a potential development project in the City of Fairfield. Conducted a reconnaissance survey for wetlands and special-status species, researched mitigation credits, and prepared a natural resources due diligence letter. Provided technical assistance related to resource permitting, special-status species consultation and mitigation, and implementation costs. Special-status species discussed included Contra Costa goldfields, vernal pool fairy and tadpole shrimp, burrowing owl, and Swainson's hawk.

Gold Country Urgent Care Development, Amador County, California. Served as project manager on proposed development project in the City of Jackson. Conducted preconstruction surveys for western pond turtle and nesting birds and birds-of-prey in accordance with the project's Streambed Alteration Agreement. Prepared memos summarizing the survey efforts.

Metro Drive Development, San Joaquin County, California. Served as biologist. Assisted with burrowing owl exclusion, which involved protocol surveys, burrow assessments, one-way door installation, follow-up surveys, and burrow collapsing in accordance with the project's burrowing owl exclusion plan.

Kagehiro III (Primrose II) Subdivision Development, San Joaquin County, California. Served as biologist. Assisted with protocol surveys for the San Joaquin kit fox, including burrow dusting and follow-up surveys. Conducted preconstruction surveys for Swainson's hawk and other nesting birds and birds-of-prey.

# Adam Giacinto, MA, RPA

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## Archaeologist

Adam Giacinto is an archaeologist with more than 13 years' experience preparing cultural resource reports, and managing archaeological survey, evaluation, and data recovery-level investigations. His research interests include prehistoric hunter-gatherer cultures and contemporary conceptions of heritage. His current research focuses on the social, historical, archaeological, and political mechanisms surrounding heritage values. He has gained practical experience in archaeological and ethnographic field methods while conducting research in the throughout the Southwest United States, Mexico, and Eastern Europe.

Mr. Giacinto brings additional specialized experience in cultural resources information processing gained while working at the South Coastal Information Center. He has worked as part of a nonprofit collaboration in designing and managing a large-scale, preservation-oriented, standardized database and conducting site and impact predictive Geographic Information Systems (GIS) analysis of the cultural resources landscape surrounding ancient Lake Cahuilla. He provides experience in ethnographic and applied anthropological methods gained in urban and rural settings, both in the United States and internationally.

### *Education*

*San Diego State University  
MA, Anthropology*

*Santa Rosa Junior College  
AA, Anthropology*

*Sonoma State University  
BA, Anthropology/Linguistics*

### *Professional Affiliations*

*Register of Professional  
Archaeologists*

*Society for California Archaeology*

*American Anthropological  
Association Institute of  
Archaeomythology*

*American Anthropological  
Association*

## Project Experience

Caltrain Electrification Project, Cities of San Francisco, San Mateo, Palo Alto and San Jose, California. As Co-Principal Investigator, Mr. Giacinto supervises, implements, and reports upon cultural inventory and compliance efforts under NHPA Section 106, Joint Power Board, Project MOA, CEQA, and local Guidelines for the San Francisco to San Jose section. General responsibilities include oversight of Native American monitors, built environment specialists and archaeologists, management of cultural monitoring implementation and site treatment, client reporting, meetings and report preparation. Implementation of mitigation included exploratory archaeological investigations at multiple NAHC-eligible resources.

Water Tank No. 8, Copland Creek Trail and Detention Basin Project, City of Rohnert Park, Sonoma County, California. As Principal archaeological investigator, Mr. Giacinto coordinated a Northwest Information Center (NWIC) records search, Native American Heritage Commission (NAHC) and Native American correspondence, archaeological survey, and preparation of a technical report. Project involved archaeological and Native American monitoring of geotech activities and extended phase I exploratory probing of identified resources and high-probability areas for unidentified resources, site recordation, a geomorphic analysis, and preparation fo a monitoring plan meeting both CEQA considerations and Section 106 compliance for USACE review. Mr Giacinto facilitates AB 52 and provides review of cultural resources findings for over a dozen projects throughout the City of Rohnert park, An appropriate mitigation strategy and monitoring plan was developed and provided to the City of Ronert Park.



Bellevue Ranch 7 Project, City of Santa Rosa, Sonoma County, California. As principal investigator, Mr. Giacinto coordinated a NWIC records search, NAHC and Native American correspondence, archaeological and historic architectural survey, and preparation of a technical report. Mr Giacinto prepared and reviewed management recommendations. Project involved evaluation of an 1920s era residential building, review of building records, and assessment for unidentified historic-era resources. All work and recommendations met both CEQA considerations and Section 106 compliance.

Roblar Road Project, County of Sonoma, California. As Principal archaeological investigator, Mr. Giacinto completed archaeological testing at one historical-era refuse scatter and one prehistoric midden site. He additionally reviewed environmental documents for completeness and worked to satisfy SHPO comments with the USACE.

Kitchell Santa Rosa Project, Granite Construction, City of Santa Rosa, California. As Principal archaeological investigator, Mr. Giacinto coordinated a Northwestern Information Center (NWIC) records search, Native American Heritage Commission (NAHC) and Native American information outreach, and preparation of a technical memo. An appropriate mitigation strategy was developed meeting CEQA and local requirements for this cultural inventory.

Estero Trail Project, Valley Ford, Sonoma County, California. As principal investigator, Mr. Giacinto coordinated a NWIC records search, NAHC and Native American correspondence, completed archaeological survey, and preparation of a technical report.

5853 Bodega Avenue Solar Project, Petaluma, California. As principal investigator, Mr. Giacinto coordinated a NWIC records search, NAHC and Native American correspondence, completed archaeological survey, and preparation of a technical report.

Napa Roundabouts Project, City of Napa, California. As Principal archaeological investigator, Mr. Giacinto completed Native American coordination, preparation of an ASR and HRER, review of historical and geoarchaeological documentation, and successfully developed, implemented, and reported upon an XPI Investigation, including preparation of a XPI Proposal and technical report. Mr. Giacinto managed fieldwork, which included survey, the use of mechanical geoprobes and hand excavation with the intent of identifying the potential for both prehistoric and historical-era resources within the NRHP-eligible West Napa Historic District. A successful mitigation strategy was developed for the City of Napa and Caltrans, within federal, state and local regulatory contexts.

San Pablo Broadband Project, City of San Pablo, California. As principal cultural investigator, Mr. Giacinto coordinated a Northwest Information Center (NWIC) records search, Native American Heritage Commission (NAHC) sacred lands file search, tribal outreach, and preparation of a constraints study, ARMR-style technical report and monitoring plan, and IS/MND under CEQA and Section 106 for the entire City of San Pablo area. Work included preparation of a regional sensitivity study for known and buried cultural resources by applying a weighted geologic, soils, geotechnical, slope, landscape, and previous technical study information. A mitigation strategy was prepared to meet City needs within in this area containing numerous sensitive NRHP/CRHR-listed archaeological (Nelson Mound sites) and built environment resources.

California High Speed Rail, Fresno, California. As Principal Investigator, Mr. Giacinto supervised, implemented, and reported upon cultural inventory and compliance efforts under NHPA Section 106, Federal Rail Authority, CEQA, and local Guidelines for Fresno to Bakersfield section. General responsibilities included day-to day scheduling oversight of Native American monitors, built environment specialists and archaeologists, management of cultural monitoring implementation and site treatment, client reporting, meetings and report preparation. Mr. Giacinto was the lead in multiple trainings.

City of Rohnert Park On-Call Cultural Resources Services, Sonoma County, California. As Principal archaeological investigator, Mr. Giacinto has provided recommendations, attended AB 52 consultation meetings, and overseen work for more than a half-dozen projects throughout the City of Rohnert Park.

# Perry Russell, PG, CEG

## Geologist

Perry Russell is a geologist with 32 years' experience, including more than two decades specializing in completing geology/soils, hydrology/water quality, hazards/hazardous materials, and utilities sections for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents. Mr. Russell has also completed erosion control studies, geologic hazards surveys, and Phase I environmental site assessments (ESAs).

Mr. Russell has completed CEQA sections for a wide range of projects located throughout California, including commercial developments, large-scale residential development, water supply projects, on- and of-shore telecommunication cable projects, wind farm projects, oil field development projects, a nuclear power plant project, and large-scale port redevelopment projects (including joint CEQA/NEPA projects). His NEPA experience has included projects for the U.S. Navy, Marines, Air Force (USAF), Army, Department of Energy (DOE), Bureau of Reclamation, and Bureau of Indian Affairs (BIA), on sites located throughout the western United States. These projects included water supply, construction, land withdrawal, and landfill projects, as well as a large-scale nuclear waste treatment.

Mr. Russell began his career as an engineering geologist, working for several years completing geologic/seismic reports, landslide investigations, fault studies, and geologic monitoring at large grading/ construction sites. His experience also includes 6 years working on projects involving soil and groundwater contamination.



Perry Russell

*Northridge  
MS, Geological Resources  
University of California, Santa  
Barbara  
BA, Geological Sciences*

### *Certifications*

*Professional Geologist (PG), CA No.  
5777*

*Certified Engineering Geologist  
(CEG), CA No. 1837*

## Project Experience

Santa Barbara City College Long Range Development Plan EIR, California. Evaluated potential impacts related to slope stability and construction-induced soil erosion.

Environmental Impact Report (EIR), Mira Costa Community College District, City of Oceanside, California. Prepared facilities Master Plan EIR to meet the needs of projected enrollment and program forecasts for the campus through 2020. Evaluated anticipated changes in surface water runoff associated with proposed campus improvements, including an evaluation of existing problematic runoff conditions through an adjacent homeowner's property. Also evaluated potential soils, geologic, hazards, and hazardous materials impacts associated with the proposed Facilities Master Plan development.

North Montclair Downtown Specific Plan Amendment EIR, City of Montclair, California. Evaluated flooding impacts associated with potential failure of the upstream San Antonio Dam. Also evaluated the adequacy of utilities and service systems to support the proposed project, including water supply, wastewater capacity, and drainage facility capacity.



Mitchell Farms Residential Subdivision EIR, City of Citrus Heights, California. Evaluated potential water quality impacts to on-site and downstream creeks associated with construction and operation of 261 single-family residential dwelling units, located on approximately 32 acres. Also evaluated increased runoff associated with increased paving and construction within the on-site 100-year floodplain.

Oil Seep Evaluation Associated with Property Transaction, Santa Barbara County, California. Evaluated the origin of an oil seep in proximity to a single-family residence, on a rural 5-acre property. Completed research in an effort to determine whether the seep was natural or associated with an oil well drilled on the property in 1929. Also evaluated the potential legal ramifications associated with potential future construction on the property, with respect to county and state regulations.

City of Goleta Fire Station 10 EIR, City of Goleta, California. Evaluated geology/soils and hazards/hazardous materials impacts associated with construction of a three-bay, 11,600-square-foot fire station. Evaluated impacts associated with an on-site, unstable, erodible slope; and grading-induced erosion. Also evaluated soil contamination associated with a former fuel dispenser.

San Diego State University New Student Housing EIR, City of San Diego, California. Evaluated geotechnical resources impacts associated with development of facilities to accommodate up to 2,566 student housing beds, in a series of residential towers, in proximity to existing single-family dwellings. Evaluated impacts associated with multiple active faults in the region, over-excavation and replacement of large existing fill slopes, and grading-induced erosion.

RMC Lonestar Cement Marine Terminal IS/MND, Port of Redwood City, California. Evaluated impacts associated with potential coastal flooding, submarine slope stability, seismic hazards, and surface water quality.

Proposed Roundabout MND, City of Morro Bay, California. Evaluated impacts associated with potential grading induced erosion and siltation of nearby Morro Creek. In addition, completed a separate MND evaluating impacts due to remediation of a service station-related, methyl tertiary butyl ether soil and groundwater plume, which was in close proximity to a city water supply well and adjacent to the proposed Morro Bay roundabout.

Bulldog Stadium Modernization Project, California State University, Fresno Initial Study/Mitigated Negative Declaration (MND), City of Fresno, California. Evaluated geology/soils, hazards/hazardous materials, and hydrology/water quality impacts associated with renovation and modernization of the existing Bulldog Stadium. Geology/soils impacts evaluated included seismicity, slope stability, and grading-induced erosion. Hazards/hazardous materials impacts included potential incidental spills from construction equipment and potential asbestos-containing materials during demolition. Hydrology/water quality impacts included a discussion regarding the effectiveness of the existing stormwater detention basin in slowing increased project-related stormwater flow and filtering out surface water impairments; as well as water supply and demand issues.

Proposed Six Unit Residential Building Initial Study, City of Burlingame, California. Evaluated geology/soils, hazards/hazardous materials, and hydrology/water quality impacts associated with demolition and construction of a six-unit residential development. Geology/soils impacts evaluated included seismicity and grading/construction-induced erosion. Hazards/hazardous materials impacts included potential incidental spills from construction equipment; and potential asbestos-containing materials and lead-based paint during demolition. Hydrology/water quality impacts included potential adverse impacts to local creeks as a result of demolition and construction.

Offshore Fiber Optic Cable EIR, Monterey Bay, California. Evaluated impacts associated with active faults that traverse the cable corridor, offshore slope instability, tidally induced erosive scour, frac-outs of drilling muds, and cable burial assessment.

# Nicole Peacock, PE, PG

## Environmental Engineer, Geologist

Nicole Peacock is an environmental engineer and geologist with 20 years' experience. Ms. Peacock performs numerous tasks dealing with hazardous waste investigation and remediation projects, including soil, soil vapor, and groundwater investigation and remediation and litigation support and cost allocation among potentially responsible parties (PRPs) for hazardous waste sites. She also provides Phase I and II Environmental Site Assessments (ESAs), school site assessments, landfill monitoring, environmental compliance, and community relations.

### Education

*University of California,  
Los Angeles  
BS, Civil and Environmental  
Engineering/Geology*

### Certifications

*Professional Civil Engineer (PE),  
CA No. 68775*

*Professional Geologist (PG),  
CA No. 8553*

*Certified Hydrogeologist,  
CA No. 940*

## Project Experience

High School Sites Phase I ESAs and Preliminary Environmental Assessments (PEAs), Sweetwater Union High School District, Chula Vista, California. Performed Phase I ESAs for Chula Vista High School and Hilltop High School.. PEAs were required for both sites due to former underground storage tanks (USTs) nearby. Dudek negotiated with the DTSC to limit the PEA investigation area to the area of new construction on the school sites in order to meet tight construction deadlines. DTSC approved the PEAs.

Potential Elementary School Site Phase I ESA, San Marcos Unified School District, San Diego County, California. Performed a Phase I ESA for the San Marcos Unified School District in November 2003. The undeveloped subject property was surrounded by residential and agricultural sites. Dudek observed potential asbestos-containing material on the site and recommended testing and proper off-site material disposal. Dudek discussed potential issues with the DTSC prior to submittal of the Phase I report.

Hazards Assessment and Environmental Services for Vallejo Marine Terminal Project, City of Vallejo, California. Performed a Hazards Assessment for a former industrial site in Vallejo. The assessment included evaluation of site contamination due to former chemical use and storage. Dudek also evaluated impacts from the proposed project, such as those associated with the dredging of potentially contaminated sediment and the excavation of potentially impacted soils.

Pump and Treat Facility, Kearney – KPF, Stockton, California. Performed quarterly groundwater monitoring at a chlorinated solvent and 1,4-dioxane-contaminated site in Stockton. Installed groundwater monitoring wells. Prepared groundwater monitoring reports and a Feasibility Study for site remediation.

McKinley Village EIR Hazards Assessment, Thomas Law Group, Sacramento, California. Performed a Hazards Assessment for an undeveloped site in Sacramento. Dudek evaluated the impacts of the adjacent municipal landfill on the proposed development at the site.

Marley Monitoring Reports, SPX Cooling Technologies, Stockton, California. Prepared a groundwater monitoring report and a Five Year Review for a metals-impacted site in Stockton.

Cesar Chavez Boulevard Improvement Phase I Initial Site Assessment, KOA Corporation, Calexico, California. Performed Phase I Initial Site Assessment (ISA) for a mile-long road expansion project in an industrial area. Caltrans approved the Phase I ISA without comment.

City Yard Phase I ESA, City of Coachella, California. Performed a Phase I ESA for the City of Coachella City Yard. The city yard was used to store heavy equipment and was used as a debris storage/transfer station for the City. The site was also formerly used as a wastewater treatment plant. Based on the site observations and site history, Dudek recommended sampling to identify potential site contamination.

High School Site CEQA Consulting Services, Del Mar Union School District, Del Mar, California. Evaluated hazardous materials information, including potential methane production from fill soil at the proposed Elementary School No. 8. Coordinated the grid search to determine if any sites located within a quarter-mile of the proposed school site could be expected to produce hazardous emissions.

San Diego Service Station Phase II ESA, San Diego, California. Performed a Phase II ESA that included soil sampling for petroleum hydrocarbons and volatile organic compounds.

Undeveloped School Site Phase I ESA, Palm Springs Unified School District, Desert Hot Springs, California. Performed a Phase I ESA for the Palm Springs Unified School District in 2006. Research was conducted to identify oil and gas transmission pipelines that may have been on or near the undeveloped subject property. Based on the research conducted, Dudek recommended no further investigation for the subject property.

Industrial Sites Phase II ESA Project, City of Fontana, California. Performed four Phase I and II ESAs on current and former commercial/light industrial sites for the City of Fontana. Performed soil and soil gas sampling on a former gas station site, an auto body shop, a machine shop, and an RV repair facility. Reported sample results were below standards and risk levels.

Mobil Service Station Phase II ESA, Travel Center Partners, El Centro, California. Performed a Phase II investigation at a gas station site in El Centro, California. The soil and groundwater at the site were investigated. Based on evaluation of the results of groundwater sampling, Dudek recommended closure of the site. In July 2002, the Regional Water Quality Control Board (RWQCB) supported the recommendation for closure of the gas station.

Agricultural Properties Phase I and II ESAs, Indio and Coachella, California. Performed four Phase I and II ESAs for agricultural properties in Indio and Coachella. Dudek collected soil samples from the agricultural fields and storage areas. Additionally, Dudek collected samples around former USTs. Based on comparison of the sample results to the Environmental Protection Agency (EPA) preliminary remediation goals for the residential scenario, Dudek recommended no further investigation of the sites.

Undeveloped Properties Phase I ESAs, Riverside County, California. Performed five Phase I ESAs on undeveloped properties in Desert Hot Springs, Palm Desert, and Coachella. Dudek recommended no further investigation of four of the sites and Dudek recommended further sampling of one of the sites due to evidence of dumping and burning.

Industrial Facility Phase I ESA, Puebla, Mexico. Performed a phase I site assessment at an industrial facility in Puebla, Mexico. The facility manufactured sound-dampening foam products and had several material and chemical storage areas.

Groundwater Monitoring and Reporting, Exide Technologies, Vernon, California. Performed quarterly groundwater monitoring and reporting under Department of Toxic Substances Control (DTSC) oversight at the former Exide Technologies facility. Additional tasks included oversight of well redevelopment and evaluation of pressure transducer data and groundwater elevation trends.

# Michael Carr, INCE

## Senior Acoustician

Michael Carr is an acoustician with more than 20 years' experience in acoustics and related industries, with an emphasis on environmental acoustics, noise and vibration. Mr. Carr is a member of the Institute of Noise Control Engineering (INCE) and an expert in acoustics, noise and vibration control, sound insulation and electro-acoustics. His broad range of experience and technical depth encompass a number of markets including structural and building acoustics, residential, commercial, recreational, transportation, environmental noise and vibration control. In the area of transportation noise and vibration, Mr. Carr has expertise in measurement, prediction and assessment of noise and vibration associated with aviation, vehicular and rail/transit-based transportation modes.

Mr. Carr has managed, supervised and performed acoustic, noise and vibration analyses for both private and public sectors including federal, state, regional and local agencies; preparing technical studies, environmental assessments, and documentation in support of CEQA and NEPA. He has authored, and become expertly skilled with proprietary modeling programs, SoundPLAN, Cadna|A, Insul, and the Environmental Noise Model; along with many agency developed noise models such as the Federal Aviation Administration's Integrated Noise Model (INM), Federal Highway Administration based software such as Sound 32, the Roadway Construction Noise Model (RCNM), and the Traffic Noise Model (TNM), along with many others.

### *Education*

*Sierra College  
AS, Electronic Technology  
AS, Computer Technology  
Certificate in Mechatronic  
Systems*

### *Certifications*

*AVIXA Certified Technology  
Specialist (CTS)*

### *Professional Affiliations*

*Acoustical Society of America  
Association of Environmental  
Professionals  
AVIXA  
INCE*

## Relevant Previous Experience

Millerton Health and Science University EIR, Fresno County, California. Conducted environmental noise survey for proposed university campus and adjacent housing and recreational land uses. Modeled project transportation and operational noise levels and evaluated their potential for impact on the surrounding community.

San Joaquin Delta Community College – Lodi Center, Lodi, California. Conducted the noise monitoring program, future noise-source impact assessment and senior review.

Cosumnes River Elementary School Expansion Project EIR, Sacramento County, California. Provided noise analysis for the EIR, assessing the expansion of the existing Cosumnes River Elementary School.

3702 Bascom Avenue – Peer Review, San Jose, California. Perform a Peer Review and independent analysis of a proposed gas station redevelopment project in the City of San Jose. Conduct updated existing ambient noise monitoring in the vicinity of the proposed project site. Prepare predicted future traffic and project noise exposure evaluations at nearby noise-sensitive receptors.

Morris Dill Pickle Ball Courts, City of Pacific Grove, California. Perform in-depth monitoring of the ambient noise environment in the community Morris Dill Courts and characterization of source-noise levels generated by the pickle ball activities at the courts. Develop a 3D computer model to evaluate the effectiveness of a proposed barrier surrounding the pickle ball courts.

Parkview Place Condominiums, Davis, California. Performed an evaluation of structure-borne noise and vibration as well as sound insulation within the condo community. Interior walls and floor/ceiling assemblies were evaluated for their compliance with construction documents and previous acoustical recommendations. Summarized the findings of the evaluation, along with further treatment recommendations to achieve the desired inter-tenancy isolation. Assisted with the preparation and evaluation of construction bid packages for the additional improvements. Oversaw the selected contractors work throughout the construction process. Performed post-construction testing of the improved building elements.

McClellan Conference Center Acoustical Treatment, Sacramento, California. Perform acoustical testing of the existing space to determine effectiveness of existing acoustical treatments. Develop further recommendations to provide a more appropriate acoustical environment for the current and further uses of the conference center.

Light Rail Efficiency Improvement Project – Phase 2, Mountain View, California. Performed post-construction monitoring of the completed Phase 2 portion of the project. Addressed issues from a concerned public base with perceived elevated noise levels due to the project.

Folsom Dam Auxiliary Spillway – Phase IV, Folsom, California. Implement the previously developed Acoustic Monitoring Plan, perform compliance noise monitoring, process and maintain automated remote noise monitoring equipment, conduct supplemental monitoring and develop necessary mitigation measures as needed.

Alameda Landing – Stargell Commons, Alameda, California. Performed an environmental noise and vibration assessment for the proposed affordable housing project. Evaluated plan sets and construction documents to provide direction in regards to sound isolation, building acoustics and acoustical comfort within the facility.

1200 Lincoln Way, City of San Francisco, California. Conducted baseline noise monitoring, noise-source characterization monitoring, 3D computer noise modeling, preparation of technical noise study report and environmental documentation.

Light Rail Transit Efficiency Improvements, Mountain View, California. Establish ambient and baseline noise exposure within the community surrounding a proposed LRT improvement project. Analyze construction and operational noise impacts associated with the proposed LRT improvements, based on FTA guidelines.

CDCR Infill Facility EIR, State-wide, California. Evaluation of proposed infill facilities at five locations throughout the state; including R.J. Donovan, CSP Solano, CSP Sacramento, Mule Creek State Prison and California Institute for Men, Chino. Transportation and stationary source noise modeling, future noise-source impact assessment and report authoring.

Gold Striker Roller Coaster – CA Great America, Santa Clara, California. Acoustical monitoring of the tallest and fastest wooden coaster in Northern California, evaluation of technical noise specifications.

Reed-Hillview Airport Improvement EIR, Santa Clara County, California. Project management and acoustical analysis of proposed improvements to airport property.

California Health Care/Medical Facility Vacaville, Vacaville, California. Noise monitoring program, future noise-source impact assessment and report authoring.

Alviso Slough Restoration Project, Santa Clara County, California. Analyzed noise impacts along haul truck routes, pile-driving and those generated by heavy-equipment used for the restoration.



# Dennis Pascua

## Senior Transportation Planner

Dennis Pascua is a senior transportation planner and Dudek's transportation services manager with 25 years' experience in transportation planning/engineering in Southern California. Mr. Pascua has successfully managed a variety of projects for local agencies and private developers, including traffic and circulation impact analyses and parking demand studies in both highly urbanized and rural areas. He is highly experienced with California Environmental Quality Act/National Environmental Policy Act and transportation topics and policies surrounding active transportation, context sensitive solutions, and complete streets throughout California. Mr. Pascua also offers an international perspective, having managed transportation planning projects in the Philippines, Japan, and the United Arab Emirates.



Dennis Pascua

## Project Experience

LADWP On-Call Environmental Services, Los Angeles, California. Managed Traffic Impact Analysis (TIAs) for the following projects prepared under an on-call contract with the City of Los Angeles Department of Water and Power (LADWP), the nation's largest municipal utility: Power Plant 1 and Power Plant 2 Transmission Line Conversion; Tujunga Central Groundwater Station; North Hollywood Groundwater Station; De Soto Avenue Trunk Line Replacement; De Soto Water Tanks; and Van Norman Complex Vegetation and Maintenance Projects. The TIAs prepared, or currently being prepared, involve the analysis of construction-related traffic and potential lane closures on major public thoroughfares. Construction mitigation measures include the preparation of a Construction Traffic Management Plan that includes traffic control plans for roadway construction, and transportation demand management for construction worker traffic. Dudek has also coordinated with the Department of Transportation and Bureau of Engineering on those projects.

LACSD On-Call Environmental Services, Los Angeles County, California. As part of an on-call contract with the Los Angeles County Sanitation Districts (LACSD), Mr. Pascua managed the TIA for the Stormwater Capture System at Puente Hills Material Recovery Facility in County Sanitation District No. 2 to meet the Industrial General Permit's industrial stormwater requirements. The project would primarily involve construction of a proposed basin and supporting conveyance facilities (piping) that would involve grading, excavating, and fencing. The TIA analyzed the potential traffic impacts for the temporary construction phase of the project, which would generate construction-related traffic (due to construction workers, vendor trucks, and haul trucks) to and from the project site.

Sanborn Solar and Gen-Tie Route Project, Kern County, California. Managed the in-house Transportation team that prepared a TIA that identified potential construction-related traffic impacts associated with a proposed photovoltaic solar facility and associated infrastructure (gen-tie) necessary to generate up to a combined 300 megawatts of renewable electrical energy. The proposed project consisted of two sites: the northern site is

### Education

*University of California, Irvine  
BA, Social Ecology (Environmental  
Analysis and Design)*

### Professional Affiliations

*American Planning Association  
Association of Environmental  
Professionals  
Institute of Transportation  
Engineers  
Orange County Traffic  
Engineering Council*

approximately 1,118 acres; and, the southern site is approximately 983 acres. The southern site is directly north of Edwards Air Force Base Solar project. The project impacts were evaluated under CEQA and NEPA. The TIA evaluated existing traffic conditions, including roadway segment and intersection levels of service along or in proximity to the gen-tie route options; estimated trip generation and trip characteristics for construction-related activities of the gen-tie options; analyzed the potential for traffic impacts to occur as a result of construction of the gen-tie; described the significance of the potential impacts; and, identified mitigation measures, for construction-related traffic impacts.

Marsh Park Access Evaluation and Recommendations, Mountains Recreation and Conservation Authority, Los Angeles, California. Conducted an evaluation of the existing access conditions at the driveways in Marsh Park in the City of Los Angeles. The project was intended to address safety concerns at the park access including obstructed sight distance, failure of vehicles to yield to bicyclists and pedestrians, and lack of visibility for drivers to see when park gates are closed. Provided recommendations to improve safety for park users including placement of stop signs, reflective markers for park gates, and signage to alert drivers to the presence of pedestrians. Recommendations were made consistent with guidance provided in the California Manual of Uniform Traffic Control Devices.

Gen-Tie Routes for Edwards Air Force Base Solar Enhanced Use Lease Project, Kern County, California. Managed the in-house Transportation team that prepared a traffic impact analysis (TIA) that identified potential construction-related traffic impacts associated with the proposed 230-kilovolt gen-tie route options that would connect the Edwards Air Force Base (EAFB) solar generation site with the existing Westwind Substation in the first phase of the project, and to the Southern California Edison Windhub Substation in subsequent phases of the project. The project impacts were evaluated under CEQA and NEPA. This project is located south of the Sanborn Solar and Gen-Tie project. The TIA evaluated existing traffic conditions, including roadway segment and intersection levels of service along or in proximity to the gen-tie route options; estimated trip generation and trip characteristics for construction-related activities of the gen-tie options; analyzed the potential for traffic impacts to occur as a result of construction of the gen-tie; described the significance of the potential impacts; and, identified mitigation measures, for construction-related traffic impacts.

## Relevant Previous Experience

- Tres Amigos Solar Project, Merced County, California
- Jensen Solids Handling Facility Canoga Park, Metropolitan Water District, Los Angeles, California
- Warner-Canoga 150-Dwelling Unit Apartment Transportation Demand Management Plan, Warner Center, Los Angeles, California
- North Hollywood High School Renovation, LAUSD, Los Angeles, California
- Rose Hills Courts Rehabilitation, Housing Authority of City of Los Angeles, California
- LA Trade-Technical College Master Plan, Los Angeles Community College District, California
- Grandview Park Expansion, Rancho Palos Verdes, California
- Recology Materials Recovery Facility (MRF) Expansion, Sun Valley, California
- California Department of Transportation SR 126/Commerce Center Drive PR/ED, Newhall Ranch, California.
- Terminal Expansion and Renovation Project EIRs, Port of Los Angeles, California
- Campus Parking Management Plan, County of San Bernardino, California





# DUDEK

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## **SOUTHERN CALIFORNIA**

Encinitas (Main)  
La Quinta  
Pasadena  
Riverside  
San Juan Capistrano

## **CENTRAL CALIFORNIA**

Bakersfield  
Santa Barbara  
Santa Cruz

## **NORTHERN CALIFORNIA**

Auburn  
Oakland  
Sacramento

## **HAWAI'I**

Kailua, O'ahu

## **OREGON**

Portland

## **FLORIDA**

Lake Worth Beach

12.9 Attachment B  
Page 51 of 60



**Pleasanton Unified School District**  
**Contractor's Disclosure Form Regarding PUSD Officials**

**To be completed by Contractor:**

Name of Contractor:	Dudek
Services to be performed under the Agreement:	TO PROVIDE PROFESSIONAL SERVICES
Schools/Locations where services will be performed:	New Elementary School #10
Total amount to be paid by PUSD Under this Agreement not to exceed:	COMPENSATION SHALL NOT EXCEED AMOUNT AUTHORIZED IN THIS AGREEMENT.
Term of Agreement:	FY 2019 - 2021

**Are any of Contractor's employees (or owners) ALSO current PUSD employees/Board members, or former PUSD employees/Board members within the last year? (Check "Yes" or "No" as applicable.)**

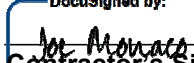
☒ **NO.** None of Contractor's employees (or owners) are ALSO current PUSD employees/Board members, or former PUSD employees/Board members within the last year.

☐ **YES.** Contractor's employees (or owners) listed in the table below are ALSO current PUSD employees/Board members, or former PUSD employees/Board members within the last year. (Complete the table below. The list may be continued on an additional page as needed.)

<b><u>NAME</u></b> of current PUSD employee/Board member, or former PUSD employee/Board member within the last year, who is <u>ALSO</u> Contractor's employee (or owner):	<b><u>JOB TITLE(S) AT PUSD</u></b> of current PUSD employee/Board member, or former PUSD employee/Board member within the last year, who is <u>ALSO</u> Contractor's employee (or owner):	<b><u>DATE</u></b> on which individual left PUSD employment/Board. <u>Or</u> , if the individual is currently an PUSD employee/Board member, write "current."	If individual is a current PUSD employee/Board member, <u>how is he/she to be paid?</u> (I.e., through PUSD Human Resources or Contractor plans to pay directly, etc.)
N/A			

**Certification by Contractor:**

On behalf of Contractor, I hereby certify that, to Contractor's knowledge, the information provided in this form is true, accurate, and complete. I agree that during the term of this Agreement, if Contractor learns of information that differs from that provided above, including but not limited to the hiring of new personnel who are current PUSD employees or Board members, or former PUSD employees or Board members within the last year. Contractor will promptly update this form with PUSD.

DocuSigned by:  
  
 Contractor's Signature

1/30/2020

DATE

Joe Monaco

Print Name of Signatory

## OTHER GENERAL CONDITIONS TO PROFESSIONAL SERVICES AGREEMENT

### 1. **AVAILABILITY OF FUNDS AND BUDGET AND FISCAL PROVISION AND TERMINATION IN THE EVENT OF NON-APPROPRIATION**

- a. This Agreement is subject to the budget and fiscal policies, regulations and practices of PUSD, and approval and appropriation of funds for this Agreement. Charges will accrue only after prior written authorization is provided by the authorized representative of PUSD and proper execution of this Agreement by the parties.
- b. The amount of PUSD's obligation hereunder shall not at any time exceed the amount herein stated.
- c. PUSD has no obligation to renew this Agreement after expiration of its term. If funds are appropriated for a portion of a fiscal year, this Agreement will terminate, without penalty, at the end of the term for which funds are appropriated.
- d. Contractor's assumption of risk of possible non-appropriation is part of the consideration for this Agreement.
- e. This section controls against any and all other provisions of this Agreement.

### 2. **DISALLOWANCE**

- a. If Contractor claims or receives payment from PUSD for a service, reimbursement for which is later disallowed by the State of California or United States Government, Contractor shall promptly refund the disallowed amount to PUSD upon PUSD's request. At its option, PUSD may offset the amount disallowed from any payment due or to become due to Contractor under this Agreement or any other Agreement.
- b. By executing this Agreement, Contractor certifies that Contractor is not suspended, debarred or otherwise excluded from participation in federal or state programs. Contractor acknowledges that this certification of eligibility to receive state or federal funds is a material term of this Agreement.

### 3. **SUBMITTING FALSE CLAIMS: MONETARY PENALTIES**

Pursuant to Government Code §12650 et. seq., any person, including a contractor, subcontractor or a consultant, who submits a false claim, shall be liable to PUSD for three times the amount of damages which PUSD sustains because of the false claim. A person who commits a false claim act shall also be liable to PUSD for the costs of a civil action brought to recover any of those penalties or damages, and may be liable to PUSD for a civil penalty of up to ten thousand dollars (\$10,000) for each false claim. A person will be deemed to have submitted a false claim to PUSD if the person:

- a. knowingly presents or causes to be presented to an officer or employee of PUSD, a false claim for payment or approval;
- b. knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by PUSD;
- c. conspires to defraud PUSD by getting a false claim allowed or paid by PUSD;
- d. has possession, custody, or control of public property or money used or to be used by PUSD and knowingly delivers or causes to be delivered less property than the amount for which the person receives a certificate or receipt;
- e. is authorized to make or deliver a document certifying receipt of property used or to be used by PUSD and knowingly makes or delivers a receipt that falsely represents the property used or to be used;
- f. knowingly buys, or receives as a pledge of an obligation or debt, public property from any person who lawfully may not sell or pledge the property;
- g. knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to PUSD; or
- h. is a beneficiary of an inadvertent submission of a false claim to PUSD, subsequently discovers the falsity of the claim, and fails to disclose the false claim to PUSD within a reasonable time after discovery of the false claim.

### 4. **PAYMENT DOES NOT IMPLY ACCEPTANCE OF WORK**

No payment shall in any way lessen the liability of Contractor to remedy or replace unsatisfactory work, service, equipment, or materials, if the unsatisfactory character of such work, service, equipment or materials was not detected at the time of payment. Service, materials, equipment, components, or workmanship that do not conform to the requirements of this Agreement may be rejected by PUSD and in such case must be remedied or replaced by Contractor without delay at no additional cost to PUSD.

**5. QUALIFIED PERSONNEL**

Work under this Agreement shall be performed only by competent personnel under the supervision of and in the employment of Contractor. Contractor will comply with PUSD's reasonable requests regarding assignment of personnel, but all personnel, including those assigned at PUSD's request, must be supervised by Contractor. Contractor shall commit adequate resources to complete the project schedule specified in this Agreement.

**6. RESPONSIBILITY FOR EQUIPMENT**

PUSD shall not be responsible for any damages to persons or property as a result of the use, misuse or failure of any equipment used by Contractor, or by any of its employees, even though such equipment be furnished, rented or loaned to Contractor by PUSD.

**7. TAXES**

Contractor shall pay all taxes levied in connection with this Agreement, or the services delivered pursuant hereto.

**8. INDEPENDENT CONTRACTOR**

- a. Contractor or any agent or employee of Contractor shall be deemed at all times to be an independent contractor and not an employee of PUSD. Contractor shall be wholly responsible for the manner in which it performs the services required of it under this Agreement. Nothing contained in this Agreement shall be construed as creating an employment or agency relationship between PUSD and Contractor or its agents and employees.
- b. Any terms in this Agreement referring to direction from PUSD shall be construed as providing for direction as to policy and the result of Contractor's work only, and not as the means by which such a result is obtained. PUSD does not retain the right to control the means or the method by which Contractor performs work under this Agreement. Nothing contained in this Agreement shall be construed as creating an employment or agency relationship between PUSD and Contractor or its agents and employees.
- c. If any governmental authority should, nevertheless, determine that Contractor is an employee, then PUSD's payment obligations hereunder shall be reduced so that the aggregate amount of payments directly to Contractor and to the applicable governmental authority does not exceed the maximum amount specified in this Agreement under Section C., "Compensation". Contractor shall refund any amounts necessary to effect such reduction.
- d. Contractor shall also complete and file with PUSD the attached W-9 form.

**9. INSURANCE**

- a. Without in anyway limiting Consultant's liability pursuant to the "Indemnification" section of this Agreement, Consultant shall procure and maintain during the full term of this Agreement the following insurance amounts and coverage:
  - 1) Commercial General Liability Insurance with limits not less than \$1,000,000 (one million dollars) each occurrence Combined Single Limit for Bodily Injury and Property Damage (including coverage for claims of sexual abuse and molestation).
  - 2) Workers' Compensation Insurance, with Employer's Liability limits not less than \$1,000,000 (one million dollars) each accident.
  - 3) Professional Liability (E & O) Insurance with limits not less than \$1,000,000.00 (one million dollars) each occurrence and in the aggregate. Coverage must at a minimum apply to negligent Errors and Omissions arising out of professional services, performed under the contract, with any deductible not to exceed \$250,000 each claim.
- b. Commercial General Liability policy must provide the following:
  - 1) **Name as Additional Insured the Pleasanton Unified School District, its Board, officers and employees.**
  - 2) That such policy is primary insurance to any other insurance available to the Additional Insured, with respect to any claims arising out of this Agreement and that such policies apply separately to each insured against who claim is made or suit is brought.
- c. If any policies are written on a claims-made form, Consultant agrees to maintain such insurance continuously in effect for three years following completion of this Agreement or extend the period for reporting claims for three years following the completion of this Agreement, such that occurrences which take place during the Agreement period shall be insured for three years following completion of the Agreement.

- d. The Consultant shall provide PUSD with the appropriate certificate(s) of insurance prior to commencing performance. The Consultant shall also be obligated to notify PUSD in writing at least 30 (thirty) days in advance of any cancellation, non-renewal or reduction of any of its insurance policies required under this Agreement. Consultant also understands and agrees that PUSD may withhold payment for services performed for any violations of the insurance provisions of this Agreement.

#### **10. INDEMNIFICATION**

- a. With respect to professional services to be provided under this Agreement, the Consultant shall indemnify and hold harmless PUSD, its Board, agents, and employees from and against any and all actions, claims, damages and losses, including attorney's fees that may arise out of or in any way result from the negligent or wrongful acts, errors, or omissions of Consultant.
- b. With respect to claims arising under Consultant's general liability coverage, the Consultant shall indemnify and hold harmless PUSD, its agents, and employees from and against any actions, claims, damages or loss, including attorney's fees that may arise out of or in any way result from Consultant's activities in the performance of its services under this Agreement.
- c. The Consultant will not, and will not permit its officers, employees and/or agents, to infringe on any patent right, copyright, trade secret or any other proprietary right or trademark of PUSD in the performance of services under this Agreement. The Consultant shall not disclose to third parties any details of its services for PUSD or the actions, inactions or decisions of the Agency, other than disclosure to third parties of the fact that Consultant represented PUSD in the particular publicly known transactions on which the Consultant works on PUSD's, and to describe in general terms only, the Consultant's role, the services Consultant performed, and the nature of such transactions. Such disclosures may be made to current or prospective clients of the Consultant or to others, and may consist of announcements and advertisements placed at the Consultant's own expense in legal, business, financial and other periodicals and publications.

#### **11. LIABILITY OF PUSD**

PUSD'S PAYMENT OBLIGATIONS UNDER THIS AGREEMENT SHALL BE LIMITED TO THE PAYMENT PROVIDED FOR IN SECTION C ("COMPENSATION") OF THIS AGREEMENT. PUSD SHALL NOT BE LIABLE FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT OR INCIDENTAL DAMAGES, INCLUDING BUT NOT LIMITED TO, LOST PROFITS IN CONNECTION WITH THIS AGREEMENT.

#### **12. DEFAULT: REMEDIES**

- a. Each of the following shall constitute an event of default ("Event of Default") under this Agreement:
  - 1) Contractor fails or refuses to perform or observe any term, covenant or condition contained in this Agreement.
  - 2) Contractor (A) is generally not paying its debts as they become due, (B) files, or consents by answer or otherwise to the filing against it of, a petition for relief or reorganization or arrangement of any other petition in bankruptcy or for liquidation or to take advantage of any bankruptcy, insolvency or other debtors' relief law of any jurisdiction, (C) makes an assignment for the benefit of its creditors, (D) consents to the appointment of a custodian, receiver, trustee or other officer with similar powers of Contractor or of any substantial part of Contractor's property, (E) takes action for the purpose of any of the foregoing, or (F) is the subject of any order of a court or government authority related to the Federal Bankruptcy Act.
- b. On and after any Event of Default, PUSD shall have the right to exercise its legal and equitable remedies, including, without limitation, the right to terminate this Agreement for cause or to seek specific performance of all or any part of this Agreement. In addition, PUSD shall have the right (but no obligation) to cure (or cause to be cured) on behalf of Contractor any Event of Default; Contractor shall pay to PUSD on demand all costs and expenses incurred by PUSD in effecting such cure, with interest thereon from the date of incurrence at the maximum rate then permitted by law. PUSD shall have the right to offset from any amounts due to Contractor under this Agreement or any other agreement between PUSD and Contractor all damages, losses, costs, or expenses incurred by PUSD as a result of such Event of Default due from Contractor pursuant to the terms of this Agreement.
- c. All remedies provided for in this Agreement may be exercised individually or in combination with any other remedy available hereunder or under applicable laws, rules, regulations. The exercise of any remedy shall not preclude or in any way be deemed to waive any other remedy.

**13. TERMINATION**

- a. It is expressly understood and agreed that in the event the Consultant fails to perform its obligations under this Agreement, this Agreement may be terminated for cause by PUSD and all the Consultant's rights hereunder ended. Termination for cause shall be upon ten (10) days written notice to Consultant, and no work will be undertaken by Consultant after receipt of the notice. In the event this Agreement is terminated by PUSD pursuant to this paragraph; the Consultant shall be paid for services performed up to the date of termination.
- b. It is further understood and agreed that PUSD may terminate this Agreement for PUSD's convenience and without cause at any time by giving the Consultant thirty (30) days written notice of such termination. In such an instance, the Consultant shall be entitled to compensation for services performed up to the effective date of termination.
- c. Upon receipt of written notice that this Agreement is terminated, the Consultant will submit an invoice to PUSD for an amount that represents the value of services actually performed up to the date of termination for which the Consultant has not previously been compensated as provided for herein. Upon approval and payment of this invoice by PUSD, PUSD shall be under no further obligation to the Consultant, monetarily or otherwise.

**14. CONFLICT OF INTEREST**

- a. Conflict of Interest Standards. The following is a brief overview of conflict of interest laws and policies. Contractor is responsible to know, and comply with, the full requirements of the law.
  - 1) Under the California Political Reform Act (CPRA), codified in part as Government Code section 1090 and sequential, and section 87100 and sequential: No public official shall make, participate in making, or in any way attempt to use his or her official position, to influence a contract on behalf of the public agency when he or she knows, or has reason to know, that he or she has a personal financial interest in that contract.
  - 2) Government Code section 1090 defines "making" a contract broadly to include actions that are preliminary or preparatory to the selection of a contractor such as but not limited to: involvement in the reasoning, planning, and/or drafting of scopes of work, making recommendations, soliciting bids and requests for proposals, and/or participating in preliminary discussions or negotiations. (Cal. Govt. Code § 1090)
  - 3) State law limits the amount of gifts that may be received by public officials from a single source during a calendar year. In 2016, the gift limit is \$460 per source per calendar year. (See e.g. Cal. Govt Code 89503; 2 CCR 18940.2. See also [www.fppc.ca.gov](http://www.fppc.ca.gov))
  - 4) State law prohibits, with limited exceptions, certain former local public officials from appearing before their former public agency for the purpose of influencing a governmental decision for 12 months from the date the former employee left that public agency. (Cal. Govt. Code § 87406.3)
  - 5) State law bars a public agency employee from making governmental decisions regarding an organization which is engaged in employment negotiations with that public agency employee. (Cal. Govt. Code § 87407)
  - 6) Contractors and their representatives may be required to disclose economic interests that they hold that could foreseeably be affected by the exercise of their public duties. If applicable, Contractors/representatives must submit a disclosure filing called a Statement of Economic Interests or "Form 700." (Cal. Govt. Code §§ 81000-91015; PUSD Board Rules and Procedures 9270, "Conflict of Interest Code")
- b. Obligations of Contractor. It is the obligation of the Contractor, as well as any subcontractors, to determine whether or not participation in a contract may constitute a conflict of interest. While PUSD staff maintains records regarding the award and execution of contracts, it does not have access to specific information concerning which entities, partners, subcontractors or team members perform specific work on these contracts. A conflict of interest or an unfair advantage may exist without any knowledge of PUSD. The determination of the potential for a conflict must be made by the Contractor. Contractor is responsible to notify PUSD immediately if it finds that a potential conflict may exist.
- c. Consultation with Counsel. PUSD strongly advises any Contractor, and any proposing/ bidding firm, to consult with its legal counsel to determine whether a conflict of interest may exist. It is the responsibility of a Contractor, or a proposing/bidding firm, to make that determination.
- d. Consequences of a Violation. Any contract made in violation of Section 1090 is void and cannot be enforced. When Section 1090 is violated, a government agency is not obligated to pay the Contractor for any goods or services received under the void contract. The government agency can seek repayment from the Contractor

of any amounts already paid, and refer the matter to appropriate authorities for prosecution. Additional consequences may also apply.

- e. **Disclosure Requirement.** Contractor will submit to PUSD a list of all of Contractor's employees (including owners) who are also current PUSD Board members or employees, or former PUSD Board members or employees in the last year. Contractor will submit the attached "Contractor's Disclosure Form Regarding PUSD Officials." Contractor will update this form with PUSD, as needed, during the term of this Agreement. Exception: Public agencies that provide contract services to PUSD are not subject to this disclosure requirement.
- f. **Compliance with Gift Limits.** Contractor will abide by legal gift limits and use good judgment, discretion and moderation when offering gifts, meals or entertainment or other business courtesies to PUSD officials, and in order not to place PUSD officials in conflict with any specific gift restrictions: (1) No Contractor or representative thereof shall offer, give, or promise to offer or give, directly or indirectly, any money, gift or gratuity to any PUSD contracting or procurement official at any time. (2) No Contractor or representative thereof shall offer or give, directly or indirectly, any gifts in a calendar year to a PUSD official which exceed the allowable gift limit. (See e.g. Cal. Govt Code 89503; 2 CCR 18940.2. See also [www.fppc.ca.gov](http://www.fppc.ca.gov))

#### 15. **PROPRIETARY INFORMATION OF PUSD**

- a. Contractor understands and agrees that, in connection with this Agreement, the Contractor may have access to proprietary or confidential information which may be owned or controlled by PUSD and that such information may contain proprietary details, the disclosure of which to third parties will be damaging to PUSD, its employees or students. Contractor also understands and agrees that the disclosure of such information may violate state and/or federal law and may subject the Contractor to civil liability. Consequently, Contractor agrees that all information disclosed by PUSD to the Contractor shall be held in strict confidence and used only in performance of the Agreement, unless disclosure is required by law or court order. Contractor shall exercise the same standard of care to protect such information as is used to protect its own proprietary or confidential information.
- b. Contractor shall comply at all times with the requirements of the Family Educational Records Privacy Act ("FERPA") and relevant state law regarding the confidentiality and handling of student records, including but not limited to California Education Code sections 49073 and sequential. Contractor shall only access confidential student information pursuant to prior written parental consent, legitimate educational interest in performing duties on behalf of PUSD under this Agreement, or other provisions of federal and state law permitting access to confidential student information. **Contractor shall not use confidential student data for any purposes other than providing services to PUSD pursuant to this Agreement. Contractor shall not re-disclose confidential student information to any third party without the prior written consent of PUSD and any such re-disclosure shall be consistent with state and federal law.**
- c. The confidentiality provisions of this Section shall survive the termination or expiration of this Agreement.

#### 16. **OWNERSHIP OF THE RESULTS**

Any drawings, plans, specifications, blueprints, studies, reports, memoranda, computation sheets, computer data files and media or other documents prepared by Contractor in connection with services to be performed under this Agreement, shall be the property of and be promptly transmitted to PUSD. However, Contractor may retain and use copies for reference and as documentation of its experience and capabilities, but only to the extent that such retention and use complies with Section 15 of this Agreement ("Proprietary Information of PUSD").

#### 17. **EMAIL COMMUNICATIONS/SHARED DOCUMENTS**

PUSD may communicate and transmit documents using email. In addition, shared documents may be hosted on servers located in a facility other than PUSD's offices or school sites ("in the cloud"). The District uses reasonable precautions to keep electronic information secure and confidential; however, there may be risks to communicating and storing information in this manner. Contractor consents to allow email communication as well as having data stored "in the cloud."

#### 18. **AUDIT AND INSPECTION OF RECORDS**

The Consultant agrees to maintain and make available to PUSD accurate accounting and other records relative to its obligations under this Agreement. The Consultant will participate promptly and cooperatively in any audits conducted by PUSD or its nominee, and permit PUSD or a representative to audit, examine and make copies from such books and records, and to perform audits related to all matters covered by this



Agreement, whether funded in whole or in part under this Agreement. The Consultant shall maintain such data and records in an accessible location and condition for a period of not less than three years after a final payment under this Agreement or until after final audit has been completed, whichever is later.

**19. SUBCONTRACTING**

The Consultant is prohibited from subcontracting this Agreement or any services provided pursuant to this Agreement unless such subcontracting is agreed to in writing and executed in the same manner as this Agreement. No party on the basis of this Agreement shall in any way contract on behalf of or in the name of the other party of this Agreement, and violation of this provision shall confer no rights on any party and shall be void.

**20. ASSIGNMENT**

It is understood and agreed that the services to be performed by the Consultant are personal in character and neither this Agreement nor any duties or obligations hereunder shall be assigned or delegated by the Consultant without the prior written consent of PUSD.

**21. NON DISCRIMINATION**

Contractor agrees that it shall not discriminate on the basis of sex, race, religious creed, national origin, age, marital status, sexual orientation, gender, AIDS/ARC/HIV status, or disability, in its performance under this Agreement.

**22. WAIVER**

Either party's failure at any time to enforce any default or right reserved to it, or to require performance of any of the Agreement's terms, covenants, or provisions by the other party at the time designated, shall not be a waiver of any such default or right to which the party is entitled, nor shall it in any way affect the right of the party to enforce such provisions thereafter.

**23. MODIFICATION OF AGREEMENT**

This Agreement may only be modified or amended by written instrument executed and approved in the same manner as this Agreement.

**24. DISPUTE RESOLUTION**

- a. Prior to any action or resort to any legal remedy, PUSD and Contractor agree to exercise reasonable efforts, and to negotiate in good faith, to amicably resolve any dispute that may arise concerning the performance by either party of their obligations under this Agreement. If PUSD's and Contractor's project managers cannot resolve disputes through such negotiations, then the Parties' project managers will escalate the dispute to their respective executives who shall have authority to resolve the controversy and who are at a higher level of management than the project managers.
- b. In such event, either PUSD or Contractor shall give the other party written notice of any dispute not resolved by good faith negotiations between the Parties' respective project managers. Within fifteen (15) days after delivery of such initial notice, the receiving party shall submit to the other a written response. Both the initial notice, and the response, shall include (i) a statement of that party's position, (ii) a summary of arguments supporting that position, and (iii) the name and title of the executive who will represent that party and of any other person who will accompany the executive.
- c. Within thirty (30) days after delivery of the initial notice, the executives of both parties shall meet at a mutually acceptable time and place, and thereafter as often as they reasonably deem necessary, to attempt to resolve the dispute. All reasonable requests for information made by one party to the other shall be honored. All negotiations pursuant to this clause are confidential and shall be treated as compromise and settlement negotiations for purposes of applicable rules of evidence.
- d. If the executives cannot resolve the dispute to the satisfaction of both Parties, then PUSD and Contractor may attempt to mutually agree on the conditions under which such unresolved disputes can be referred to mediation or non-binding arbitration. If the parties do not mutually agree to mediation or non-binding arbitration, or mutually select a mediator or arbitrator for the dispute, or such efforts do not resolve the dispute, then either party may pursue any remedy available under California law.

**25. COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT**

Contractor acknowledges that, pursuant to the Americans Disabilities Act (ADA), programs, services and other activities provided by a public entity to the public, whether directly or through a contractor, must be accessible to the disabled public. Contractor shall provide the services specified in this Agreement in a manner that complies with the ADA and any and all other applicable federal, state and local disability rights legislation. Contractor agrees not to discriminate against disabled persons in the provision of services, benefits or activities provided under this Agreement and further agree that any violation of this prohibition on the part of Contractor, its employees, agents or assigns will constitute a material breach of this Agreement.

**26. COMPLIANCE WITH LAWS**

Contractor shall keep itself fully informed of the applicable state and federal law affecting the performance of this Agreement, and shall at all times comply with such laws as they may be amended from time to time.

**27. GOVERNING LAW: VENUE**

This Agreement shall be governed by the laws of the State of California. The venue for all litigation relative to this Agreement shall be Alameda County.

**28. SECTION HEADINGS**

The section headings contained herein are for convenience in reference and are not intended to define the scope of any provision of this Agreement.

**29. ENTIRE AGREEMENT**

The entire Agreement between the parties is included herein and no warranties, expressed or implied, representations, promises, or statements have been made by either party unless endorsed herein in writing, and no change or waiver of any provision hereof shall be valid unless made in writing and executed in the same manner as this Agreement.

**30. EXECUTION OF THE AGREEMENT. EXECUTION IN COUNTERPARTS**

- a. Original copies of this Agreement shall be executed by the respective party's authorized signatory(ies).
- b. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original agreement, but all of which shall be considered one instrument and shall become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other.

**31. SEVERABILITY**

If any term or provision of this Agreement shall be found illegal or unenforceable, this Agreement shall remain in full force and effect and such term or provision shall be deemed stricken.

*(Continued on the next page.)*

**32. SIGNATURES OF THE PARTIES**


IN WITNESS WHEREOF the parties hereto have executed this Agreement on \_\_\_\_\_, 2018.

For Dudek

For PLEASANTON UNIFIED SCHOOL DISTRICT

APPROVED:

APPROVED:

By:  \_\_\_\_\_  
Authorized Signature

BY: \_\_\_\_\_

**All contractual agreements to exceed \$45,000 shall require prior approval of the Pleasanton Unified School District Board of Trustees (BP 3312).**

**Board Approval Date:** \_\_\_\_\_

*\*If amount exceeds \$45,000*