

MODIFICATION NO. 3 to:

**INDEPENDENT CONSULTANT AGREEMENT FOR PROFESSIONAL SERVICES
Between San Rafael City Schools And BKF Engineers**

This Modification No. 3 ("Modification") amends the Independent Consultant Agreement for Professional Services ("Agreement"), which was entered into by and between San Rafael City Schools ("District") and BKF Engineers ("Consultant") (together, "Parties") as follows:

RECITALS

WHEREAS, the Parties entered into the Agreement effective as of January 25, 2017;

WHEREAS, the Parties wish to amend the Agreement to allow Consultant to provide Boundary, Topographic and Utility Survey services for an additional site, Bahia Vista Elementary School, and to adjust compensation accordingly;

NOW THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, the Parties agree as follows:

AGREEMENT TO AMEND

1. Subsections 4.1 through 4.4, inclusive, shall remain unchanged, but Section 4 ("Compensation") of the Agreement is amended to read in its entirety:

4. **Compensation.** Compensation was originally Two Hundred Forty-Three Thousand, Six Hundred Sixty-Eight Dollars (\$243,668) and was previously increased by Ten Thousand Two Hundred Fifty Dollars (\$10,250) and then by Forty-Two Thousand, Eight Hundred Sixty-Six Dollars (\$42,866). Consultant's compensation shall be increased again by Twelve Thousand, Three Hundred Ninety Dollars (\$12,390) to total Three Hundred Nine Thousand, One Hundred Seventy-Four Dollars (\$309,174).

District agrees to pay the Consultant for services satisfactorily rendered pursuant to this Agreement and in accordance with the following services:

Potholing at Venetia Valley Elementary School

- Up to eleven (11) locations to be potholed for utility information
- Three (3) potholes completed per day; anticipating four (4) continuous working days
- Land surveying services to include ("Option 2") a survey field crew at the project site for each day that potholing activities occur. Upon completion of each individual pothole, BKF will occupy project control, survey the horizontal locations and elevations of exposed utilities, take pictures and notes of exposed pothole.
- Provide pothole exhibit to District.

District shall pay Consultant according to the following terms and conditions.

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2. Exhibit "A" to the Agreement is deleted and replaced with the document attached hereto and identified as Exhibit "A."
3. All other provisions of the Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Agreement and any provision of the Agreement relating to the Modification only, the provisions of this Modification shall control.

IN WITNESS WHEREOF, the Parties hereto have accepted and agreed to this Modification on the dates indicated below.

Dated: _____, 2018

San Rafael City Schools

Dated: _____, 2018

BKF Engineers

By: _____

By: _____

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

Exhibit "A"
Description of Services to be Performed by Consultant

Consultant's entire Proposal is not made a part of this Agreement.

Scope of Services: Land Surveying and Associated Services for projects at San Rafael High School, Terra Linda High School, Davidson Middle School, Venetia Valley middle School, Glenwood Elementary School, Laurel Dell Elementary School, San Pedro Elementary School, Short Elementary School, and Bahia Vista Elementary School.

Consultant shall provide Services in accordance with the requirements of the District's "Requests for Qualifications and Proposals (RFQ/P) for Land Surveying and Associated Services," as stated below, and in accordance with Modification 1 to the Agreement incorporating Services relating to Title Reports for all school sites identified above.

1. Land Surveying Legal and General Requirements

The Land Surveyor shall be qualified in accordance with Business and Professions Code section 8700 et seq. The Land Surveyor shall be listed on the California Department of Transportation list of approved surveyors. Land Surveyor shall be responsible for preparing accurate, unambiguous and modern metes and bounds descriptions for each parcel of land being surveyed that includes the coordinate values of the survey's point of beginning and corresponds to the survey, written in the same bearing system as the survey to be used; marking the location of the parcels on the ground; locating and mapping any natural and man-made physical features as may be found on the parcels; measuring the property lines and determining the area of the parcels; providing a plan depicting the findings of the survey; identifying any conflicts with adjoining deeds, locating and providing dimensions for any encroachments affecting the parcels, and showing these findings in detail in the plan depicting the survey findings; locating and identifying easements, locatable restrictions, and right-of-way lines affecting the parcels; preparing a record of survey map, if required.

The Land Surveyor will be the District's advisor for the Property and the Project with regard to compliance with statutes and regulations concerning Land Surveyor services. The successful Land Surveyor will ensure that the District complies with all laws and regulations governing Land Surveying which are applicable to the construction, renovation, or modernization of a public school or school facilities, including without limitation Public Resources Code section 21000 et seq., Government Code section 65402, Education Code section 17210 et seq., Business and Professions Code section 8700 et seq. and all applicable regulations. The successful Land Surveyor shall coordinate its work with the District's other consultants without limitation.

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2. Site Surveys

The Consultant's survey data shall include the following:

- a) Research and obtain available site record data.
- b) Show scale, north arrow, and date of survey (confirm with District drawing size and scale). Show benchmark with official reference. Indicate datum used.
- c) Verify the exterior site boundaries from available public records, confirm with on-site survey information and plot on the drawings.
- d) Show all dimensions and all encroachments both ways over property lines. Check tops of building walls built on property lines and footings or foundations.
- e) Show all easements: location, width, purpose, and ownership. Show possibilities of abandonment of easement, if required (easements or restrictions other than those stated, implied or indicated).
- f) Topography shall cover subject property and to opposite side of adjacent roads. Contour intervals shall be shown in six inch (0'-6") gradients. Spot elevations at breaks in grade, along all drainage channels or swales and selected points as needed, including spot elevations at building corners and stairs.

Note: An aerial topographic survey is not recommended as the sole method for existing school sites due to the distortion caused by building shadows and roof overhangs. Existing school sites should be ground surveyed to obtain the most accurate survey of ground level site features.

- g) Locate street improvements (sidewalks, curbs, gutters, cross-gutters, or flow-line of ditch or drainage if no curbs) on adjacent streets to the site. Show center lines and elevations.
- h) Show direction of street traffic. Note if the street is posted as State or U.S. Highway.
- i) Locate, dimension and describe existing structures. Provide floor elevations of buildings, including basements.
- j) Show all paved areas, indicating type and condition. Include driveways, steps, walkways and covered walkways.
- k) Show all utilities on and adjacent to the site along with all substructures and lines serving the site. Indicate size and location, depth and Owner of the same. Include street lights, electric and telephone poles, meters, hydrants and backflow devices. Show direction, distance to and size of nearest water mains and sewers and invert elevation of sewers measured in the field. Show irrigation lines.
- l) Retain the services of an Underground Locating Service as a part of the work of the surveyor. Locate all existing underground utilities on each campus, including: water, gas, sewer, drain, water circulating, electrical, telephone. Indicate dimensions and depths of existing piping.

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- m) Show all fences, retaining walls and play equipment.
- n) Show all trees (location, type, size, canopy and condition), shrubs, turf areas, playfields with markings and other physical features.
- o) The surveying services described herein shall be performed with the necessary accuracy and clarity required by Architectural and Engineering and other consultants in the preparation of Construction Documents for the complete renovation and reconstruction of the existing school sites.
- p) The survey information shall be presented on reproducible drawings and electronic files as set forth in the Submittal Requirements. Electronic information shall be suitable for use by the District's Architectural and Engineering Consultants in the performance of their work.
- q) The Consultant shall assign only trained and experienced engineering and surveying staff to perform the requisite tasks.

3. Coordination of work with Districts Architectural & Engineering Consultants on specific construction projects

- a) The Consultant shall respond to questions from the District's Architectural and Engineering teams, make adjustments to their survey work and provide supplemental information as required to ensure proper survey data is included in each project document set.

4. Potholing Services

- a) The Consultant shall provide Potholing Services at Venetia Valley Elementary School to include: Up to eleven (11) locations to be potholed for utility information.
- b) Three (3) potholes shall be completed per day; anticipating four (4) continuous working days.
- c) Land surveying services to include a survey field crew at the project site for each day that potholing activities occur. Upon completion of each individual pothole, BKF will occupy project control, survey the horizontal locations and elevations of exposed utilities, take pictures and notes of exposed pothole.
- d) Consultant shall provide pothole exhibit to District.

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