

ATTACHMENT 2

FIRST AMENDMENT TO SERVICES AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into this ___ day of _____, 2024, by and between the City of Merced, a California Charter Municipal Corporation (“City”), and Provost and Pritchard Engineering Group, Inc., a California Corporation, whose address of record is 455 W. Fir Avenue, Clovis, California 93611-0242, (hereinafter referred to as Contractor”).

WHEREAS, City is undertaking a project to perform environmental and monitoring services for a PFAS/PCE groundwater investigation project at the Merced Yosemite Regional Airport; and,

WHEREAS, City and Contractor have previously entered into an Services Agreement (“Agreement”) dated September 18, 2023; and,

WHEREAS, City and Contractor desire to amend said Agreement to provide for additional services in connection with said project as directed by the California State Water Quality Control Board.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Section 1A, “ADDITIONAL WORK,” is hereby added to the Agreement to read as follows:

Contractor shall perform the additional work outlined in the proposal from Contractor to City dated June 28, 2024 and July 3, 2024, attached hereto as Exhibit “1” and Exhibit “2” respectively.

2. Section 2A, “ADDITIONAL COMPENSATION,” is hereby added to the Agreement to read as follows:

City shall pay to Contractor the not to exceed additional sum of Three Hundred and Seventy-One Thousand Four Hundred Dollars (\$371,400.00) for the additional work described in the proposal attached hereto as Exhibit “1” and Exhibit “2” and in accordance with the rates set forth on Exhibit “1” and Exhibit “2”.

3. Except as herein amended, the Agreement dated September 18, 2023, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to Agreement to be executed on the date first above written.

CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
D. Scott McBride
City Manager

ATTEST:
D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:
CRAIG J. CORNWELL, CITY ATTORNEY

BY: Craig Cornwell 10/31/2024
City Attorney Date

ACCOUNT DATA:
M. VENUS RODRIGUEZ, FINANCE OFFICER

BY: _____
Verified by Finance Officer

CONTRACTOR
PROVOST & PRITCHARD
ENGINEERING GROUP, INC.,
A California Corporation

BY: 
(Signature)

Dave Norman
(Typed Name)

Its: Director of Operations
(Title)

BY: _____
(Signature)

(Typed Name)

Its: _____
(Title)

Taxpayer I.D. No. _____

ADDRESS: 455 W. Fir Avenue
Clovis, CA 93611-0242

TELEPHONE: 559-326-1100

FAX: 559-326-1090

E-MAIL: dnorman@ppeng.com

PROVOST & PRITCHARD CONSULTING GROUP

455 W Fir Ave • Clovis, CA 93611 • (559) 449-2700
www.provostandpritchard.com

June 28, 2024

Mike Wegley, PE, Interim City Engineer
City of Merced
678 W 18th Street
Merced, CA 95340

RE: PROPOSAL IN RESPONSE TO REQUEST FOR MONITORING WELL INSTALLATION AND PER- AND POLY-FLUOROALKYL SUBSTANCES (PFAS) GROUNDWATER SAMPLING WORK PLAN, MERCED MUNICIPAL AIRPORT (GEOTRACKER ID: SL185232902), S. WEST AVE. & RIGGS AVE. MERCED, MERCED COUNTY, CA

Dear Mr. Wegley:

Provost & Pritchard Consulting Group's (Provost & Pritchard or P&P) project team is excited about continuing to offer environmental services to the City of Merced (City) for the PCE/PFAS groundwater investigation project at the Merced Regional Airport (Project) as outlined in Monitoring and Reporting Program (MRP) No R5-2011-0808. This proposal is in response to the June 14, 2024 letter from the RWQCB titled *REQUEST FOR MONITORING WELL INSTALLATION AND PER- AND POLY- FLUOROALKYL SUBSTANCES (PFAS) GROUNDWATER SAMPLING WORK PLAN, MERCED MUNICIPAL AIRPORT (GEOTRACKER ID: SL185232902), S. WEST AVE. & RIGGS AVE. MERCED, MERCED COUNTY, CA.*

The RWQCB staff is requesting a workplan to be submitted by July 26, 2024. The work requested by the RWQCB is significant and requires substantial drilling and laboratory subcontractor efforts. P&P's fee is reflective of this level of effort. The workplan requested by the RWQCB is detailed below and contains the following information:

1. Please describe the subsurface hydrogeologic conditions at the Airport and clarify whether the three groundwater zones in the vertical direction underlying the Airport property [i.e., the shallow (A), intermediate (B), and deep (C) zones] are hydrologically continuous. In particular, please clarify the local hydrologic connectivity between the shallow zone and the intermediate zone near monitoring well pair MW-23/BZW-5 and well pair MW-24/BZW-6.
2. Please describe the use and storage history of aqueous film-forming foam (AFFF) at the Airport, including but not limited to the following information:
 - a. A list of AFFF products purchased by the Airport, including product volume and purchase date. The Material Safety Data Sheet (MSDS) for each AFFF product may be requested at a later date.
 - b. A list of known or potential AFFF release areas, including AFFF storage areas, fire training areas, hangars, and historical emergency response (e.g., plane crash or other fire accident) areas; for each identified area, please describe the area size, in-door or on open field,

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ground surface conditions (e.g., paved or bare soil), and the stormwater flow directions and, if available, stormwater collection system at each area.

- c. An introduction of fire training history at the Airport, including training location, training practice frequency, and the estimated AFFF use volume in each practice.
 - d. A map illustrating the areas identified in 2.b. above.
3. In addition to the known historical fire training area that is located at the southeastern corner of the Airport property (i.e., the known source zone), please identify and present on a map the other areas where other PFAS-containing materials (e.g., hydraulic oil) are stored, used, and/or disposed of.
 4. Please include a plan to install new monitoring wells to fully characterize the lateral and vertical extents of the PFAS groundwater plume:
 - a. For the two existing well pairs (MW-23/BZW-5 and MW-24/BZW-6) that are downgradient from the known source zone, at least the upper two groundwater zones (Zones A and B) in the directions downgradient and cross-gradient from the well pairs need to be investigated to delineate the PFAS plume boundary.

Immediately near each well pair discussed above, one additional monitoring well that samples the deep groundwater zone (Zone C) should be installed to assess the PFAS plume's vertical extent at each well pair location.
 - b. In the direction that is upgradient from the known historical training area, at least one monitoring well pair that monitors Zone A and Zone B groundwater should be installed to delineate the PFAS groundwater plume upgradient of the known source zone. The Airport may re-install MW-15 to a deeper depth in place of the requested Zone A well.
 - c. Include a map showing the number and locations of the proposed new wells, labeling each well based on the groundwater zone it samples.
 - d. Summarize the screen interval length and depth information for each proposed new well in a table.
 5. Please include a plan to collect groundwater samples from all new wells for PFAS analysis. At a minimum, please also include downgradient well pairs MW-23/BZW-5 and MW-24/BZW-6, and wells MW-18, MW-22, BZW-2, BZW-4, CZW-2, and CZW-3 of the existing monitoring well network at the Airport in the sampling event for PFAS analysis. This sampling event may be combined with the routine groundwater monitoring required by the Central Valley Water Board Monitoring and Reporting Program (MRP) Order R5-2022-0808.
 6. Please follow the State Water Board's Per- and Polyfluoroalkyl Substances (PFAS) Sampling Guidelines for Non-Drinking Water for the collection of groundwater samples.

7. Please include the 40 compounds in Table 5 of the USEPA Method 1633 for PFAS analysis of groundwater samples. The PFAS analysis should be performed by an analytical laboratory accredited by the California Environmental Laboratory Accreditation Program for USEPA Method 1633. The

PFAS analysis should incorporate the quality control measures and acceptance criteria from the USEPA Method 1633.

8. Please include an implementation schedule for completing the new well installation, PFAS groundwater sampling and analysis, and the subsequent preparation and submission of investigation results. Please note the investigation results should be submitted in a final report within 90 days of the field collection of groundwater samples requested in comment 5 above.

Schedule and Fee

P & P is not certain that with the City's contracting process and the preparation of the workplan (once authorization to proceed) that the July 26th due date is possible. Therefore we recommend that the first the first task would include a request for time extension from the RWQCB on the due date of this workplan.

P&P has carefully prepared the fee estimate to consider budget controls where possible. However, a significant portion of the fee is the Monitoring well installation and sampling task is for drilling and laboratory subcontractors. We have consulted with BSK, the City's contract laboratory to ensure the laboratory costs are at the City rates and we will be using a local drilling firm to reduced travel expenses.

Proposed Fee – Merced Airport	
	Estimated Fee
Workplan Preparation & Research	\$29,000
Monitoring Well Installation & Sampling	\$142,000
Post Construction Report	\$18,000
Total Estimated Fee:	\$189,000

Provost & Pritchard is prepared to initiate work as soon as we receive an amendment to our existing contract or and new contract from the City.

LIMITATIONS

P&P will conduct the proposed Phase I ESAs in general accordance with the current ASTM standard in force at the time of this proposal. Additional work required by third party agencies or organizations (e.g. Lending Institutions) may require a greater level of effort or service and will require scope and fee modification.

P&P offers various levels of investigative and engineering services to suit the varying needs of our Clients. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which may help in the understanding and managing of the level of risk. Since detailed investigation and analysis involves greater expenses, our Clients participate in establishing levels of service, which provide adequate information for their purposes at acceptable levels of risk. Acceptance of this proposal will indicate you have reviewed the scope of services and established you do not need or want a greater level of service than that being proposed. Any exceptions should be noted and may result in higher fees.


Regulations and professional standards applicable to P&P's services are continually evolving. Techniques are, by necessity, often new and relatively untried. Different professionals may reasonably adopt different approaches to similar problems. Therefore, no warranty or guarantee, express or implied, will be included in P&P's scope of services.

The scope of work presented in our proposal is our understanding of the needs of the Client for a Phase I ESA at the subject properties. Please be aware that our scope of services was limited to those items specifically identified in our proposal. We appreciate the opportunity of presenting this proposal and look forward to working with you on this project. Please do not hesitate to call if you have any questions.

Sincerely Yours,
Provost & Pritchard Consulting Group,



Stephanie Gillaspie, EIT
Principal Environmental Specialist



David Norman
Principal Environmental Professional

PROVOST & PRITCHARD CONSULTING GROUP

455 W Fir Ave • Clovis, CA 93611 • (559) 449-2700
www.provostandpritchard.com

July 3, 2024

Mike Wegley, PE, Interim City Engineer
City of Merced
678 W 18th St
Merced, CA 95340

SUBJECT: Fee Estimate For Semi Annual Ground Water Monitoring Reports for the Third Quarter 2024 and the First Quarter 2025 for Airport Project, City of Merced

Dear Mr. Wegley,

At your request, Provost & Prichard Consulting Group (P&P) is providing you with our cost estimate to provide continuing groundwater reporting for the "Airport project" (Project). This contract would be for a time period covering the Third (annual report) Quarter 2024 and the First Quarter 2025 (Semi-Annual). The reporting will include the data from the Airport site currently being monitored by the City for the Project. Up to 10 new wells likely will be installed in Fall 2024. These wells will be incorporated into the monitoring reports. Each well is monitored for depth to groundwater for each sampling event.

The fee estimate is intended to include the preparation of the required and anticipated reports during the contract period. This fee estimate includes the preparation of one (1) semiannual and one annual report, following our receipt of laboratory data from the City contracted lab in accordance with RWQCB requests as approved by the City.

SCOPE OF WORK

P&P will prepare two groundwater monitoring reports in accordance with the City's directions, the City's approval of RWQCB requests and generally accepted standards for such reporting.

The 2024/2025 reporting will build on the data and format of previous reporting and provide updated graphs, tables and maps for review and consideration by the RWQCB, the court and the City. The Third Quarter report will double as the annual report and will include additional sections and data interpretations based on the previous year's data for both groundwater trends.

ASSUMPTIONS AND ESTIMATED FEE

P&P will continue to upload the lab data in EDF format provided by the contract laboratory to Geotracker, as well as the quarterly report. P&P will invoice for our service on a time and material basis not to exceed the estimated fee, without prior written approval. The invoicing will occur monthly for the level of effort expended during the billing cycle. Fee will be based on P&Ps 2024 Fee Schedule (attached). The Year 2 cost has been included as optional, when needed.

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FEE ESTIMATE

Two Semi-Annual Reports (Year 1)	\$91,200
Two Semi-Annual Reports (Year 2)	\$91,200
TOTAL CONTRACT	\$182,400

LIMITATIONS

P&P offers various levels of investigative, engineering and design services to suit the varying needs of our Clients. Although risk can never be eliminated, more detailed and extensive investigations yield more information, which help understand and manage the level of risk. Since detailed investigation and analysis involves greater expenses, our Clients assist with determining levels of services that will provide adequate information for their purposes at acceptable levels of risk. Acceptance of this proposal indicates the City of Merced has reviewed the scope of work and determined you do not need or want a greater level of services than that being proposed. Any exception should be noted and may result in high fees.

Regulations and professional standards applicable to P&P services are continually evolving. Techniques are, by necessity, often new and relatively untried. Different professionals may reasonably adopt different approaches to similar problems. Therefore, no warranty or guarantee, express or implied, will be included in P&P's scope of services.

AUTHORIZATION


If there is a need for any change in the scope of services described in this fee estimate, please call us immediately. Changes may require revision of the proposed fee that will be communicated to you.

All information gathered during this project is considered confidential and will be released only upon written authorization of the City of Merced or as required by law.

We appreciate the opportunity to submit this fee estimate and look forward to working with you on this project. If you have any questions or need additional information, please contact Dave or Stephanie in our Clovis Office at (559) 449-2700.

Sincerely,

Provost and Pritchard Consulting Group



Stephanie Gillaspy, EIT
Principal Environmental Specialist



David W. Norman
Director of Operations

DWN:SEG