

AMENDMENT NO. 2 TO  
PROFFESIONAL SERVICES AGREEMENT

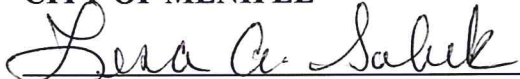
This is Amendment No. 2 to that certain AGREEMENT for Professional Services Agreement ("Agreement") made on April 16, 2014, by and between the City of Menifee ("City") and Consultant: T.Y. LIN International, Inc. ("Consultant"), which Amendment is made and entered on July 18, 2018 to increase the compensation for Environmental and Civil Engineering Design Services for CIP 13-03 Holland Road / I-215 Bridge Overcrossing Project as indicated below:

1. Section 2, "Compensation" is amended to read as follows:

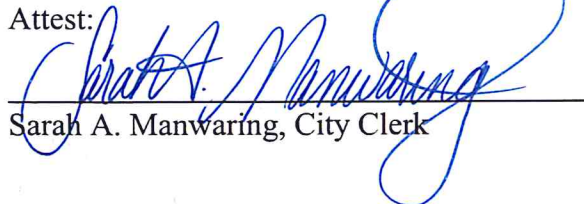
City hereby agrees to pay Consultant a sum not to exceed TWO MILLION ONE HUNDRED THIRTY EIGHT THOUSAND ONE HUNDRED NINETY DOLLARS (\$2,138,190.00) notwithstanding any contrary indications that may be contained in Consultant's proposal, for the Services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Exhibit A, regarding the amount of compensation, this Agreement shall prevail. City shall pay Consultant for the Services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for the Services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized in advance by City, Consultant shall not bill City for duplicate services performed by more than one person.

IN WITNESS WHEREOF, the Parties hereto have executed and entered into this Agreement as of the Effective Date.

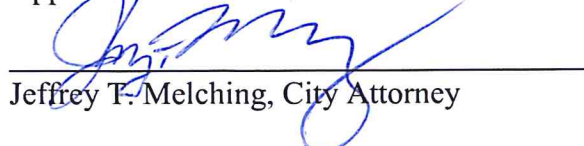
**CITY OF MENIFEE**

  
\_\_\_\_\_  
Lesa A. Sobek, Mayor Pro Tem

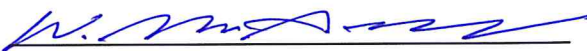
Attest:

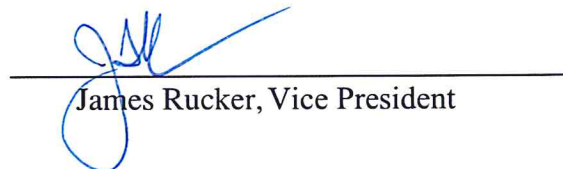
  
\_\_\_\_\_  
Sarah A. Manwaring, City Clerk

Approved, as to Form:

  
\_\_\_\_\_  
Jeffrey T. Melching, City Attorney

**CONSULTANT**

  
\_\_\_\_\_  
W. Mark Ashley, Senior Vice President

  
\_\_\_\_\_  
James Rucker, Vice President

## Cost Proposal Worksheet

COMPANY:	SCOPE OF WORK:	DATE:
T.Y.LIN INTERNATIONAL	PS&E, AND CONSTRUCTION SUPPORT	7/9/2018
PROJECT:	MILESTONE/PHASE/PROJECT SUMMARY:	
Holland I-215	Amendment 2	

### DIRECT LABOR

PERSONNEL	FUNCTION	HOURS	RATE	AMOUNT
Jim Rucker	Principal in Charge	2.0	\$ 280.00	\$ 560.00
Robert Barton	Project Manager	144.0	\$ 270.00	\$ 38,880.00
Roya Golchoobian	QA/QC Manager	22.0	\$ 230.00	\$ 5,060.00
	Senior Transportation Engineer	96.0	\$ 210.00	\$ 20,160.00
	Senior Const. Engineer	12.0	\$ 220.00	\$ 2,640.00
	Senior Bridge Engineer	80.0	\$ 170.00	\$ 13,600.00
	Transportation Engineer II	48.0	\$ 155.00	\$ 7,440.00
	Assistant Bridge Engineer	100.0	\$ 140.00	\$ 14,000.00
	Assistant Transportation Engineer	100.0	\$ 130.00	\$ 13,000.00
	CADD support	116.0	\$ 125.00	\$ 14,500.00
Stacey Bracco	Admin	30.0	\$ 120.00	\$ 3,600.00
		0.0	\$ -	\$ -
		0.0	\$ -	\$ -
TOTAL HOURS		750.0	TOTAL DIRECT LABOR	
			\$ 133,440	

### OTHER DIRECT EXPENSES

ITEM	UNIT	QUANTITY	UNIT COST	AMOUNT
Reproduction	LS			\$ -
Copying	LS		\$ -	\$ -
Transportation/Travel	LS	1	\$ 500.00	\$ 500.00
Special Deliveries	LS			\$ -
	LS			\$ -
			\$ -	\$ -
TOTAL OTHER DIRECT EXPENSES				\$ 500

### OUTSIDE SERVICES

COMPANY	FUNCTION	TOTAL
OPC	Right of Way	\$ 143,020.00
TOTAL OUTSIDE SERVICES		\$ 143,020
		\$ -
		\$ -
PROFIT		\$ -
TOTAL COST		\$ 276,960

T.Y. Lin International						SCOPE OF WORK: PRE, PEER, PS&E, AND CONSTRUCTION SUPPORT AUTISTON/THAYER/PROCTOR BOOMERS							AMENDMENT 2								7/19/2018							
						Loaded Rates											TOTALS											
	\$	280	\$	270	\$	230	\$	210	\$	220	\$	170	\$	155	\$	140	\$	130	\$	270	\$	125	\$	120	\$	Total Hours		
Sub-Task	PIC	Project Manager	QA/QC Manager	Senior Trans Engineer	Gen'l Review	Senior Bridge Engineer	Trans Engineer II	Assistant Bridge Engineer	Asst Trans Engineer	Outreach Support	CADD Support	Account	Total Hours															
<b>PROJECT MANAGEMENT (TYL)</b>																												
1.0		2.0		80.0																						112.0	\$	25,780.00
1.1 General Coordination (TYL)				48.0																						-	\$	12,960.00
1.2 Meetings (TYL)																										-	\$	-
<b>PROJECT REPORT (PRE), PERMIT ENGINEERING EVALUATION REPORT (PEER), AND ENVIRONMENTAL DOCUMENT (ED)</b>																												
2.0				16.0																						-	\$	3,360.00
2.2 Permit Engineering Evaluation Report (PEER) (TYL)				8.0																						8.0	\$	1,680.00
2.4 Right of Way Data Sheet (TYL)																										-	\$	-
<b>PLANS, SPECIFICATIONS &amp; ESTIMATES (PS&amp;E) (TYL)</b>																												
3.0				12.0																						-	\$	28.0
3.4 R/W Engineering and Coordination				4.0																						-	\$	5,100.00
3.7 Roadway PS&E				4.0																						156.0	\$	24,920.00
3.8 Structural PS&E (Bridge and Retaining Walls)				8.0																						-	\$	59,660.00
3.8.6 100% Structural PS&E Submittal																										-	\$	-
<b>RIGHT OF WAY ACQUISITION (OPC)</b>																												
4.0																										-	\$	19,750.00
4.1 Right of Way Project Management and Document Support																										-	\$	3,520.00
4.2 Title Investigation Services																										-	\$	80,050.00
4.3 Appraisal and Specialty Appraisal Services																										-	\$	28,000.00
4.4 Negative Right of Way Settlement/Prepare Acquisition Documents																										-	\$	7,200.00
4.5 Interagency Coordination																												



## SCOPE OF WORK

### Amendment 2

Amendment 2 covers out-of-original scope of work, revised scope, and associated project management activities for the Holland Road / I-215 Overcrossing from the original agreement dated 4-16-2014 between the City of Menifee and T.Y. Lin International (TYLI). The summary of this scope of work includes:

1. Coordination with Southern California Edison (SCE) for Draft/Final Utility Relocation Plans due to revisions in rights-of-way and Caltrans encroachment.
2. Update and revise Right of Way requirements mapping, appraisals, surveys, and acquisitions based on SCE utility relocation plans and planned future developments.
3. Coordination and meetings to resolve prior rights issues and finalize Longitudinal Encroachment Exception for the existing SCE utility within Caltrans ROW.
4. Revisions to the final Roadway and Structural Plans, Specifications, and Estimates documents to conform to the latest Caltrans Standards to secure approvals.
5. Additional project management, coordination, and meetings associated with this additional scope of services.

### PART 1 – PROJECT MANAGEMENT

TYLI will provide overall execution and financial management of the project, including City and Caltrans District 8 (Caltrans) coordination, tracking progress of the work, preparing monthly invoices with project status reports and conducting project meetings.

#### ***1.1 General Coordination and Administration***

TYLI's Project Manager will provide additional management, coordination, and supervision of project staff to facilitate the additional scope of the work in accordance with the requirements of the City and Caltrans.

##### ***Deliverables:***

- ♦ Project Schedule
- ♦ Monthly Invoices
- ♦ Progress Report

#### ***1.2 Meetings***

TYLI will conduct additional meetings for project development to complete the PS&E phase of the project in coordination with Caltrans and impacted utility agencies to prepare exceptions and agreements. A maximum of six (6) additional meetings are included, and three (3) design development teleconferences.

##### ***Deliverables:***

- ♦ Meeting Agendas
- ♦ Meeting Minutes

### PART 2 –PERMIT ENGINEERING EVALUATION REPORT (PEER)

This phase will consist of conducting technical studies and analysis, and revising a PEER in prescribed format for City and Caltrans review and approval. Specific activities will be as follows:

#### ***2.2 Permit Engineering Evaluation Report (PEER)***

TYLI will revise and secure approval of a PEER per the latest Caltrans requirements. Form TR-0112 from the Caltrans Encroachment Permit Manual will be completed. This document will include a location map, cost estimate, and construction schedule.

***Deliverables:*** Final PEER

## 2.4 Right of Way Data Sheets

3/9/2018

Based on the geometric plans, right of way/utility impacts will be documented for review and approval by City and Caltrans. Potentially impacted areas/facilities will be reviewed to assess the likely degree of impact. TYLI will prepare Right of Way Data Sheets for all the alternatives in accordance with the latest Caltrans guidelines and will include them in the PEER as appendices.

The additional Scope of Work necessary to complete the Caltrans Right of Way Data Sheet in accordance with the Caltrans Right of Way Manual is as follows:

- ♦ Take an inventory of the affected properties.
- ♦ Secure preliminary parcel information from online database sources and investigate current ownerships. Utilizing this information and Assessor's Roll information, determine other valuation considerations such as zoning, lot and building size, current usage, and other relevant factors.
- ♦ Visually inspect each property (aerial and street-level views) and note the effects of all proposed acquisitions.
- ♦ Sort each property into product types to determine the set of real estate data to be researched and create valuation data sets for each product type.
- ♦ Prepare an estimate of the probable cost of each partial acquisition, as well as permanent and temporary easement interests, including (for partial acquisitions) damages to the remaining parcel, using created data sets from various real estate value databases.
- ♦ Prepare an estimate of the probable relocation assistance (if applicable) for each residential or non-residential occupant located on each property.
- ♦ Prepare an estimate of the total probable loss of business goodwill (if applicable) attributable to each operating business.
- ♦ Prepare an estimate of the inspection and demolition costs (if applicable) associated with delivering each cleared site.
- ♦ Prepare an estimate of the total services and incidental costs associated with each real estate acquisition program (appraisals, acquisition and relocation consultants, title/escrow, legal services, etc.).
- ♦ Prepare latest Caltrans Right of Way Data Sheet cover in accordance with Caltrans policies and all applicable findings.
- ♦ Provide Quality Assurance/Quality Control (QA/QC) of final work product, submit to client and other Project Team members, respond to inquiries, and update report, as-needed.

### ***Deliverables:***

- ♦ Right of Way Data Sheets

## **PART 3 – PLANS, SPECIFICATIONS & ESTIMATES (PS&E)**

This phase consists of preparing roadway and structure PS&E per Caltrans and City standards and guidelines.

## 3.4 Right of Way Engineering and Coordination

Right of Way engineering services to facilitate the effort to perform acquisition of rights of way and easements for the project. Throughout this process, research, field surveys, land net mapping, records of survey, legal descriptions and plats, and other right of way related documents may be prepared to support the final right of way acquisitions needed for the Holland Road/I-215 Bridge Overcrossing Project. The survey team will work closely with the project team and City staff in order to successfully execute these services.

The following right of way services are anticipated for this project:

### **Appraisal Maps**

Upon approval of the Right of Way Requirements map, appraisal maps will be prepared for the project area affected by fee and easement acquisition. The appraisal maps will be signed and sealed by a California licensed land surveyor. (For the purposes of this proposal, one set of appraisal maps and one set of revisions have been included in the fee.)

### **Legal Descriptions and Plats**

Legal descriptions and plat maps will be prepared for the proposed parcel takes (full and partial), easements and temporary construction easements, Resolution of Necessity (RON) and vacation documents. The legal descriptions and plats will be based upon the land net map prepared and the approved right of way requirements. The legal descriptions will be prepared by or under the direction and signed by a California licensed land surveyor. (For the purposes of this proposal, five (5) legals and plats and one set of revisions have been included in the fee.)



***Deliverables:***

3/9/2018

- ♦ Signed Hard Copy Map, Microstation DGN file and pdf's
- ♦ Record of Survey – Hard Copy – Record of Survey first Check County Submittal and Hard Copy – Recorded Record of Survey from County
- ♦ Appraisal Maps – Hard Copy – Signed Appraisal Maps and Microstation DGN Files, pdf's
- ♦ Legal Descriptions/Plats – Hard Copy – Signed Legal Descriptions/Plats and pdf Copy of Signed Legal Descriptions/Plats

**3.7 Roadway PS&E**

The design will be revised to conform to the latest Caltrans Standard Plans and Standard Specifications within Caltrans Right of Way. Outside State right of way, City and/or County of Riverside standards will be applied.

Additional scope items for revisions to final submittal include, but are not limited to;

- Updates standard plans and specifications due to changes in latest requirements
- Revisions due to utility re-locations, signalized intersections, and additional comments and drainage.
- Revisions due to Right of Way modifications
- Finalize east drainage basin to accommodate future development
- Provide old Paloma Wash profile and sections for responses to environmental permitting
- Updates to bid quantities and bid item pricing for latest changes
- Revised WQMP (water quality management plan).

**3.7.3 100% PS&E Submittal**

TYLI will prepare a Final Roadway Design. These plans will include the following:

- ♦ Title Sheet
- ♦ Typical Sections (1 sheet)
- ♦ Key Map (1 sheet)
- ♦ Layouts (4 sheets at 40-scale)
- ♦ Profile and Superelevation Diagram (8 sheets)
- ♦ Construction Details (10 sheets)
- ♦ Temporary Water Pollution Control (4 sheets)
- ♦ Contour Grading (4 sheets)
- ♦ Drainage Plans, Profiles, Details, and Quantities (18 sheets)
- ♦ Utility Plans (4 sheets)
- ♦ Stage Construction, Traffic Handling, and Detour (8 sheets)
- ♦ Signing and striping (4 sheets)
- ♦ Retaining Walls (16 sheets)
- ♦ Landscape and Irrigation (12 sheets)
- ♦ Lighting and Traffic Signal (12 sheets)
- ♦ Technical Specifications/Special Provisions
- ♦ Quantities and Cost Estimates

In addition, TYLI will prepare following documents at 100% PS&E approval:

- ♦ Resident Engineer's Pending File
- ♦ Cross Sections for Construction Staking

***Deliverables:***

- ♦ Roadway PS&E (as described above)
- ♦ Geotechnical Materials Report
- ♦ Specifications, Special Provisions and Bidding documents
- ♦ Quantities and Cost estimates

### 3.8 Structural PS&E

3/9/2018

A new Holland Road Overcrossing will be provided across I-215. For the purposes of this amendment, it is assumed that bridge, foundation types, and wall types remain unchanged from previous submittals.

Revisions to the structure design are required due to updated Caltrans criteria and the requirements outlined in the Caltrans, Division of Engineering Services, and Office of Special Funded Projects (OSFP) *Information and Procedures Guide*.

Modified seismic design will be performed, updating the current standards from Caltrans Seismic Design Criteria (SDC 1.7) to requirements in accordance with the most current version of Caltrans Seismic Design Criteria (SDC 2.0) for superstructure and substructure components. It is assumed that no project specific seismic design criteria will be required. It is further assumed that no fault rupture hazard exists at the site, consistent with the original scope of work.

TYLI will conduct analysis and prepare and submit bridge and walls PS&E for Caltrans and City review and approval.

Additional scope items for revisions to final submittal include;

- Updates standard plans and specifications due to changes in latest requirements. The current version of bridge and wall plans (95% at 12-9-2016) needs to be updated for the Caltrans Revised standard plans as last updated 7-21-2017 and the revised standard specifications, special notices, and standard special provisions. **Please note:** a 2018 edition of standard specifications is expected in late 2018. This scope includes revisions to these new standards.
- Revisions due to Right of Way and Utility relocation modifications. The bridge and wall plans will need to be revised to reflect the latest utility relocation locations as well as the limitation on right of way for temporary and permanent construction easements as modified following previous review of the 95% plans.
- Updates to bid quantities and bid item pricing for latest changes. Bid item unit pricing will be revised to reflect latest cost data for 2018.
- The current bridge structure seismic design basis is Caltrans Seismic Design Criteria version 1.7 (released April 2013). Caltrans is imminently expecting to release Seismic Design Criteria version 2.0 for implementation and this project will be required to revise the calculations. Some of the major seismic updates required to be performed include;
  - Analysis of new design spectrums for safety evaluation earthquakes (SEE), functional evaluation earthquakes (FEE), and verification of vertical ground excitations. Re-performance of the elastic dynamic analysis to include these latest design spectrums is required.
  - Verification of abutment stiffness modeling for elastic dynamic analysis for longitudinal and transverse directions.
  - Verification of seismic critical members to adhere to the revised P-delta lateral displacement criteria.
  - Analysis of moment curvature provisions in transverse direction to include overturning effects of multi-column bents.
  - Verification of transverse reinforcement in seismic critical components for the revised design provisions and new minimum volume of transverse reinforcement provisions.
  - Determination of adequacy of capacity protected members based on the updated list.
  - Check of superstructure to bent cap seismic capacity for new design criteria equations.
  - Verification of geotechnical requirements for modifications to the characteristics of Class S1 (previously "competent" soil and design analysis of pile foundations in new class S1 soils.
  - Determination if "Comprehensive Foundation Design" requirements apply is new Class S2 soils exist. All foundations in Class S2 soils would require a new comprehensive design.
  - Revisions to abutment longitudinal stiffness assumptions due to addition of equations for displacement coefficients.
  - New provisions for shear key confinement reinforcement.
  - Modifications to superstructure analysis for modified "effective superstructure width" Figures A and B, and updates to reinforcement requirements for vertical acceleration demands.



- Re-determination of joint types based on revisions to the “T” and “knee” joint reinforcement requirements. 3/9/2018
- Updates to column flares based on clarified provisions and new figures for horizontal and vertical flare isolations.
- Updates to splicing provisions for seismically critical members and added provisions on types and uses for reinforcement bar splicing, hoop reinforcement, and spiral termination details.
- Verify requirements of longitudinal bars due to added provisions of maximum and minimum lateral spacing.
- Quality control and assurance of new seismic design criteria compliance.
- Shelled calculations update for bridge and walls revisions of Caltrans design details and standards. Revisions since the 95% submittal include;
  - Updates to Bridge Design Aids (last updated Feb, 2017)
  - Updates to Bridge Design Details (last updated March, 2017)
  - Updates to Memo to Designers (last updated January 2018)
- Constructability update will be performed to determine if any adjacent projects will create conflict or limitations to the project area.

### **3.8.6 Final Structures PS&E (100%)**

Revisions will be made to the bridge and wall plans in response to Caltrans and City comments on the 95% Structures PS&E, and design changes due to required code modifications, and will be submitted for approval. Upon Caltrans approval, Division of Structures signoff on the plans will be requested.

#### ***Deliverables:***

- ◆ 100% Bridge PS&E
- ◆ 4-Scale Drawing
- ◆ RE Pending File

## **PART 4 – RIGHT OF WAY ACQUISITION (OPC)**

### **4.1 Right of Way Project Management and Document Support**

- ◆ Track and manage all budgetary-related aspects of OPC’s Scope of Work.
- ◆ Assist with the development of administrative policies, procedures, and forms necessary to carry out the initial program.
- ◆ Maintain ongoing general consultation and project coordination with the client, City, and other project team members.
- ◆ Provide representation of the client at public meetings, hearings, and litigation related matters.
- ◆ Prepare and present a monthly written status report based on the agreed-upon guidelines regarding information to be provided. Confer weekly with client verbally on general statuses, problem areas, and progress.
- ◆ Participate in up to four Project Development Team (PDT) Meetings to report on acquisition progress.
- ◆ Manage subcontractors and all necessary disciplines needed for the project.
- ◆ Provide quality assurance and quality control for the right of way program and all right of way components.

#### ***Deliverables:***

- ◆ Written Status Report (Monthly)

### **4.2 Title Investigation Services – up to Seven (7) Preliminary Title Reports**

- ◆ Secure vesting deeds, back up documents, property profiles, and tax maps for each property.
- ◆ Secure preliminary title report which will remain valid for a maximum of six months or until there is an ownership change.
- ◆ Secure copies of recorded back-up documents, as needed.
- ◆ Share title information with right of way engineer, surveyor, and appraisers for their use.
- ◆ Prepare list of title exceptions to be cleared; confirm manner of disposition is consistent with approved project plan.
- ◆ Facilitate changes to preliminary title report after the preparation of the legal description, if necessary for partial acquisition.



**Deliverables:**

3/9/2018

- ♦ List of Title Exceptions

**4.3 Appraisal and Specialty Appraisal Services: Seven Appraisals, Seven Appraisal Reviews**

- ♦ **Overland, Pacific, and Cutler, Inc. (OPC)** will mail a notification letter and acquisition policies brochure to the property owner requesting permission to conduct an on-site inspection of the property, advising them of their right to accompany the appraiser at the time of the inspection, and requesting information regarding the property appraised which could influence the appraised value.
- ♦ Appraiser will review title information pertaining to respective ownership and will review drawings and other pertinent information relative to the parcel.
- ♦ Appraiser will inspect the property personally with the owner (if possible) and document the inspection with photographs for use in the report.
- ♦ Appraiser will inventory all improvements affected by the proposed taking, including notes on their manner of disposition (i.e., pay-for and remove vs. move back).
- ♦ Further, if necessary, Appraiser will retain a specialty appraisal to establish the value for fixtures and equipment (cost of Furniture Fixtures and Equipment appraisal not included in fee proposal).
- ♦ Appraiser will perform market research to support the selected appraisal methodologies and will document and confirm comparable sales information.
- ♦ Appraiser will prepare a narrative appraisal report that conforms to the Uniform Standards of Professional Appraisal Practice (USPAP). The appraisal study and report are intended to serve as an acquisition appraisal and will be prepared in a summary format consistent with the specifications for narrative appraisal reports.
- ♦ Upon completion of the fee appraisal, OPC will conduct a formal review by an independent appraiser in accordance with federal regulations and Caltrans procedures manual.
- ♦ OPC will receive and analyze the completed appraisal report accordingly.

**Deliverables:**

- ♦ Narrative Appraisal Report

**4.4 Negotiate Right of Way Settlement/Prepare Acquisition Documents**

- ♦ Establish and maintain a complete and current record file in a form acceptable to the client.
- ♦ Receive and analyze title information, approved appraisal report, and legal description in sufficient detail to negotiate with the property owner and other parties.
- ♦ Prepare offer letter, summary statement, and list of compensable items of fixtures and equipment, in accordance with state or federal regulations and the approval of the client.
- ♦ Present written purchase offer to owner or their representative in person, when possible. Secure receipt of delivery of offer as practical and present and secure tenant information statements, as applicable.
- ♦ Follow-up and negotiate with property owner, as necessary; prepare and submit recommended settlement justification to client for review and approval; review any independent appraisal secured by property owner; and coordinate reimbursement of appraisal fees (up to \$5,000) with client. Ongoing negotiations and settlement discussions will continue after the initial offer or until we reach settlement or impasse, as dictated by the overall Project Schedule.
- ♦ Prepare and assemble acquisition contracts, deeds, and related acquisition documents required for the acquisition of all necessary property interests.
- ♦ Maintain a diary report of all contacts made with property owner or representative and a summary of the status of negotiations indicating attitude of owner, problem areas, and other pertinent information. Copies of all applicable written correspondence will be maintained in files.
- ♦ Prepare an impasse letter where, after diligent attempts to settle by negotiation, it appears eminent domain will be needed or prudent to acquire the needed interest.
- ♦ Litigation support: in the event an acquisition is unable to be settled via voluntary means, the negotiations staff will provide a condemnation-ready case file, all relevant negotiations history, and meet with client as needed to provide relevant acquisition content.
- ♦ Transmit executed acquisition documents to client. Each transmittal package shall include a fully executed and properly notarized deed(s), fully executed acquisition contract with attachments, and a brief settlement memorandum which summarizes the pertinent data relative to the transaction.

**Deliverables:**

- ♦ Offer Letter
- ♦ Summary Statement

- ♦ List of Compensable Items of Fixtures and Equipment
- ♦ Recommended Settlement Justification

3/9/2018

#### **4.5 Title/Escrow Coordination**

*If by Negotiated Settlement* – Assist the escrow/title company in the following:

- ♦ Open escrow and coordinate execution of closing instructions providing for title insurance coverage at the settlement amount.
- ♦ Provide escrow officer with fully executed acquisition contract and notarized deed.
- ♦ Work in conjunction with escrow officer to facilitate the clearance of title matters as set forth in the settlement memorandum and escrow instructions.
- ♦ Assist escrow to secure full or partial reconveyance or subordination instruments from lien holders of record.
- ♦ Review settlement statement for accuracy.
- ♦ Coordinate deposit of acquisition price and estimated closing costs with escrow.
- ♦ After the closing, review the title insurance policy for accuracy.
- ♦ Prepare and mail a letter to County Assessor requesting cancellation of taxes if appropriate.

*If Settlement by Eminent Domain* – Assist eminent domain counsel with the following:

- ♦ Prepare a letter for the client signature to eminent domain counsel, requesting proceeding to condemnation.
- ♦ Provide eminent domain counsel with available right of way maps and legal descriptions, preliminary title reports and title review documents, and information on how to contact each owner or interest holder.
- ♦ Provide eminent domain counsel with a duplicate copy of the parcel file, together with a copy of the appraisal, offer to purchase, correspondence, acquisition contract, and deed as presented.
- ♦ Convert preliminary title reports to litigation guarantees for eminent domain counsel's use. Title company fees (based on the value of the interest required) are additional.

#### **4.6 Caltrans Right of Way Certification Oversight**

- ♦ Attend certification planning meeting with client's Right of Way Local Assistance Coordinator and project team.
- ♦ Prepare real estate components of right of way data sheet and provide current and escalated costs for acquisition and relocation; incorporate engineers' construction and utility information as provided to OPC.
- ♦ Ensure appraisal maps/right of way maps and legal descriptions are all properly identified and prepared in conformance with approved right of way numbering system.
- ♦ If applicable, acquire and include relocation activities as required for completion of certification form including utility notices and hi-low risk utility sheets as provided by the project's utility coordination team and engineers for Right of Way Local Assistance Coordinator review.
- ♦ Ensure that all interests necessary for the project have been secured in compliance with all applicable law and regulations.
- ♦ Prepare certification forms, in coordination with the engineer and the client, to include the compilation of all necessary back-up documents required including deed, final order of condemnation, access easements, cooperative agreements, permits, right of entries, etc.
- ♦ Attend and coordinate pre and post-audit submittal meetings.

#### **ASSUMPTIONS**

The foregoing scope of services is based on the following assumptions:

- ♦ This scope of work constitutes our current understanding of the project. TYLI used professional judgment and the available prior project documentation to develop this scope of work. Certain assumptions have been made in preparing the scope of work and fee estimate. To the extent possible, they are stated herein and are reflected in the estimated fees.
- ♦ If a higher level CEQA document is identified as the appropriate document for the proposed project based on the technical analyses performed then this will be communicated to the City and the engineering prime a scope and cost for performing this work will be submitted. However, based on our review of the proposed project this is not anticipated.
- ♦ Only one alternative will be considered in all phases.
- ♦ Any existing utilities, which must be crossed for construction, will be assumed to be structurally competent unless Consultant is directed otherwise by the City. No local system improvements or replacements or repairs to any other utility are included. Design of other utility relocations not specifically listed herein is not included in the fee.
- ♦ All submittals will be on half-size sheets (11x17) unless otherwise specified.
- ♦ Consultant is not liable for consequences arising from the discovery during construction of undocumented or incorrectly located buried utilities or other undocumented hidden subsurface structures including waste material.



3/9/2018

- ♦ Material availability studies are not a part of this scope of work unless specifically stated otherwise.
- ♦ The City and Caltrans will review and comment on draft documents within the assumed review periods listed in the attached schedule, with periods not to exceed 35 working days for each submittal. TYLI shall not be responsible for the effect of review period delays on the project schedule.
- ♦ The scope of work for surveying and right of way services assumes seven privately owned parcels.
- ♦ Formal value analysis is not included.
- ♦ If the City would prefer to conduct an open house meeting then this can be provided on a time and materials basis.

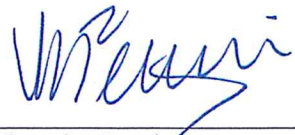
## CORPORATE AUTHORIZATION

James Rucker, Vice President of T.Y. Lin International (the "Corporation"), a California corporation, is a duly elected and appointed officer of the Corporation and holds full corporate authority to enter into any contract, proposal and execute Bid Forms on behalf of the Corporation.

In witness whereof, I have caused this instrument to be executed and the corporate seal to be hereunto affixed on the 6<sup>th</sup> day of June 2018.



T.Y. Lin International

By:   
Veronica Fennie  
Assistant Secretary