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City of Palo Alto
CIA No. D43CIASCL0001
Amendment No. 1
Page 1 of 5

COOPERATIVE IMPLEMENTATION AGREEMENT AMENDMENT No. 1

This AMENDMENT No. 1 entered into on 5/30/2023 between the State of California acting by and through its Department of Transportation, referred to as CALTRANS and the City of Palo Alto, referred to as "AGENCY" and together referred to as PARTIES.

RECITALS

1. CALTRANS and AGENCY entered into Cooperative Implementation Agreement No. D43CIASCL0001 (AGREEMENT) on June 15, 2021, defining the terms, covenants and conditions to implement the City of Palo Alto Embarcadero Trash Capture Device Project (PROJECT), within the regional area under the jurisdiction of AGENCY to comply with the TMDL referred to herein as PROJECT.
2. Due to a shortage in the level of AGENCY staffing and cost increases to market labor rates and supplies and materials caused the AGENCY to revise its PROJECT budget and schedule. Attachment I of this Amendment No. 1 documents the revisions to the budget and schedule, to which CALTRANS has agreed. AGENCY has agreed to implement PROJECT in accordance with Attachment II of the CIA and Attachment 1 of this Amendment.

IT IS MUTUALLY AGREED:

1. The PARTIES hereby replace the PROJECT'S original budget and schedule described in Attachment II of the AGREEMENT with Attachment II of this Amendment.
2. Any reference to ATTACHMENT I in the AGREEMENT is deemed to be a reference to the revised PROJECT'S revised budget and scope.
3. All other terms and conditions of said amended AGREEMENT shall remain in full force and effect.
4. AMENDMENT No. 1 with its attachment(s) is hereby deemed to a part of the AGREEMENT.

ATTACHMENT

The following attachment is incorporated into and is made a part of this AGREEMENT AMENDMENT No. 1 by this reference and attachment:

ATTACHMENT I for Amendment No. 1 to AGREEMENT

SIGNATURES

Signatories may execute this Amendment No. 1 to the AGREEMENT through individual signature pages provided that each signature is an original. This Amendment No. 1 is not fully executed until all original signatures are attached. PARTIES are empowered by California Streets and Highways Code (SHC) sections 114 and 130 to enter into this AGREEMENT Amendment No. 1 and have delegated to the undersigned the authority to execute this AGREEMENT Amendment No. 1 on behalf of the respective agencies and covenant to have followed all the necessary legal requirements to validly execute this AGREEMENT Amendment No. 1.

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

Signature: *Kenneth Johansson*
 Print Name: **KEN JOHANSSON**
 Title: **Stormwater Coordinator**
 Date:

Signature: *Shaila Chowdhury*
 Print Name: **SHAILA CHOWDHURY**
 Title: **Assistant Chief, Division of
Environmental Analysis**
 Date:

Signature: *Mike Bartlett*
 Print Name: **JEREMY KETCHUM**
 Title: **Chief, Division of
Environmental Analysis**
 Date:

CITY OF PALO ALTO

Signature: *Ed Shikada*
 Print Name: **ED SHIKADA**
 Title: **City Manager**
 Date: 5/30/2023

06/05/2023

06/05/2023

ATTACHMENT I
BUDGET AND SCHEDULE CHANGES
CITY OF PALO ALTO EMBARCADERO TRASH CAPTURE DEVICE PROJECT

Introduction

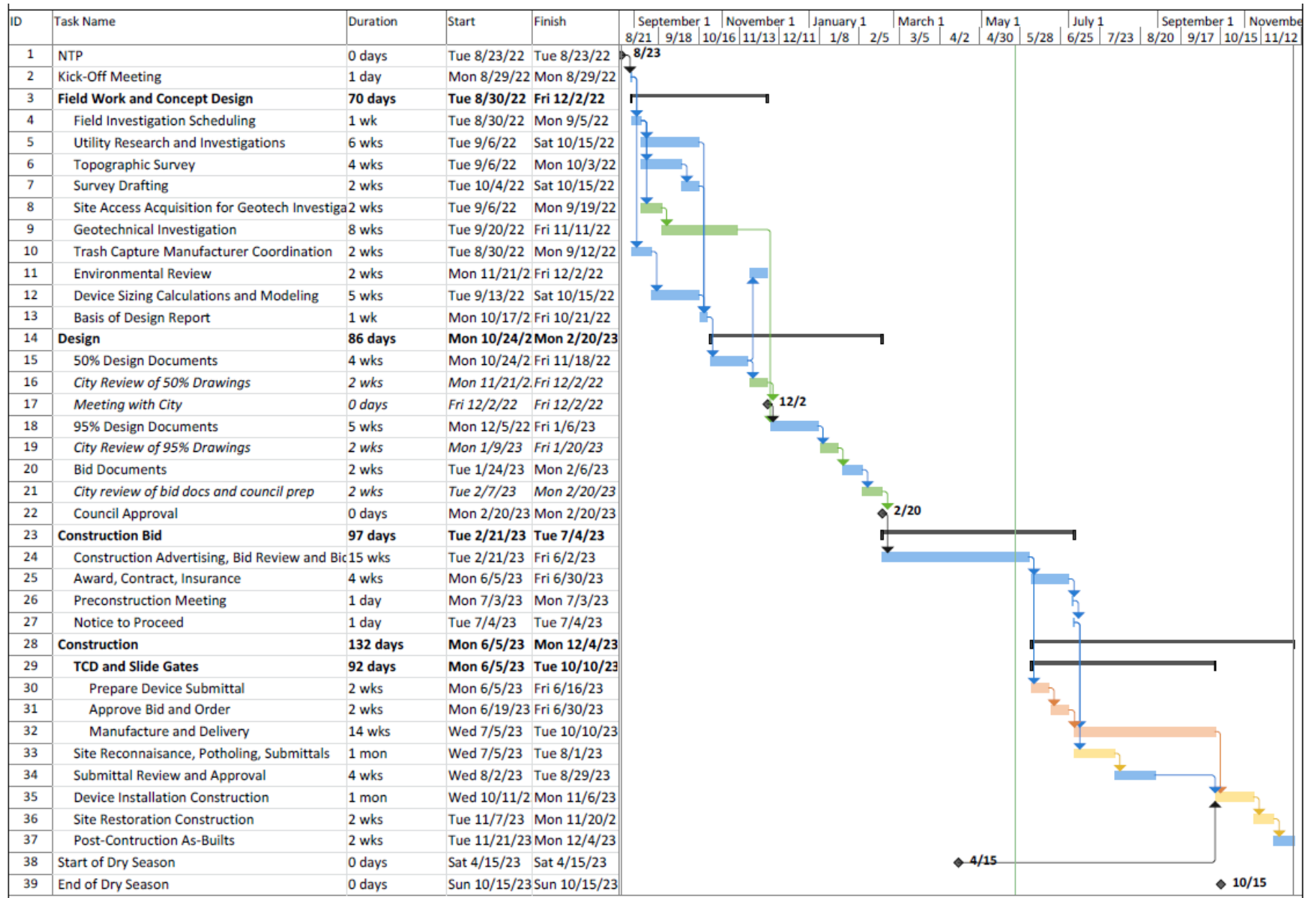
The scope of the City of Palo Alto (City) Embarcadero Trash Capture Device Project (Project) has not changed. The following describes changes to the original project schedule and budget presented in Attachment I of CIA D43CIASCL0001 (Agreement).

Project Schedule

The project site is located in front of the City's Baylands Golf Links (1875 Embarcadero Road, Palo Alto, CA 94303) at the end of Embarcadero Road east of Highway 101. The project will consist of installing a Contech Debris Separating Baffle Box (DSBB) within the existing City storm drain pipeline located at the golf course along Embarcadero Road. The DSBB device is selected per the requirements of the Santa Clara County Hydrology and Hydraulics manual and meets trash reduction requirements of Regional Water Quality Control Board. The storm system drains portions of the City of Palo Alto and Caltrans ROW, specifically Highway 101, and discharges to the San Francisco Bay.

To date, the project design has been completed, and the City has entered into a contract with the construction contractor. Attachment II of the CIA stated that Project construction and as-builts would be completed by end of October 2022. Due to delays, the construction period is expected to commence July 5, 2023 and be completed by December 4, 2023. The project schedule in Table 1 provides project timeline, from design through construction (Table 1).

**Table 1. Embarcadero Trash Capture Device Project
Amended Schedule**



Project Budget

Attachment II of the CIA estimated the Project budget to be \$613,000. The City has invoiced for this amount per CIA requirements. Due to increases in market costs to labor, equipment and supplies and also adding City staff costs (which is allowed per the CIA) to the Project budget, the total Project budget has increased to \$774,837.35. Because Caltrans has already reimbursed the City for the original CIA agreed-upon budget of \$613,000, this Amendment I to the Agreement allows for additional reimbursement to the City of \$161,837.35. Tables 2 and 3 provide an overview of the amended budget and a breakdown of the included City staff time.

**Table 2. Embarcadero Trash Capture Device Project
Amended Budget**

Line Item	Cost
Consultant Support (inspections, encroachment permit, misc. support)	\$ 230,578.00
Construction Contractor	\$ 410,604.00
Contractor Contingency (for consultant and construction)	\$ 64,118.20
Outreach	\$ 2,500.00
City Staff Time	\$ 67,037.15
Total (Amended)	\$ 774,837.35
CalTrans Reimbursement (based on original CIA)	\$ 613,000.00
Addition Reimbursement Requested by City of Palo Alto	\$ 161,837.35

**Table 3. Embarcadero Trash Capture Device Project
City Staff Budget Breakdown**

Staff Title	Estimated Hours	Hourly Rate	Cost
Senior Engineer	162	140	\$22,603.60
Engineer	360	\$102.09	\$36,753.92
Stormwater Compliance Manager	25	\$117.30	\$2,932.51
Associate Engineer (Stormwater Compliance support)	50	\$94.94	\$4,747.12
Total			\$67,037.15

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Final Audit Report

2023-06-02

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Palo Alto CIA - Amendment 1

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