

**Amendment No. 4. to the  
Agreement for Professional Design Services with Jacobs Engineering Group, Inc.  
for the  
North County Corridor Transportation Expressway Project**

This Amendment is made and entered into on \_\_\_\_\_, in the City of Modesto, State of California, by and between the North County Corridor Transportation Authority (NCCTEA) and Jacobs Engineering Group, Inc., (“CONSULTANT”), for and in consideration of the promises, and the mutual promises, covenants, terms, and conditions, hereinafter contained.

WHEREAS, the North County Corridor Project has moved forward with Task Order #3 as defined in the March 11, 2009 Board action and better defined in Amendment 2 and Amendment 3 including Exhibit C-A3;

WHEREAS, a correction of \$455 to the compensation amount stated in Amendment #3 is necessary;

WHEREAS, the current contract scope does not address the work required to complete Task Order #3 without the revisions to the contracted scope as identified and described below, and;

WHEREAS, an adjustment to the amount of compensation as originally stated in the Agreement is necessary to complete the project;

Now therefore, the parties hereby agree to amend the Agreement as follows:

- 1. Exhibit C-A3 of Amendment 3 Scope of Services Biological Assessment (WBS 165.15.15) is amended to add U.S. Fish and Wildlife Service Protocol Level Surveys for California Tiger Salamander (CTS) in March, April and May of 2012. U.S. Fish and Wildlife Protocol Level Surveys for CTS are required by Caltrans as the National Environmental Protection Act (NEPA) lead agency for all alternatives where preliminary surveys have identified potential habitat. Biologists will conduct larval California Tiger Salamander surveys according to U.S. Fish and Wildlife Service and California Department of Fish and Game protocol established in October 2003. Biologists will use seines, dip nets, and minnow trap sampling of at least two habitat locations within the project area to conduct surveys. Vernal pool branchiopod surveys, although not protocol level, will be performed to establish presence during the CTS protocol survey. Final reports will be prepared for submission to U.S. Fish and Wildlife and California Department of Fish and Game.**

**Dry season vernal pool branchiopod protocol surveys are required per the U.S. Fish and Wildlife Service Interim Survey Guidelines dated April 19, 1996. Dry season soil samples will be collected from up to 60 vernal pools (determined from habitat surveys) after the pools have dried for the summer. The soil samples will be processed by ICF and sent to Ecorp Consulting for cyst identification. A final report will be prepared for submission to U. S. Fish and Wildlife Service.**

**Spring and summer botanical blooming season surveys for 2012 will occur between April and May and then again between July and August for spring and summer blooming seasons, respectively. The surveys will be conducted within the entire length of all alternatives in all areas of open ground having potential to support sensitive plant species per Caltrans approved protocols. Results of the surveys will**

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**be presented in the Natural Environment Study, environmental document and Biological Assessment, as applicable.**

**Exhibit C-A3 of Amendment 3 Scope of Services Traffic Forecasting (WBS 160.10.10) – Prepare Traffic Forecasts (SR 99 to SR 120/108) is amended to add one additional project alternative for a total of 5 (five) alternatives. Prepare Traffic Forecasts (McHenry Ave to SR 120/108) is amended to add two additional project alternatives for a total of 5 (five) alternatives. Level of study and effort is unchanged from the scope of study of the previous alternatives.**

**Exhibit C-A3 of Amendment 3 Scope of Services Traffic Operational Analysis (WBS 160.10.35) – Perform Traffic Operations Analysis (SR 99 to SR 120/108) is amended to add one additional project alternative for a total of 5 (five) alternatives. Perform Traffic Operations and Analysis (McHenry Ave to SR 120/108) is amended to add two additional project alternatives for a total of 5 (five) alternatives. Level of study and effort is unchanged from the scope of study of the previous alternatives.**

**Exhibit C-A3 of Amendment 3 Scope of Services Traffic Planning Report (WBS 160.10.70) – Prepare Traffic Reports (SR 99 to SR 120/108) is amended to update the current Administrative Draft Transportation System Analysis Report with the additional alternative. Prepare Traffic Reports (McHenry Ave to SR 120/108) is amended to update the current Administrative Draft Transportation System Analysis Report with the 2 additional alternatives.**

**Exhibit C-A3 of Amendment 3 Scope of Services Initiation and Planning (WBS 100.10.05) is amended to include management of additional scope as described above.**

**Exhibit C-A3 of Amendment 3 Scope of Services Coordination and Meetings (WBS 10.10.15) is amended to include three (3) additional environmental focus meetings and three (3) additional traffic focus meetings.**

**Exhibit C-A3 of Amendment 3 Scope of Services Natural Environment Study Report (WBS 165.15.20) is amended to include additional time prime consultant time to provide quality assurance for the scope as described above.**

**2. Paragraph 2.1 Compensation is amended to read as follows:**

2.1. Compensation. Consultant shall be paid in accordance with the fee schedules approved by NCC TEA for each Task Order, which schedules are attached hereto as Exhibit “C-A3” and made a part of the Agreement. Consultants compensation under this Agreement shall in no case exceed a total of Nine Million Three Hundred Ninety Nine Thousand Two Hundred Twenty Two dollars (\$9,399,222). Said compensation shall include, but not be limited to the approved scope of work and schedule.

**3. Paragraph 3.1 Commencement and Completion of Work is amended to read as follows:**

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The professional services to be performed pursuant to the Agreement shall commence within five (5) days after NCCTEA delivers a Notice to Proceed for CTS protocol surveys. Said services shall be performed in strict compliance with the Project Schedule approved by NCCTEA as set forth in Exhibit "D" of Amendment 2. The Project Schedule may be amended by mutual agreement of the parties. Failure to commence work in a timely manner and/or diligently pursue work to completion may be grounds for termination of this Agreement.

All other terms and conditions of said Agreement shall remain in full force and effect.

In witness whereof, the parties have executed this Amendment effective on the date written above.

**COUNTY OF STANISLAUS**

**JACOBS ENGINEERING GROUP, INC.**

By: \_\_\_\_\_  
Matt Machado, Director  
Department of Public Works

\_\_\_\_\_  
Kevin J. McMahon  
Group Vice President, NAI  
Jacobs Engineering

**APPROVED AS TO FORM**

John P. Doering,  
County Counsel

By: \_\_\_\_\_  
Thomas E. Boze  
Deputy County Counsel