



AGENDA REPORT

Meeting Date: October 4, 2016
Item Number: D-11
To: Honorable Mayor & City Council
From: Ryan Gohlich, City Planner
Subject: AMENDMENT NO. 3 TO AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND RINCON CONSULTANTS, INC. FOR THE PREPARATION OF SUPPLEMENTAL ENVIRONMENTAL DOCUMENTATION FOR A PROPOSED RESIDENTIAL, RETAIL AND HOTEL PROJECT LOCATED AT 9900 WILSHIRE BOULEVARD; AND

APPROVAL OF A CHANGE ORDER IN THE AMOUNT OF \$49,830 TO THE PURCHASE ORDER FOR A NOT-TO-EXCEED TOTAL OF \$350,962 FOR THE CONTRACTED SERVICES

Attachments: 1. Agreement

RECOMMENDATION

It is recommended that the City Council approve a \$49,830 amendment to an agreement between the City of Beverly Hills and Rincon Consultants, Inc. for the preparation of supplemental environmental documentation for a proposed residential, retail and hotel project located at 9900 Wilshire Boulevard for a not-to-exceed total consideration amount of \$350,962. Staff is also recommending that Council approve a change order in the amount of \$49,830 to the purchase order for a not-to-exceed total of \$350,962 for the contracted services.

INTRODUCTION

The City is currently processing an application for proposed modifications to the 9900 Wilshire Boulevard Specific Plan. The Specific Plan was approved in 2008, and authorized the development of 235 residential condominiums and approximately 16,000 square feet of commercial uses. The proposed modifications to the Specific Plan involve the elimination of 42 condominiums, which will be replaced with a hotel component consisting of 134 rooms plus associated hotel amenities. The proposed modifications to

the Specific Plan are considered to be formal amendments to the Specific Plan and currently being reviewed by the Planning Commission and later by City Council upon completion of the environmental analysis.

DISCUSSION

Rincon Consultants, Inc. is an environmental consulting firm that has prepared environmental documents for the City of Beverly Hills and other municipalities. The scope of work calls for the preparation of a Supplemental Environmental Impact Report (SEIR), as required by the California Environmental Quality Act (CEQA), to assess the project modifications and any potential environmental impacts.

On July 21, 2015 the City entered into an agreement with Rincon Consultants with a consideration amount of \$167,622 for the preparation of the SEIR. As work on the SEIR was undertaken, additional work became necessary beyond the scope of the original agreement. An amendment (Amendment No. 1) was then approved by Council on April 5, 2016 increasing the consideration amount to a not-to-exceed amount of \$255,137 for the additional services. On September 14, 2016, through the City Manager's authorization, Amendment No. 2 was executed to accommodate additional services increasing the total not-to-exceed consideration amount to \$301,132.

Staff is requesting that an additional \$49,830 be included in the current agreement for a total not-to-exceed consideration amount of \$350,962 to complete the Final SEIR process and prepare additional analysis in response to questions raised at public hearings regarding the project. Additionally, staff is requesting that a change order in the amount of \$49,830 for a total not-to-exceed amount of \$350,962 be approved by City Council. All costs associated with this contract are borne by the project applicant. The applicant has deposited the full amount of the contract, and has also deposited the City's required 15% contract administration fee as well as a \$50,000 legal deposit.

FISCAL IMPACT

All costs associated with this agreement are borne by the project applicant, and thus no City funds will be used to pay for the services provided in conjunction with this amendment.



SUSAN HEALY KEENE, AICP
Community Development Director

ATTACHMENT 1

AGREEMENT

AMENDMENT NO. 3 TO AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND RINCON CONSULTANTS, INC. FOR THE PREPARATION OF SUPPLEMENTAL ENVIRONMENTAL DOCUMENTATION FOR A PROPOSED RESIDENTIAL, RETAIL AND HOTEL PROJECT LOCATED AT 9900 WILSHIRE BOULEVARD

NAME OF CONTRACTOR: Rincon Consultants, Inc.

RESPONSIBLE PRINCIPAL OF CONTRACTOR: Joe Power, Project Manager

CONTRACTOR'S ADDRESS: 180 North Ashwood Avenue
Ventura, CA 93003
ATTN: Joe Power, AICP, Principal and Planning Manager

CITY'S ADDRESS: City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210
Attention: Susan Healy Keene, AICP, Director
Community Development Department

COMMENCEMENT DATE: Upon receipt of written Notice to Proceed

TERMINATION DATE: As described in Section 2 of the Original Agreement

CONSIDERATION: Original Agreement: Not to exceed \$167,622.00,
as described in Exhibit B-1 and B-2.

Amendment No. 1: Not to exceed \$87,515.00

Amendment No. 2: Not to exceed \$45,995.00

Amendment No. 3: Not to exceed \$49,830.00

Total Not to Exceed: \$350,962, including reimbursables

AMENDMENT NO. 3 TO AN AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND RINCON CONSULTANTS, INC. FOR THE PREPARATION OF SUPPLEMENTAL ENVIRONMENTAL DOCUMENTATION FOR A PROPOSED RESIDENTIAL, RETAIL AND HOTEL PROJECT LOCATED AT 9900 WILSHIRE BOULEVARD

This Amendment No. 3 is to that certain Agreement between the City of Beverly Hills (hereinafter called "CITY"), and Rincon Consultants, Inc. (hereinafter called "CONSULTANT") dated July 21, 2015 and identified as Contract No. 353-15, as amended by Amendment No. 1 dated April 5, 2016 and identified as Contract No. 101-16, as amended by Amendment No. 2, dated September 14, 2016 and identified as Contract No. 384-16 ("Agreement").

RECITALS

- A. CITY entered into a written agreement with CONSULTANT for professional consulting services related to compiling information, preparing, drafting and completing CEQA documentation for the 9900 Wilshire Boulevard Project, which was previously amended.
- B. CITY and CONTRACTOR desire to further amend the Agreement to include additional services to complete the Supplemental Environmental Impact Report ("SEIR") and compensate CONSULTANT for such services.

NOW, THEREFORE, the parties agree as follows:

Section 1. The Consideration shall be amended as set forth on the cover page.

Section 2. Exhibit A, "Scope of Work", shall be amended as attached hereto and incorporated herein.

Section 3. Exhibit B-1, "Consideration", shall be amended as attached hereto and incorporated herein.

Section 4. Except as specifically amended by this Amendment No. 3, the remaining provisions of the Agreement shall remain in full force and effect.

EXECUTED the ____ day of _____ 20____, at Beverly Hills, California.

CITY OF BEVERLY HILLS
A Municipal Corporation

JOHN A. MIRISCH
Mayor of the City of Beverly Hills, California

[signatures continue]

ATTEST:

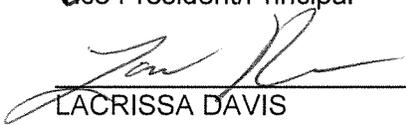
BYRON POPE
City Clerk

(SEAL)

CONSULTANT:
RINCON CONSULTANTS, INC.



JOE POWER
Vice President/Principal



LACRISSA DAVIS
Chief Financial Officer

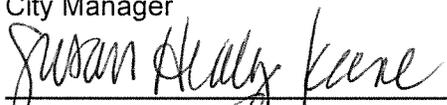
APPROVED AS TO FORM



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager



SUSAN HEALY KEENE, AICP
Director of Community Development



SHARON L'HEUREUX DRESSEL
Interim Risk Manager

EXHIBIT A
SCOPE OF WORK

ORIGINAL AGREEMENT:

CONSULTANT shall provide the following services to CITY in connection with the 9900 Wilshire Boulevard Project:

Task 1: Project Kickoff/Initial Study/Notice of Preparation

After a kickoff meeting or conference call to establish data needs, CEQA approach and working protocol, CONSULTANT shall prepare an Initial Study (IS) and Notice of Preparation (NOP) of a Draft SEIR. The IS-NOP shall be prepared using CITY's environmental checklist and shall address each checklist item, supporting all conclusions with reasoned analysis. Existing documents and studies shall be used to the extent practical, and impacts shall be quantified where appropriate.

Upon CITY approval of the IS, it will be circulated along with the NOP for the required 30-day review period. CONSULTANT shall be responsible for circulation of the NOP to the State Clearinghouse, County Clerk and responsible agencies. CITY will be responsible for other desired noticing such as newspaper advertising or radius mailing.

Task 2: Administrative Draft SEIR

The SEIR shall be prepared in accordance with the *CEQA Guidelines*, which set the standards for adequacy of an EIR. Specifically, the *CEQA Guidelines* state that:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible.

To the extent possible, CONSULTANT shall incorporate information from existing environmental and planning documents that are applicable to the project. A Supplemental EIR need contain only the information necessary to make the previous EIR adequate for the project as revised.

Subtask 2.1: Executive Summary

The SEIR shall contain a summary of the proposed project and associated environmental consequences. This information shall be presented in tabular format to simplify review by decision-makers and the general public. This section shall identify:

- *Each potential environmental impact*
- *The level of significance of each impact*
- *Mitigation measures required*
- *Residual impacts after mitigation*

The summary shall also note areas of known controversy and an assessment of the alternatives reviewed and their associated impacts. The summary shall identify the environmentally superior alternative and rationale for its selection as such. The Executive Summary shall also discuss the prior environmental review and list applicable mitigation measures from the prior EIR that would continue to apply to the project.

Subtask 2.2: Introduction/Project Description/Environmental Setting

The introduction shall describe the project background, the environmental review process, and lead and responsible agencies. It shall also provide an overview of the other SEIR sections.

The project description shall detail the ordinance and associated actions. Textual, tabular, and graphic presentation shall be included as necessary to facilitate a thorough understanding of proposed physical changes. The project shall be described as a whole and in relation to the prior approved project.

The environmental setting shall provide a general description of the character of the area. It shall also include a list of cumulative projects or summary of cumulative buildout conditions for CITY that shall form the basis for the cumulative impact analysis.

Subtask 2.3: Environmental Impact Analysis

This section shall include analysis of impacts determined in the Initial Study to be potentially significant. Each issue area analysis shall include four main components:

- *Setting (description of current conditions with respect to the issue are in question, including the existing regulatory environment)*
- *Impact analysis (discussion of potentially significant effects of the proposed project; impacts are typically compared to established “thresholds of significance”)*
- *Mitigation measures (methods by which significant effects can be reduced or eliminated)*
- *Level of significance after mitigation (discussion of whether or not proposed mitigation measures reduce impacts to below the adopted significance threshold)*

As noted above, CONSULTANT assumes that the SEIR shall focus on the issues of Air Quality, Greenhouse Gases, Noise, and Traffic – impact areas that would be affected by the change of use and potential deeper excavation.

Subtask 2.4: Other CEQA Discussions

This section shall address such topics as growth inducing impacts, energy, and significant irreversible effects, if different from the prior EIR/project. The growth inducing impacts discussion shall address population and job growth, removal of impediments to growth, and whether the project may be considered precedent setting. The energy analysis shall address the requirements outlined in CEQA Guidelines Appendix F. The significant irreversible effects discussion shall address the use of non-renewable resources, changes to the environment that cannot be reversed, and any unavoidably significant impacts of the proposed project.

Subtask 2.5: Alternatives

Although an Alternatives section may not be needed, CONSULTANT has included this task in our scope in the event that the original alternatives analysis should be augmented based on potential impacts not identified/addressed in the prior EIR. In this event, CONSULTANT has scoped for up to two additional alternatives. Evaluation of alternatives shall be in less detail than for the proposed project, though the analysis shall provide decision-makers and the public adequate information to decide among alternatives. Specifically, the analysis shall determine whether each alternative's impacts would be greater or less than those of the proposed amendment, the magnitude of impacts (i.e., significant or less than significant), and whether mitigation requirements would apply. This section shall also identify the "environmentally superior alternative." If the "no project" alternative is determined to be environmentally superior, the SEIR shall identify the environmentally superior alternative among the remaining scenarios.

Task 3: Draft SEIR

This task involves the production, editorial work, and communication processes anticipated to publish the Draft SEIR for public review and comment. Following receipt of CITY's comments on the ADSEIR, CONSULTANT shall meet with CITY staff to review internal comments on the ADSEIR. Following this task CONSULTANT shall incorporate CITY's comments into the Draft SEIR and submit a Screencheck SEIR to CITY for approval before final Draft SEIR publication.

CONSULTANT shall be responsible for circulation of the Draft SEIR to the State Clearinghouse, County Clerk and responsible agencies. The CITY will be responsible for other noticing such as newspaper advertising or radius mailing.

Task 4: Final SEIR

The final formal stages of the SEIR process involve responding to comments, public hearings and final publication tasks. At this point, all of the discretionary permit applications and the Draft SEIR are brought together for final public governmental scrutiny leading to decisions regarding approval. Through this process, final changes and policy decisions concerning the project are made. Specific components of the Final SEIR preparation are described below.

Subtask 4.1: Responses to Comments/ Administrative Final SEIR

Subsequent to receipt of all public comments on the Draft SEIR, CONSULTANT shall submit and prepare draft Responses to Comments for CITY review, including any added or substantially revised sections of the Draft SEIR that may be necessary. These shall be the primary components of the Final EIR.

Subtask 4.2: Mitigation Monitoring and Reporting Program

This task shall include the preparation of a draft mitigation monitoring and reporting program (MMRP) for any identified mitigation measures. The MMRP shall be prepared in a format that complies with CITY requirements and AB 3180. It shall include a table that lists each mitigation measure, agency responsible for each condition, when monitoring must occur, the frequency of monitoring, and criteria to determine compliance with the conditions.

Subtask 4.3: Publication of the Final SEIR

Subsequent to approval of the Responses to Comments/ Administrative Final SEIR, CONSULTANT shall prepare the Final SEIR, which shall include the revised Responses to Comments and any text changes resulting from those Responses. If the project is approved, CONSULTANT assumes that CITY will be responsible for filing the Notice of Determination (NOD) and payment of necessary filing fees. CONSULTANT shall assist with filling out the NOD form.

Task 5: Public Hearings

CONSULTANT shall attend up to four public hearings on the project. Attendance shall include oral presentations to the hearing body and graphic presentations, if desired. These hearings can be scheduled and selected at CITY's discretion.

TECHNICAL APPROACH TO SEIR ISSUE AREAS

As noted above, the documentation shall use existing available data to the greatest extent practical. Based on our experience on similar projects, the issues requiring particular emphasis in the SEIR shall include air quality, greenhouse gases, noise, traffic/circulation, and utilities/service systems (water). The following briefly describes our approach to these key environmental issues for the SEIR.

Air Quality

This section shall be prepared in accordance with the South Coast Air Quality Management District's (SCAQMD) CEQA Handbook and shall evaluate changes in localized air quality caused by both stationary and mobile emission sources. In addition, it shall examine the temporary effects of construction grading and construction vehicle emissions. Because the project area is already developed with retail uses, this section shall estimate the emissions generated by onsite uses, which shall serve as the baseline for projecting project generated emissions at full buildout. Those emissions shall be subtracted from projected full buildout emissions to assess the net increase associated with project implementation.

Temporary Construction Emissions

Temporary emissions generated during the site preparation and construction phase of a project include fugitive dust resulting from grading and materials handling, construction workers, vehicular traffic, and the exhaust from heavy-duty gasoline and diesel powered vehicles. Construction-related emissions shall be estimated using the latest version of the California Emissions Estimator Model (CalEEMod). This analysis shall include an evaluation of health effects associated with emissions of diesel particulate matter during construction. The analysis shall utilize data from the project grading plans to estimate the need for export (or import) of material that may result from excavation for subsurface parking. This estimate of truck trips shall be incorporated into the air quality analysis.

Long-Term Emissions

Long-term emissions associated with the project (i.e., motor vehicles, power generation, project operations) shall also be examined. Factors to be considered are:

- *Number of vehicle trips associated with the project;*
- *Peak hour traffic count estimates;*
- *Types of trips and average speed;*
- *Vehicle miles traveled per day; and*
- *Electrical usage and natural gas consumption.*

Mobile and stationary source emissions shall be quantified using CalEEMod. Vehicle usage factors to be employed in the analysis shall be coordinated with the traffic study based upon the increase in trips associated with the proposed project, as determined by the project traffic analysis. We do not plan to perform detailed carbon monoxide (CO) modeling. Instead, CONSULTANT shall perform CO screening analysis at key intersections to document our findings. If more detailed modeling is warranted, it could be added to the work program at an additional cost.

The air quality discussion shall also address consistency of the project with the South Coast Air Basin's Air Quality Management Plan and other regional programs in place to ensure attainment with adopted air quality standards. Where necessary, the SEIR shall identify measures required to mitigate identified air quality impacts.

Greenhouse Gas Emissions

The GHG section of the SEIR shall briefly describe the status of regulatory development of Assembly Bill 32 (Global Warming Solutions Act), Senate Bill 97, and Executive Order S-3-05. It shall also assess the project's significance based upon quantitative thresholds and consistency with the California Attorney General's Recommended Mitigation Measures, the California Climate Action Team's (CCAT's) goals and objectives, the Office of Planning and Research's (OPR's) policy and mitigation guidance, and the Southern California Association of Governments' (SCAG's) Sustainable Communities Strategy (SCS). GHG emissions shall be quantified using CalEEMod and compared to either the SCAQMD's recommended threshold for development projects or other County-preferred threshold. The analysis shall include an assessment of electricity consumption and of energy conservation strategies to be included in project design and operation, comparing forecast emissions to existing emissions associated with the restaurant currently operating onsite.

Noise

Noise impacts will occur during the construction and operational phases of the projects. Construction noise will affect nearby residential uses as well as those sensitive uses that may be located along the project access points and in the immediate site vicinity. The primary construction noise source will be heavy equipment noise associated with grading and excavation. Construction noise shall be evaluated based on the type and amount of equipment and the time and duration of equipment usage. Noise levels associated with construction activities shall be quantified and projected at adjacent sensitive use areas. The need to export of material shall also be examined and the number of truck trips and noise levels that may be associated with this activity shall be quantified.

The operational noise impact evaluation shall be based primarily upon traffic volumes presented in the traffic report, which shall be input into the FHWA's traffic noise model to forecast future

noise levels along the local circulation network. The noise section of the SEIR shall be completed consistent with CITY's Noise Element.

Mitigation requirements shall be established and conditions of project approval shall be provided, if necessary. Mitigation measures may include restrictions on construction equipment use, the construction of temporary sound barriers, recommendations for alternative transportation modes, and the use of sound-dampening construction materials.

Transportation/Traffic

The Transportation/Traffic section of the SEIR shall be prepared by Fehr & Peers. Their scope of work is as follows:

Task 1- Project Initiation

Fehr & Peers shall attend a kick-off meeting with the project team to review the project description, site plan and discuss our scope of work. To the extent possible, Fehr & Peers shall rely on the previous traffic study for the 9900 Wilshire Boulevard site. While there are some efficiencies in updating the prior study to reflect the new proposed development plans, the scope of work reflects a comprehensive update of the impact study given the amount of time that has passed.

Task 2- Traffic Count Data Collection

The previous traffic study for 9900 Wilshire included the 10 study intersections listed below. New traffic counts shall be collected at these locations to reflect Year 2015 conditions.

1. Santa Monica Boulevard North/Beverly Drive
2. Santa Monica Boulevard North/Wilshire Boulevard
3. Santa Monica Boulevard South/Beverly Drive
4. Santa Monica Boulevard South/Wilshire Boulevard
5. Santa Monica Boulevard North/Merv Griffin Way
6. Wilshire Boulevard/Beverly Drive
7. Wilshire Boulevard/Whittier Drive/Merv Griffin Way
8. Santa Monica Boulevard North/South Crossover
9. Santa Monica Boulevard/Century Park East
10. Sunset Boulevard/Whittier Drive

Traffic counts for the 10 study intersections shall be collected during the following time periods:

- Weekday morning peak hour (7:00 AM to 9:00 AM)
- Weekday mid-day peak hour (11:00 AM to 2:00 PM)
- Weekday evening peak hour (4:00 PM to 6:00 PM)
- Saturday mid-day peak hour (11:00 AM to 2:00 PM)

Two residential roadways were analyzed in the original traffic study. Daily (48-hour) traffic counts shall be collected for the following roadway segments:

- Whittier Drive, Wilshire Boulevard to Elevado Avenue
- Whittier Drive, Elevado Avenue to Lomitas Avenue

- Elevado Avenue, Whittier Drive to N. Beverly Drive

Additionally, Fehr & Peers shall conduct a field visit to verify roadway geometries and signal phasing at each of the study intersections.

Task 3- Project Trip Generation

Fehr & Peers shall estimate the vehicle-trip generation of the proposed project based on the trip rates applied in the original traffic study. As part of the previous study, trip generation counts were collected at six condominium sites and the observed trip rates were used to estimate the number of vehicle-trips generated by the project. The observed condominium trip rates shall be applied to the number of condominiums proposed as part of the updated project description.

As part of the traffic impact study for the 9876 Wilshire Boulevard site next door to the proposed project, trip generation rates were collected for the existing hotel room at the Hilton Hotel. Counts were collected in February 2007 on a Thursday, Friday, and Saturday. Fehr & Peers counted all hotel driveways including parking lot entrances/exits and all service driveways. The hotel trip generation rates shall be applied to the new hotel uses proposed as part of the proposed project.

Similar to the original traffic study, the Robinsons May Store shall be applied to the proposed project uses as a trip credit. The project trip generation shall reflect the number of “Net New” trips whereby the traffic from the Robinsons May store is subtracted from the anticipated future trips generated by the project. Since the Robinsons May Store closed in 2006, the vehicle-trips that had been generated by the store shall need to be manually added to the updated traffic counts in the existing conditions analysis. Adding the historical store counts to the new (2015) traffic counts will replicate conditions that would exist if the store were still in operation.

Task 4- Project Trip Distribution

Using the results of Task 5, Fehr & Peers will distribute the project trips onto the study area roadway network. Fehr & Peers anticipates that the trip distribution will be derived from multiple sources, including:

- Trip generation estimates derived in original traffic impact study
- Existing traffic counts, which indicate the relative traffic volumes within the study area
- Expected origin/destination of trips to/from the project site based on the proposed uses

Prior to proceeding with the analysis, Fehr & Peers shall document the results of Task 3 and Task 4 in a technical memorandum for review by the project team and CITY staff.

Task 5- Existing Conditions Analysis

Using the traffic counts collected in Task 2, Fehr & Peers shall determine the existing level of service (LOS) for each of the 10 study intersections. For the signalized intersections, Fehr & Peers shall apply the Intersection Capacity Utilization (ICU) methodology. For unsignalized intersections, LOS shall be determined using 2000 Highway Capacity Manual (HCM) methodologies.

Additionally, Fehr & Peers shall conduct a field visit to verify that the LOS results at the study intersections match actual travel conditions. If necessary, Fehr & Peers shall make adjustments to the ICU or HCM results to more closely approximate field conditions.

Task 6- Cumulative No Project Conditions Analysis

Fehr & Peers shall work with CITY staff and project team to determine the appropriate horizon year for the Cumulative Conditions analysis. Fehr & Peers shall review the latest Cumulative projects list from CITY. Fehr & Peers shall update CITY's Traffix Model, which includes pending and approved development projects within CITY and CITY of Los Angeles to reflect the latest list of cumulative projects. These volumes shall be added to the existing counts along with a growth factor (1% per year) to reflect historical growth in traffic.

Traffic operations for the 10 study intersections shall be analyzed under Cumulative Conditions during the four time periods presented in Task 2. Fehr & Peers shall apply the signalized and unsignalized analysis methods (ICU and HCM) outlined in Task 5.

Task 7- Project Impact Analysis

Vehicle-trips generated by the proposed project shall be manually added to baseline no project traffic counts to generate plus project conditions for the following analysis scenarios:

- Existing Plus Project Conditions
- Cumulative Plus Project Conditions

Fehr & Peers shall determine the plus project LOS for each of the 10 study intersections for both analysis scenarios during the four time periods presented in Task 2. They shall apply the signalized and unsignalized analysis methods (ICU and HCM) outlined in Task 5. Impacts shall be determined using CITY's latest significance criteria. Intersection impacts shall be identified for each analysis period under Existing and Cumulative Plus Project conditions.

Task 8- Residential Roadway Impacts

Fehr & Peers shall evaluate the project's impacts on the residential roadway segments listed in Task 2. They shall determine the percent volume increase on the residential streets and compare that increase against CITY's current significance criteria. Any exceedance of CITY's significance criteria shall be noted.

Task 9- Multi-Modal System Impacts

Fehr & Peers shall update the multi-modal impact analysis prepared for the original traffic study to reflect the proposed project uses. They shall evaluate impacts to the pedestrian and bicycle system within the study area. Potential impacts include disruptions to existing facilities, such as the addition of a driveway across an existing sidewalk or project traffic queuing across an existing crosswalk. Fehr & Peers shall also evaluate the project's impact on the transit system. Transit impacts include interference with existing and future transit operations or an increase in transit ridership above the available or planned capacity.

Task 10- Project Site Access and On-Site Circulation Review

Fehr & Peers' review of project site access and on-site circulation shall consider the following:

- Project driveway traffic control

- Delivery vehicle access and circulation
- Driveway sight distance
- Adequacy of vehicular parking
- Adequacy of bicycle parking

Potential queuing at project driveways shall be evaluated based on the review of project driveway operations. Potential queues shall be described in the traffic operations report based on the anticipated intersection level of service results. This scope of work does not include a detailed queuing study using a traffic simulation model, such as SimTraffic or Vissim.

Task 11- Mitigation Measures

For each impact identified, a mitigation measure shall be recommended. For each intersection impact, the improvements necessary to fully mitigate the impact shall be stated. Should these improvements be determined infeasible, it shall be noted in the report. Potential mitigation measures could include intersection geometry improvements, changes to traffic signal operations, or modifications to the proposed project site plan.

Task 12- CMP Analysis

Fehr & Peers shall conduct a CMP analysis for the CMP monitoring intersections in close proximity to the study area. This scope of work reflects the analysis of one CMP intersection, N. Santa Monica Boulevard & Wilshire Boulevard located adjacent to the project site.

Task 13- Draft & Final Transportation Report

Fehr & Peers shall produce a stand-alone traffic impact study summarizing the results of Task 1 through 12. This report shall document the significance criteria, data collection efforts, the existing conditions analysis, the project impacts, mitigation measures, and site access and circulation. One draft report shall be produced for project team and CITY Staff review. Following this review, Fehr & Peers shall prepare and submit the Final Report.

Task 14- Response to Comments

Fehr & Peers shall prepare written responses on up to 20 public and agency comments related to transportation for a total of 40 hours of staff time. Additional comments or those requiring new analysis shall require an adjustment to the scope and budget.

Task 15- Meetings

For scoping purposes, Fehr & Peers anticipates attending a total of six (6) meetings. These meetings could include project team meetings, public scoping meetings, Planning Commission hearings, and/or CITY Council meetings.

Utilities/Service Systems (Water)

This section shall analyze potential impacts to water supplies and delivery systems. Based on standard demand factors, the analysis shall estimate water demand for the current proposal, which includes a hotel, and compare the demand level to that of the previous proposal for the site and available CITY water supplies. The analysis shall consider data from CITY's 2010 Urban Water Management Plan (UWMP) and other relevant sources. Current statewide drought conditions and CITY's response to the drought shall be discussed. As necessary, measures to minimize the project's water demand shall be developed.

SCHEDULE

The following is a list of deliverable products that shall be provided for the SEIR, followed by a project timeline. Assuming one to two weeks for CITY review of draft work products and a 45-day public review period for the Draft SEIR, CONSULTANT believes that the SEIR process can be completed within about eight months.

1. **IS-NOP** – Administrative Draft IS submitted 30 days of project kickoff and receipt of all necessary project information; final ready for circulation within one week of receipt of CITY comments on the Administrative Draft IS
2. **Administrative Draft SEIR** – submitted within six to eight weeks of the release of the NOP
3. **Draft SEIR** - circulated within two weeks of receipt of CITY comments on the Administrative Draft SEIR (45-day review period assumed)
4. **Final SEIR** - draft responses to comments and MMRP submitted within three weeks of receipt of all comment letters; Final SEIR submitted within two weeks of receipt of CITY comments on the draft responses and MMRP
5. **Public Hearings** – attended as scheduled

City of Beverly Hills

9900 Wilshire Blvd Supplemental EIR

Schedule

TASK	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8
1. IS-NOP	Work in Progress							
2. Administrative Draft SEIR		Work in Progress	Work in Progress	Work in Progress				
3. Draft SEIR				Work in Progress	Public Review	Public Review		
4. Final SEIR						City Review	City Review	City Review
5. Public Hearings (Exact Dates TBD)								Public Meeting/Hearing



Work in Progress
 City Review
 Public Review
 Public Meeting/Hearing

KEY STAFF

Joe Power, AICP CEP, Principal with Rincon Consultants, shall be the Principal in Charge and Project Manager and shall be the main contact for CITY. Joe has more than 24 years of experience in CEQA and NEPA document preparation and is an expert in interpreting state and federal planning and environmental law, as well as in developing environmental documentation that is informative, readable, and legally defensible. He has prepared specialized technical reports on a range of planning and environmental topics, including noise, air quality, greenhouse gases, sustainability, and water supply. In his capacity as Rincon’s Planning Manager, Joe provides technical oversight and QA/QC services for CEQA and NEPA documents prepared by Rincon planning staff. These documents range from detailed Environmental Impact Reports to technical memorandums. Joe also heads Rincon’s sustainability services group and oversees a

wide range of projects, including climate action plans, greenhouse gas studies, LEED/green building analyses, and general plan elements.

Abe Leider, AICP CEP, shall provide Quality Assurance/Quality Control for the SEIR and advise on the CEQA approach and analysis. Abe is a Supervising Environmental Planner/Senior Project Manager with Rincon Consultants. He holds a degree in English and Environmental Studies from UC Santa Barbara and a Professional Certificate in Land Use and Environmental Planning from UCSB Extension. Abe has over 15 years of experience in long-range planning, development review, and performing environmental impact analyses for public and private infrastructure and development projects under CEQA. He has managed preparation of MNDs and EIRs for institutional, residential, commercial and industrial projects throughout California. His previous Los Angeles County project experience includes a number of Beverly Hills CEs and MNDs, as well as the Beverly Hills Gateway Project EIR; the El Segundo Aquatics Center Site Feasibility Study EIR; the Long Beach Press-Telegram and North Village Redevelopment EIRs; the Santa Monica 710 Wilshire Boulevard Hotel EIR; and the Burbank Media Studios North EIR.

Aubrey Mescher, MESM, Senior Planner, shall serve as Assistant Project Manager for this project shall conduct the water analysis. Aubrey holds a Master's Degree in Environmental Science and Management from the Donald Bren School at the University of California Santa Barbara. She also has 10 years of professional experience in environmental consulting, and provides analysis for a variety of project types including development, utilities, flood control, and water management. She has experience providing analyses for projects in Los Angeles County including several prepared for the Port of Long Beach. Aubrey also has experience working on controversial projects that garner a heightened degree of public attention, and she has both facilitated and participated in numerous public meetings and workshops for such projects.

Chris Bersbach, MESM, Senior Associate with Rincon, shall serve as a Technical Analyst for Air Quality, Greenhouse Gases, and Noise. Chris is experienced in a wide range of technical environmental and planning studies involving land and infrastructure development, urban redevelopment, solar power facilities, oil extraction and refining facilities, landfills, general plans and specific plans, and climate action plans. Chris is versant in a variety of air quality and noise modeling techniques and is also very familiar with local regulatory and analysis requirements pertaining to these issues. Chris is currently managing the Heritage Ridge Residential Project EIR for CITY of Goleta and has been a contributing author to numerous CEQA documents and air quality and noise technical studies.

Duane Vander Pluym, D. Env, Principal and Senior Environmental Scientist, shall provide technical oversight for the issue area analysis. Duane holds a Doctorate from UCLA and a Master's degree from UC Riverside and has more than 30 years of environmental consulting experience, during which time he has conducted numerous environmental studies for public agencies and private clients. He is responsible for project management, data analysis, and quality control for noise, air quality, and health risk assessment documents prepared by Rincon's Environmental Planning Services group. In this role, Duane reviews most noise studies, provides direction, and mentors staff during preparation of technical analyses for a wide variety of different agencies and topics. His project experience includes a wide range of technical and

environmental issues, including noise, air quality, health risk assessment, biology, and ecosystem analysis.

Sarah Brandenburg, PE, Principal with Fehr & Peers, shall oversee the transportation analysis for the SEIR. Sarah has 15 years of experience with Fehr & Peers and has managed many complex studies, such as transportation impact studies, EIR transportation and circulation sections, transportation planning studies, and multi-modal corridor studies. She has managed several controversial roadway improvement and land development projects in which public outreach was crucial to project success. In the Freeport/21st Street Two-Way Conversion Study in Sacramento, Sarah led a neighborhood working group through the study process and gathered input on potential project alternatives, such as eliminating a vehicle travel lane to provide on-street bicycle lanes. Sarah is currently serving as the Project Manager for CITY of LA Mobility Element Update and the Wilmington EMPOWER Mobility Plan, and is the Deputy Project Manager for the Westside Mobility Plan in Los Angeles in which public outreach, including the development of a project webpage, on-line survey, and social media sites, are crucial to project success.

AMENDMENT NO. 1:

CONSULTANT shall perform additional services as follows:

- Additional hours to accommodate extra rounds of review on and revisions to the Initial Study
- Addition of a Land Use section to the SEIR
- Additional hours for added traffic impact analysis to analyze potential impacts related to the Metro Purple Expansion project and emergency access from off-site improvements being completed under CITY's Revitalization Plan
- Analysis of motor court entrance alternatives in the Traffic section and descriptions added to the Project Description
- Additional hours to accommodate conference calls and extra rounds of revisions, based on applicant input, to produce the Draft SEIR
- Conducting additional noise measurements beyond what was anticipated in CONSULTANT's original work scope
- Revising the Transportation Impact Study and related analyses (air quality, greenhouse gases, noise, energy, alternatives) in accordance with a potential change in the trip generation estimates resulting from internal review of the draft Transportation Impact Study

Additional Services Schedule

CONSULTANT's proposed schedule for completion of the CEQA environmental review process is summarized below. Barring delays beyond CONSULTANT's control (such as an incomplete or evolving project description or extended CITY review intervals), the project can be completed on the schedule outlined below. The added motor court entrance alternatives shall be added into the project description and traffic sections while the CITY completes review of the ADEIR.

CONSULTANT shall expedite the schedule by compressing CONSULTANT's deliverable schedule. This has the potential to reduce the overall timeline by five weeks. The cost for this additional service would add approximately 11% to the base Agreement total, as shown in the table on Exhibit B-1. Please note that this expediting does not include reducing the time needed for the applicant and CITY to complete the information and all information from the applicant and CITY needed for a timely start to the analysis, or CITY review of draft work products, both of which are outside of CONSULTANT's control.

Deliverable	Timing	Expedited Timing
Screencheck Draft EIR	Within 4 weeks of notice to proceed	Within 3 weeks of notice to proceed (-1 week)
Responses to Comments on the Draft EIR	Within 2 to 4 weeks of receipt of public comments, depending on number and complexity of comments	Within 2 weeks of receipt of public comments, depending on number and complexity of comments (-2 weeks)
Final EIR	Within 1 to 2 weeks of receipt of City comments on the draft responses to public comments, depending on number and complexity of comments	Within 1 week of receipt of City comments on the draft responses to public comments (-1 week)

AMENDMENT NO. 2:

CONSULTANT shall provide the following additional services:

SCOPE OF WORK I:

- Respond to a much higher than expected number of comments on the Draft SEIR
- Perform additional analyses in the areas of traffic, air quality, greenhouse gases, and noise to respond to Planning Commission comments, public comments, and new project details provided by the applicant.

The additional analyses will include the items specified in the attached proposal from Fehr & Peers except for Task 3 (see Attachment 1 to Exhibit A-1), which we have determined will not be necessary, as well as re-modeling of the project's air quality, greenhouse gas, and noise impacts, and analysis of potential nighttime construction and hauling.

CONSULTANT's estimate of its additional labor costs beyond what CONSULTANT has budgeted for the Final Supplemental Environmental Impact Report (SEIR) is \$33,310.00. In addition, Fehr & Peers estimates their costs at \$21,500 including 10 additional copies and 10 CDs of the final EIR. Please see Attachment 1 to Exhibit A-1.

Based on CONSULTANT's and Fehr & Peers labor costs and CONSULTANT's standard 15% mark-up on subconsultants, the total additional costs would be \$59,035.00.

The details are shown below:

Respond to Comments

Principal	30 hours @ \$195/hour	\$ 5,850
Senior Staff	30 hours @ \$145/hour	\$ 4,350
Prof. Staff	60 hours @ \$110/hour	\$ 6,600
GIS/Tech. Editor	20 hours @ \$85/hour	\$ 1,700
	Total	\$18,500

Perform New Analyses

Principal	8 hours @ \$195/hour	\$ 1,560
Senior Staff	40 hours @ \$145/hour	\$ 5,800
Prof. Staff	60 hours @ \$110/hour	\$ 6,600
GIS/Tech. Editor	10 hours @ \$85/hour	\$ 850
	Total	\$14,810

Fehr & Peers (without Task 3)		\$21,500
15% standard mark-up fee		\$ 3,225
10 additional copies and CDs		\$ 1,000
	Total	\$25,725

Subtotal \$59,035

Less amount not spent in Amendment 1 (\$18,000) including contingency

SUBTOTAL \$41,035

Fehr & Peers has indicated that they will need two weeks from authorization to complete tasks 1 and 2 of their work scope and three weeks to complete Task 4. CONSULTANT needs another week to incorporate Fehr & Peer's final work into the responses to comments so CONSULTANT can submit the complete responses to comments, including the new analyses, within four weeks. CONSULTANT will prepare the Final EIR upon approval of the responses to comments.

SCOPE OF WORK II:

- Perform two 24-hour noise measurements, one near the project site and one further west on Santa Monica Boulevard
- Perform additional noise analysis regarding nighttime construction and hauling

The cost to perform the noise measurements and the requested new analyses is at \$4,960. The budget details of the second scope of work is as follows:

Noise Measurements

Senior Staff	12 hours @ \$145/hour	\$ 1,740
Noise Meter Costs	2 days @ \$75/day	\$ 150
Travel		\$ 550
	Total	\$ 2,440

Perform New Noise Analysis

Principal	4 hours @ \$195/hour	\$ 780
Senior Staff	12 hours @ \$145/hour	\$ 1,740
	Total	\$ 2,520

SUBTOTAL \$ 4,960

BUDGET SUMMARY:

Scope of Work I	\$41,035
Scope of Work II	\$ 4,960
GRAND TOTAL	\$45,995

FEHR & PEERS

Additional Transportation Tasks for FEIR

The potential scope items presented below are based on Fehr & Peer's initial review of comments received on the Draft EIR for One Beverly Hills. These tasks are provided for consideration by City staff and Project Team review for potential inclusion in the Final EIR. Fehr & Peer's original scope of work included responses to approximately 20 comments on the Draft EIR (up to 40 hours of staff time). In addition, the original scope assumed that the responses would further describe the transportation analysis completed as part of the Draft EIR, and that no new analysis would be needed as part of the Final EIR.

SCOPE OF WORK

Task 1- New Site Access Option

A new site access option (Option 5A) has been proposed based on feedback received during the Planning Commission meeting and comments on the Draft EIR. Option 5A would allow two-way access to/from Merv Griffin Way, likely restricted to right-turns in/out only. The proposed two-way access would allow vehicles to exit the project site and make a left-turn from Merv Griffin Way onto Santa Monica Boulevard. Based on the permitted site access, we recommend analyzing three study intersections under Option 5A:

1. Santa Monica Boulevard North/Merv Griffin Way
2. Santa Monica Boulevard North/Wilshire Boulevard
3. Whittier Drive/Merv Griffin Way/Wilshire Boulevard

In addition to the intersection analysis, Fehr & Peers will create a figure showing turning movement volumes at the project driveways during each analysis period (AM, midday, PM and Saturday). Fehr & Peers will summarize the analysis of Option 5A as part of the FEIR.

Cost Estimate: \$6,500 (approximately 35 hours of staff time)

Task 2- Trip Generation Sensitivity Testing

Several comments received on the Draft EIR are related to project trip generation:

- Internalization of trips between restaurant and hotel uses
- Free public parking (2 hours) at hotel valet for park guests (20 reserved spaces)

If data related to trip internalization is not available, Fehr & Peers recommends analyzing transportation impacts without the expected internalization of trips between the restaurant and hotel uses as part of the Final EIR. In addition, Fehr & Peers would like to discuss incorporating the trip generation of the public park uses. The impact analysis would be reported for the 11 study intersections and study roadway segments for each analysis period (AM, midday, PM and Saturday) under "Baseline Plus

Project" and "Cumulative Plus Project" conditions. The analysis results would be summarized in the FEIR.

Cost Estimate: \$7,500 (approximately 45 hours of staff time)

Task 3- Updated Cumulative Project List (Not Necessary)

Several comments received on the Draft EIR are related to additional pending projects in the study area, such as 1000 Santa Monica being rented as apartments instead of condos as originally entitled, Fox Studios expansion, and Westfield Century City renovations. Fehr & Peers would like to review the additional pending projects with City staff to determine if the transportation forecasts for Cumulative Conditions need to be updated. If any changes are needed, the Cumulative Baseline traffic forecasts and impact analysis would be updated as part of this task. The update of Cumulative Plus Project conditions would occur as part of Task 2.

Cost Estimate: \$3,500 (approximately 20 hours of staff time)

Task 4- Additional Items for Final EIR

Fehr & Peers' original scope of work included responses to approximately 20 comments on the Draft EIR (up to 40 hours of staff time). Approximately twice as many comments were received on the Draft EIR related to transportation as expected. In addition to responding to the additional transportation comments, the items listed below will also be addressed as part of the Final EIR based on comments received:

- Loading Dock: document information on number of deliveries throughout the day, including types of delivery trucks expected
- Cumulative Construction Impacts: document information on other development projects in the nearby area, construction duration, and number of truck trips expected during construction based on available data; this information would be presented in summary table or figure format (assumes that construction duration and available truck trip data will be provide to Fehr & Peers)
- Night-time Hauling: document potential night-time hauling scenario based on data provided by project applicant on truck trips expected throughout the day with and without night-time hauling permitted
- Sepulveda Staging Area: request additional information from project applicant on staging area for use in responding to comments

Cost Estimate: \$7,500 (approximately 45 hours of staff time)

SCHEDULE

Tasks 1 and 2 and be completed within two weeks of written authorization to proceed and the receipt of necessary data, and Task 4 can be completed within three weeks of written authorization to proceed and the receipt of necessary data.

AMENDMENT NO. 3:

CONSULTANT shall complete the 9900 Wilshire Boulevard Supplemental Environmental Impact Report ("SEIR"). The actual costs of responding to comments have been greater than what was anticipated due to the complicated nature of the comments received, the number of meetings and re-analyses needed to resolve various issues, and higher than originally anticipated printing costs. Fehr and Peers shall conduct additional traffic analyses as described in Attachment 1 to this Exhibit.

**AMENDMENT NO. 3
ATTACHMENT 1 TO EXHIBIT A**

**FEHR & PEERS
Additional Transportation Tasks for FEIR**

**ONE BEVERLY HILLS
ADDITIONAL TRANSPORTATION SUPPORT FOR PUBLIC
HEARINGS**

This additional scope of work is based on the Planning Commission meeting on August 23rd and the request for additional information to inform future public hearings. CONSULTANT's subconsultant, Fehr and Peers ("SUBCONSULTANT") shall submit a technical memorandum that summarizes the following items:

1. **Left-Turn Storage Capacity for Hotel Motor Court:** SUBCONSULTANT shall present the following four options for left-turn access from Santa Monica Boulevard into the Motor Court:
 - a. Provide left-turn access (as proposed under the preferred access option)
 - b. Remove left-turn access
 - c. Restrict left-turn access during peak hours
 - d. Remove left-turn access and restrict U-turns at Merv Griffin Way

SUBCONSULTANT shall prepare four figures to illustrate access to the project site and operations under each of these options. SUBCONSULTANT's previous queuing analysis considered the impacts of Options A and B (and Option C is a combination of A and B as left-turn access would be provided or restricted depending on the time of day). For Option D, SUBCONSULTANT shall describe the traffic flow changes that would occur if both left-turn and U-turn access are not permitted. SUBCONSULTANT shall analyze traffic operations at the Wilshire Boulevard & Merv Griffin Way/Whittier Drive intersection assuming that all vehicles traveling on eastbound Santa Monica Boulevard to access the hotel would instead utilize Wilshire Boulevard.

Please note that this scope of work does not include a detailed simulation model of the potential site access options. Due to the number of potential scenarios and amount of time available, SUBCONSULTANT shall illustrate its previous analysis of site access by preparing figures of the four options above to inform the conversation and help the Planning Commission select a preferred option.

2. **Diagonal Entrance to Hotel Motor Court:** SUBCONSULTANT's initial evaluation of site access options considered a diagonal entrance into the Motor Court from the intersection of Santa Monica Boulevard & Merv Griffin Way. SUBCONSULTANT shall compare this option to the entrance of the Beverly Hills Hotel at the corner of Sunset Boulevard & N. Crescent Drive intersection. SUBCONSULTANT shall describe the advantages and constraints of this access option at One Beverly Hills.

3. **Hotel Motor Court Access to/from Merv Griffin Way:** SUBCONSULTANT's previous analysis considered both one-way and two-way access between the Hotel Motor Court and Merv Griffin Way. SUBCONSULTANT shall summarize traffic operations under both of these options and discuss the advantages and constraints of both access options. SUBCONSULTANT shall describe peak hour traffic flows on Merv Griffin Way in comparison to vehicles entering/exiting the Motor Court driveway and consider peak hour restrictions to alleviate vehicle queuing/blockage for those exiting the Motor Court and wanting to turn left to travel to eastbound Santa Monica Boulevard.
4. **Truck Trips at Loading Dock:** SUBCONSULTANT shall update the previous tables showing truck trips to/from the loading dock to include the number of garbage trucks anticipated per week.
5. **Peer Review of Maximum Capacity Events Transportation Study:** SUBCONSULTANT shall peer review the study being prepared by LLG regarding the traffic impacts of events at both the One Beverly Hills hotel and the hotels next door. SUBCONSULTANT shall review the study's assumptions, methodologies, and findings based on our knowledge of the local area and typical event operations. SUBCONSULTANT shall provide a summary of its findings of the peer review.
6. **Peer Review of Parking Demand Study:** SUBCONSULTANT shall peer review the parking demand study prepared by LLG for hotel and restaurant operations. SUBCONSULTANT shall review the study's assumptions, methodologies and results and compare them to industry standards on parking demand at mixed-use sites. SUBCONSULTANT shall provide a summary of our findings of the peer review.
7. **Construction Access from Santa Monica Boulevard:** SUBCONSULTANT shall examine truck access from eastbound Santa Monica Boulevard onto Merv Griffin Way. SUBCONSULTANT's understanding of construction routing at the Beverly Hilton site is that trucks are currently making the left turn from Santa Monica Boulevard to Merv Griffin Way. SUBCONSULTANT shall confirm this truck travel pattern with the Environmental Compliance Monitor at the Beverly Hilton site.

SCHEDULE

SUBCONSULTANT shall document the above information in a technical memorandum in advance of the Planning Commission meeting on September 19th. SUBCONSULTANT shall provide the memorandum to CITY staff for review on Friday, September 9th.

COST

The cost estimate for the tasks above is not to exceed \$20,000.

EXHIBIT B-1

CONSIDERATION

ORIGINAL AGREEMENT:

CITY shall pay CONSULTANT an amount not to exceed One Hundred Sixty-Seven Thousand Six Hundred Twenty-Two Dollars (\$167,622.00) for the satisfactory performance of services based on the rates set forth in the attached 9900 Wilshire Boulevard Supplemental EIR Cost Estimate set forth in this Exhibit B-1. This amount includes actual expenses reasonably incurred in the performance of this Agreement.

City of Beverly Hills

9900 Wilshire Boulevard Supplemental EIR

Cost Estimate

Tasks	Cost	Hours	Rincon Consultants					
			Principal I	Supervisor/PM	Sr. Staff II	Prof. Staff III	GS I	Clerical I
			\$195	\$165	\$145	\$110	\$85	\$65
1. Kickoff/Initial Study/Notice of Preparation	\$5,790	62	4	8	12	32	4	2
2. Administrative Draft EIR								
2.1. Executive Summary	\$1,280	13		1	4	8		
2.2. Introduction/Project Description/Environmental Setting	\$4,855	45	2	6	24	6	6	1
2.3. Environmental Impact Analysis								
Air Quality	\$2,910	30	1	1	4	24		
Greenhouse Gases	\$2,730	28	1	1	4	22		
Noise	\$3,630	38	2	2	4	28	2	
Traffic	\$2,340	25	1	2	4	12	6	
Utilities/Service Systems (Water)	\$3,180	24	2	2	20			
2.4. Other CEQA Discussions	\$1,010	10	1	1	2	6		
2.5. Alternatives	\$3,090	33	1	2	4	26		
3. Draft EIR	\$4,370	50	2	12	18	12		6
4. Final EIR								
4.1. Responses to Comments/ Administrative Final EIR	\$7,030	60	4	8	40	6		2
4.2. Mitigation Monitoring and Reporting Program	\$270	4		1		3		
4.3. Publication of the Final EIR	\$2,060	23	1	4	8	4		6
6. Public Hearings (4)	\$5,175	55	26	26			2	1
Subtotal Rincon Labor:	\$49,720	500	48	77	148	189	20	18
Additional Costs								
Subconsultant: Fehr & Peers	\$98,210							
Printing:								
Admin Draft EIR (5 copies)	\$325							
Draft EIR (15 copies and 30 CDs)	\$1,575							
Final EIR (10 copies and 10 CDs)	\$1,000							
Supplies and Miscellaneous Expenses (including mailing)	\$1,792							
General and Administrative	\$15,000							
Subtotal Additional Costs:	\$117,902							
TOTAL: Labor + Additional Costs	\$167,622							

AMENDMENT NO. 1:

This Amendment No. 1 adds \$57,515, which will bring the overall cost of the Agreement to a not to exceed amount of \$225,137. As requested by CITY, CONSULTANT has also included a \$10,000 contingency to cover any possible future scope adjustments outside the scope set forth in Exhibit A. The total additional costs with contingency shall not exceed \$235,137. The contingency funds shall not be used without prior written authorization from CITY.

Costs to expedite completion of the screencheck Draft EIR, responses to comments, and Final EIR in accordance with the timeframes shown in the table in Exhibit A are as follows: If CONSULTANT completes the screencheck Draft EIR within three weeks (rather than four weeks) CONSULTANT shall be paid an additional \$12,000, responses to comments within two

weeks (rather than up to four weeks) for an additional \$6,000 and complete the Final EIR in one week (rather than two weeks) for an additional \$2,000. These “expedited schedule” costs would bring the overall budget to not to exceed \$255,137 (\$245,137 without the contingency). These additional fees would be charged only if CONSULTANT meets the deadlines shown in Exhibit A.

City of Beverly Hills

9900 Wilshire Boulevard Supplemental EIR

Add Services Cost Estimate 3-9-16

Tasks	Not to Exceed Cost	Hours	Rincon Consultants			
			Principal I \$195	Sr. Staff II \$145	Prof. Staff III \$110	GIS I \$85
Kickoff/Initial Study/Notice of Preparation	\$2,040	16		8	8	
Draft EIR						
<i>Air Quality</i>	\$3,330	24	4	10	10	
<i>Greenhouse Gas Emissions</i>	\$3,720	26	6	10	10	
<i>Land Use and Planning</i>	\$4,650	30	6	24		
<i>Noise</i>	\$3,840	28	4	12	12	
<i>Transportation/Traffic</i>	\$2,280	16	4	8		4
<i>Other CEQA Discussions</i>	\$1,440	10	4		6	
<i>Alternatives</i>	\$2,660	18	8		10	
Project Management	\$7,680	48	20	20	8	
Subtotal Rincon Labor	\$31,640	216	56	92	64	4
Subconsultant Fehr & Peers	\$22,500					
General and Administrative	\$3,375					
Original Total Cost	\$167,622					
Revised Total Cost	\$225,137					
Contingency	\$10,000					
Revised Total Cost (with Contingency)	\$235,137					
Expedited Schedule Cost						
Screencheck DEIR	\$12,000					
Responses to Comments on DEIR	\$6,000					
Final EIR	\$2,000					
Revised Total with Expedited Schedule and Contingency	\$255,137					

AMENDMENT NO. 2:

SCOPE OF WORK I:

- Respond to a much higher than expected number of comments on the Draft SEIR
- Perform additional analyses in the areas of traffic, air quality, greenhouse gases, and noise to respond to Planning Commission comments, public comments, and new project details provided by the applicant.

The additional analyses will include the items specified in the attached proposal from Fehr & Peers except for Task 3, which we have determined will not be necessary, as well as re-modeling of the project’s air quality, greenhouse gas, and noise impacts, and analysis of potential nighttime construction and hauling.

CONSULTANT’s estimate of its additional labor costs beyond what CONSULTANT has budgeted for the Final Supplemental Environmental Impact Report (SEIR) is \$33,310.00. In addition, Fehr & Peers estimates their costs at \$21,500 including 10 additional copies and 10 CDs of the final EIR.

Based on CONSULTANT's and Fehr & Peers labor costs and CONSULTANT's standard 15% mark-up on subconsultants, the total additional costs would be \$59,035.00. The details are shown below:

Respond to Comments

Principal	30 hours @ \$195/hour	\$ 5,850
Senior Staff	30 hours @ \$145/hour	\$ 4,350
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GIS/Tech. Editor	20 hours @ \$85/hour	\$ 1,700
	Total	\$18,500

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Fehr & Peers (without Task 3)	\$21,500
15% standard mark-up fee	\$ 3,225
10 additional copies and CDs	\$ 1,000
Total	\$25,725

Subtotal \$59,035

Less amount not spent in Amendment 1 (\$18,000) including contingency

SUBTOTAL \$41,035

Fehr & Peers has indicated that they will need two weeks from authorization to complete tasks 1 and 2 of their work scope and three weeks to complete Task 4. CONSULTANT needs another week to incorporate Fehr & Peer's final work into the responses to comments so CONSULTANT can submit the complete responses to comments, including the new analyses, within four weeks. CONSULTANT will prepare the Final EIR upon approval of the responses to comments.

SCOPE OF WORK II:

- Perform two 24-hour noise measurements, one near the project site and one further west on Santa Monica Boulevard
- Perform additional noise analysis regarding nighttime construction and hauling

The cost to perform the noise measurements and the requested new analyses is at \$4,960. The budget details of the second scope of work is as follows:

Noise Measurements

Senior Staff	12 hours @ \$145/hour	\$ 1,740
Noise Meter Costs	2 days @ \$75/day	\$ 150
Travel		\$ 550
	Total	\$ 2,440

Perform New Noise Analysis

Principal	4 hours @ \$195/hour	\$ 780
Senior Staff	12 hours @ \$145/hour	\$ 1,740
	Total	\$ 2,520

SUBTOTAL \$ 4,960

BUDGET SUMMARY:

Scope of Work I	\$41,035
Scope of Work II	\$ 4,960
	GRAND TOTAL \$45,995

AMENDMENT NO. 3:

As of CONSULTANT's August invoice, about \$2,700 remained and billings on CONSULTANT's July invoice did not include hours expended in the first several days of August to complete the Final SEIR or hours that CONSULTANT anticipates will be needed for hearing attendance. Already incurred and anticipated CONSULTANT labor costs to complete the Final SEIR include the following:

- 98.25 August staff hours to complete the Final SEIR (8 Principal hours (\$195/hour), 52.75 Associate Planner hours [\$110/hour], 3.25 Graphics hours [85/hour], and 34.25 Production/Clerical hours [\$65/hour])
- 8 Production staff hours to produce 5 additional copies of the Final SEIR
- An estimated 48 hours to attend up to four hearings (24 Principal hours and 24 Associate Planner hours)
- An estimated 40 hours to provide a quantified noise analysis of the loading dock operation , preparation for hearings, and overall coordination (20 Principal hours and 20 Associate Planner hours)

In addition, printing costs for the additional 5 copies are approximately \$1,500, CONSULTANT travel costs for four hearings are estimated at \$200. Finally, Fehr & Peers estimates the cost to prepare for and attend two additional hearings at not to exceed \$3,500 and estimates the cost for additional requested traffic and parking analyses, as detailed in Attachment 1 to Exhibit A at not to exceed \$20,000.

Based on the above and including CONSULTANT's standard 15% administrative mark-up on subconsultant costs, CONSULTANT estimates the total additional funds needed to complete the Final SEIR at not to exceed \$52,530. CITY shall compensate CONSULTANT to complete the Final SEIR process in an amount not to exceed **\$49,830**.

The total not to exceed amount under the Agreement shall not exceed **\$350,962**.