



AGENDA REPORT

Meeting Date: April 5, 2016
Item Number: D-15
To: Honorable Mayor & City Council
From: Ryan Gohlich, AICP, Assistant Director of Community Development / City Planner
Subject: AMENDMENT NO. 1 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.
Attachments: 1. Amendment No. 1 to the Agreement

RECOMMENDATION

Staff recommends that the City Council approve Amendment No. 1 to the agreement with Rincon Consultants, a change order of \$87,515 to the current purchase order of \$167,622 for a total not-to-exceed amount of \$255,137.

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 will require review by the Planning Commission and 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 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 preparation of the SEIR. As work on the SIER has been undertaken, additional work has become necessary beyond the scope of the original agreement in order to fully analyze the potential environmental impacts of the proposed project. This includes additional study in topic areas such as Land Use, Traffic, and Noise, and the additional project management time needed to do the additional work.

All costs associated with this contract are borne by the project applicant. The cost for this amendment is an additional \$87,515 to the current agreement amount of \$167,622 for a total not-to-exceed amount of \$255,137. The applicant has deposited the full amount of the contract, and has also deposited the City's required 15% contract administration fee and a \$50,000 legal deposit.

FISCAL IMPACT

All costs associated with the 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.



Approved By
Susan Healy Keene, AICP

Attachment 1

AMENDMENT NO. 1 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 CONSULTANT: Rincon Consultants, Inc.

RESPONSIBLE PRINCIPAL OF CONSULTANT: Joe Power, Project Manager

CONSULTANT'S ADDRESS: 180 North Ashwood Avenue
Ventura, California 93003
Attention: 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 of Community Development

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 \$57,515
Total Not to Exceed: \$255,137

AMENDMENT NO. 1 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. 1 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 (collectively, "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.

B. CITY and CONSULTANT desire to amend the Agreement to include additional services and compensate CONSULTANT for such services.

NOW, THEREFORE, the parties agree as follows:

Section 1. The CONSIDERATION shall be amended as set forth above.

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

Section 3. Exhibit B, "Schedule of Payment and Rates," shall be amended as attached hereto and incorporated herein.

Section 4. Except as specifically amended by this Amendment No. 1, 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

ATTEST:

(SEAL)
BYRON POPE
City Clerk

CONSULTANT:
RINCON CONSULTANTS, INC.

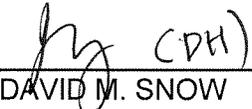


MICHAEL P. GIALKETSIS
President



DUANE VANDER PLUYM
Chief Financial Officer

APPROVED AS TO FORM



DAVID M. SNOW
Interim City Attorney

APPROVED AS TO CONTENT:

MAHDI ALUZRI
City Manager



SUSAN HEALY KEENE, AICP
Director of Community Development



KARL KIRKMAN
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		City Review	City Review	City Review	City Review			
3. Draft SEIR				Public Review	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)

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 \$195	Supervisor/PM \$165	Sr. Staff II \$145	Prof. Staff III \$110	GIS I \$85	Clerical I \$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					