

**COOPERATIVE IMPLEMENTATION AGREEMENT
AMENDMENT No. 1**

This AMENDMENT 1 ENTERED INTO EFFECTIVE ON JUNE 24 2020,
is between the State of California acting by and through its Department of Transportation,
referred to as CALTRANS and the CITY OF RICHMOND, referred to as "AGENCY" and
together referred to as PARTIES.

RECITALS

1. CALTRANS and AGENCY entered into Cooperative Implementation Agreement No. D43CIARI0002 on January 22, 2019, defining the terms, covenants and conditions to implement the Water Capture Facility Project, within the regional area under the jurisdiction of AGENCY to comply with the TMDL referred to herein as PROJECT. AGENCY has agreed to implement PROJECT in accordance with Attachment II-SCOPE SUMMARY that defined in detail the PROJECT's scope of work, description, timeline, location and budget.
2. The purpose of this AMENDMENT 1 is to increase the scope of the PROJECT to provide additional stormwater runoff treatment. Phase 1 of the PROJECT has been completed and PARTIES have decided to amend the AGREEMENT to add an additional treatment location to the project as described under "Phase 2" as shown in REVISED ATTACHMENT II, attached and made a part of this AMENDMENT.

IT IS MUTUALLY AGREED:

3. The PARTIES hereby replace ATTACHMENT II by REVISED ATTACHMENT II in its entirety. No change to the cost is proposed.
4. Any reference to ATTACHMENT II in the AGREEMENT is deemed to be a reference to REVISED ATTACHMENT II.
5. AMENDMENT 1 with its ATTACHMENT(S) are by reference made a part of the AGREEMENT and incorporated herein.
6. All sections of AMENDMENT 1 including the recitals are enforceable,

ATTACHMENTS

The following attachment is incorporated into and is made a part of this AMENDMENT by this reference and attachment.


Revised Attachment II. Amended Scope of Work, Description, Timeline, Location
and Budget


SIGNATURES


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

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**


AGENCY

Signature: 
Print Name: TOM RUTSCH
Title: Stormwater Coordinator
Date: 6/2

Signature: 
Print Name: LAURA SNIDEMAN
Title: City Manager
Date: 5/12/20

Signature: 
Print Name: SHAILA CHOWDHURY
Title: Assistant Chief, Division of
Environmental Analysis
Date: 06/23/20

Signature: _____
Print Name: _____
Title: _____
Date: _____

Signature: 
Print Name: PHIL STOLARSKI
Title: Chief, Division of
Environmental Analysis
Date: 6/24/20

REVISED ATTACHMENT II

**CITY OF RICHMOND
PROPOSED WATER CAPTURE FACILITIES PROJECT**

Project Summary:

CIP No.	<i>"Finance will assign"</i>	Total Estimated Capital Cost	\$3,000,000
Project Manager	Joanne Le	Estimated Start Date	05/01/2020
Dept/Division	Water Resource Recovery	Estimated Completion Date	06/30/2021
Department Priority	High	Project Status	<i>Pending funding</i>
Project Name	Full-Trash Capture Facilities at Regatta Blvd (Meeker Ditch)		
Project Description and Scope	<p>Phase I: Two hydrodynamic separators, Contech Continuous Deflection Separation (CDS) units, were purchased under CIA D43CIARI0001. This CIA, D43CIARI0002, will install these CDS units at Regatta Blvd (Meeker Ditch) in the City of Richmond. The funding in the amount of \$3,000,000 will be granted by CALTRANS through this CIA, to cover the cost of construction along with the appurtenances to complete the project.</p> <p>Phase II: The remaining of the fund of the CIA, D43CIARI0002, approximately \$2,300,000 will be utilized for the design, purchase and construction of two hydrodynamic separators, Contech Continuous Deflection Separation (CDS) units. These units will be constructed at Bayview Ave. Approximately 840 acres of land, of which 33 acres are from Caltrans Right of Way, 84 acres are from the City of Richmond, and 723 acres from the City of El Cerrito, will be treated by these units.</p> <p>These CDS units will screen, separate and trap debris, sediment, and oil and grease from stormwater runoff. The units have been rated as being effective at trapping 80% of sediment at either the 140 or 175 micron level depending on unit type. Thus, they will achieve load reductions of PCBs and Hg, beside trash.</p> <p>The proposed projects gear toward compliance of TMDLs of trash, PCBs and Mercury, as set forth by in the San Francisco Bay Regional Water Resource Control Board. Ultimately, this project posts a watershed-based solution to reduce pollutant loadings, trash, and PCBs and Mercury in sediments, from entering local watersheds and the San Francisco Bay from three different jurisdictions, City of Richmond, City of El Cerrito, and Caltrans, thus enhancing water quality for beneficial and recreational uses.</p>		

Cost Details:

COST TYPE	TOTAL
Design and Field Work for Design	\$30,000
CDS Units	\$650,000
Isolation Valves	\$200,000
Construction Costs	\$1,670,000
Contingency	\$450,000
Total	\$3,000,000

Budget Details:

FUND SOURCE	TOTAL
CALTRANS Cooperative Implementation Agreement	\$3,000,000
Total	\$3,000,000

Performance Measures:

Phase I: Installation of CDS Units at Regatta Boulevard.

PERFORMANCE BENCHMARK	November, 2018	December, 2018	January, 2019	February, 2019	March, 2019	April, 2019	May, 2019	July, 2019
Design		30%	100%					
Purchase and Delivery of CDS units	10%	30%	50%	100%				
Bidding Process				100%				
Construction					30%	50%	70%	100%
Report and Follow-up								100%

Phase II: Installation of CDS Units at Bayview Avenue.

PERFORMANCE BENCHMARK	May, 2020	June, 2020	July, 2020	August, 2020	September-December, 2020	January-March, 2021	April-May, 2021	June, 2021
Design		30%	90%	100%				
Purchase and Delivery of CDS units	10%	30%	50%		100%			
Bidding Process					100%			
Construction					30%	70%	90%	100%
Report and Follow-up								100%

Annually during the term of the PROJECT, CALTRANS and AGENCY will agree upon the amount CALTRANS will encumber each year for the PROJECT. Encumbered funds are to be expended within three Fiscal Years (FY). The FY in which the funds are encumbered is considered year number one. Any funds not expended by the end of the third FY, that amount will be deducted from RECITALS, Section 2 "not to exceed amount".