RESOLUTION NO. 18-056

RESOLUTION OF THE CITY OF EL PASO DE ROBLES CITY COUNCIL
AUTHORIZING EXECUTION OF A CONSULTANT AGREEMENT
FOR PROFESSIONAL SERVICES TO BOLLARD ACOUSTICAL CONSULTANTS
TO PREPARE A GENERAL PLAN NOISE ELEMENT UPDATE AND NOISE ORDINANCE AND
TO APPROVE AN EXPENDITURE OF \$56,810 FOR CONSULTANT SERVICES

WHEREAS, the City's General Plan Noise Element was last updated as part of a comprehensive General Plan Update of all elements in 2003; and

WHEREAS, the existing Noise Element includes identification of noise-sensitive receptors, quantification of existing and projected noise sources and levels throughout the City, as well as noise compatibility "best practices" for quantifying and protecting the community from excessive noise. It also includes noise contour mapping of noise from roads, the railroad, and the airport; and

WHEREAS, the existing Noise Element does not accurately reflect newer noise sources such as major public events or new concert venues, with varying types of noise not previously anticipated when the Noise Element was adopted; and

WHEREAS, the City does not currently have an adopted Noise Ordinance. There are a few nuisance-oriented regulations in the City's Municipal Code, however, there are no clear noise standards that can be easily understood and implemented, which impedes compliance, regulation and enforcement; and

WHEREAS, the City has experienced growth in highway noise, in addition to increased mixed-use conflicts in the downtown (where it might be suitable to have noise standards tailored to this area), as well as noise from concerts that have unique sound characteristics that are difficult to quantify and regulate; and

WHEREAS, the City has seen an increase in noise-related complaints in the last few years from residents. As noted, the City's Noise Element and Municipal Code do not reflect the new noise sources and circumstances, and it is therefore difficult to regulate and enforce compliance; and

WHEREAS, City staff solicited Request for Proposals from five qualified, professional planning firms that specialize in preparing noise ordinances and General Plan Noise Element policy documents. The proposals were scored in accordance with firm expertise, experience, and approach to the project, and the top three firms were interviewed. Through this process, the top-rated firm selected by City staff is Bollard Acoustical Consultants; and

WHEREAS, Bollard Acoustical Consultants (BAC) has considerable experience (35+ years) and knowledge in preparing Noise Elements and noise regulations. They provided a common-sense approach to the project, including working with a stakeholder group including noise sources and receptors. The cost proposal of BAC was in the middle of the two other firms interviewed, for a proposal in an amount of \$56,810. The proposal and scope of work are provided in Exhibit A.

WHEREAS, preparation of the Noise Element Update and Noise Ordinance would be funded through the City's General Fund.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council authorizes the City Manager to execute a consultant agreement for the City to hire Bollard Acoustical Consultants to prepare a General Plan Noise Element Update and Noise Ordinance consistent with Exhibit A – Proposal for Services he in the amount of \$56,810.

Section 3. The City Council approves a Budget Adjustment Request of \$56,810 from General Fund Reserves to the Community Development Department professional services account.

PASSED AND APPROVED THIS 15th day of May, 2018, by the following roll call vote:

AYES:

Strong, Gregory, Hamon, Reed, Martin

NOES: ABSENT: ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk

Exhibit A – General Plan Noise Element & Noise Ordinance Proposal – Bollard Acoustical Consultants

Proposal

City of El Paso de Robles General Plan Noise Element Update 2018 and New Noise Ordinance

Prepared for:



City of El Paso de Robles (Paso Robles)

Attn: Susan DeCarli, City Planner

1000 Spring Street

Paso Robles, CA 93446

Prepared by:

Bollard Acoustical Consultants, Inc.

3551 Bankhead Road Loomis, CA 95650

Paul Bollard, President

Institute of Noise Control Engineers (INCE), Board Certified

January 10, 2018



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1. Name and Contact Information of Firm

Bollard Acoustical Consultants, Inc. (BAC) Paul Bollard, President & Project Manager 3551 Bankhead Road, Loomis, CA 95650 (916) 663-0500 PaulB@bacnoise.com

2. Firm Qualifications (Personnel, Similar Projects, and References)

Qualifications Overview

Bollard Acoustical Consultants, Inc. (BAC) was established in 2005 to provide advanced noise and vibration consulting services. Such services include the preparation of noise and vibration studies for traffic, aircraft, railroad, outdoor entertainment venues, and industry, as well as architectural acoustical analyses for churches, theaters, schools, and various performing-arts venues. We prepare analyses for residential developments of all sizes, ranging from individual lot splits to large master planned communities. We are proficient in both CEQA and NEPA compliance, and serve as sub-consultants to many planning firms in the preparation of EIR's and EIS's. BAC has also provided services to Cities and Counties in the form of General Plan Noise Element and Municipal Code Noise Ordinance updates, as well as providing staff training. We have served as on-call consultants for complaint investigation for various City and County agencies, and are proficient at providing clear and confident public testimony at community meetings, planning commission and board of supervisor's hearings.

BAC has a skilled staff of six with a combined 66 years of experience working in the field of acoustics and has prepared an average of 184 individual noise studies per year since 2005. We welcome the opportunity to expand on our qualifications in person.

Personnel Assigned to Project

BAC is especially qualified to provide the City of El Paso de Robles with these requested consulting services based on our staff's extensive noise-consulting experience.

The Principal Consultant and President of the firm is Mr. Paul Bollard, who would act as project manager. Mr. Bollard has a degree in Mechanical Engineering, 30 years' experience as an acoustical consultant in the California Region, is a Board Certified Member of the Institute of Noise Control Engineers (INCE), has guest-lectured in California State University Sacramento acoustics classes, and has been recognized as an expert in California courts of Law.

Mr. Bollard grew up in Bakersfield and is very familiar with Paso Robles location and surroundings. He is highly qualified to manage this project as he has managed in excess of two thousand acoustical studies covering a wide variety of environmental, municipal, entertainment, industrial, and architectural noise issues. He has developed and demonstrated particular expertise in providing public testimony and

noise control engineering using sophisticated data acquisition instrumentation and complex analytical modeling techniques.

Mr. Jon Lopez, Senior Consultant with 10 years' experience at BAC, will be responsible for data collection, noise modeling and complex graphics preparation. Mr. Lopez completed lower division engineering courses at Cal Poly San Luls Obispo prior to receiving a Mechanical Engineering degree from Sacramento State University, so he is also intimately familiar with the Paso Robles environs.

Christine DeWolf, BAC's office manager of 13 years, will assist with report preparation, project administration and project accounting. Christine is both highly personable and responsible for QA/QC of all BAC's work products.

BAC staff also includes another consultant level employee and two technicians. Photos of Paul, Jon, and Christine are provided below.







List of Similar Projects

Bollard Acoustical Consultants has participated in several General Plan Noise Element and/or Noise Ordinance updates in recent years including the following jurisdictions:

Project: Placer County Winery Noise Ordinance EIR (In Progress)

Client: Raney Planning & Management (Under contract to Placer County)

Contact: Nick Pappani

Address: 1501 Sports Drive, Suite A, Sacramento, CA 95834

Phone: (916) 372-6100

Project: City of Folsom General Plan Noise Element Background Report Update

and General Plan EIR Noise Section Preparation (In Progress)

Client: Planning Partners (Under contract to the City of Folsom)

Contact: Bob Klousner

Address: 3110 Gold Canal Drive, Suite D, Rancho Cordova, CA 95670

Phone: (916) 852-8830

Project: Butte County Noise Ordinance Update (2013)

Client: Butte County
Contact: Dan Breedon

Address: 7 County Center Dr., Oroville, CA 95965

Phone: (530) 538-7629

Project: Merced County Noise Element Update & EIR (2011)

Client: Planning Partners
Contact: Bob Klousner

Address: 3110 Gold Canal Drive, Suite D, Rancho Cordova, CA 95670

Phone: (916) 852-8830

Project: Kings County General Plan Noise Element Update (2007)

Client: Kings County Planning Department

Contact: Greg Gatzka

Address: 1400 W. Lacey Blvd., Bldg. 6, Hanford, CA 93230

Phone: (559) 582-3211 ext. 2682

Project: Sacramento County Noise Element Update (2006)

Client: Sacramento County Planning

Contact: Dave Defanti

Address: 827 7th Street, Room 230, Sacramento, CA 95814

Phone: (916) 874-6155

Client References

Mr. Dave Defanti Ms. Marianne Biner

Principal Environmental Analyst

Sacramento County Department of Environmental Review and Assessment

827 7th Street, Room 220, Sacramento, CA. 95814

(916) 874-6155 - Fax: (916) 874-8343

HackC@SacCounty.net

- Prepared the Sacramento County Noise Element Update in 2006.
- Conducted a noise study for the Watt Ave/Hwy 50 Interchange project.
- Conducted a noise study for the Madison Avenue widening project.

Mr. Dan Breedon

Principal Planner

Butte County Planning Department

7 County Center Dr., Oroville, CA. 95965 (530) 538-7629 – Fax: (530) 538-7785

DBreedon@buttecounty.net

Prepared the Butte Co. Noise Element and Noise Ordinance Updates in 2013.

Mr. Greg Gatzka,
Community Development Director
Kings County Planning Department
1400 W. Lacey Blvd., Bldg. 6, Hanford, CA. 93230
(559) 582-3211 ext. 2682 – Fax: (559) 584-8989
Greg.Gatzka@co.kings.ca.us

- Prepared the Kings County Noise Element Update in 2007.
- Conducted a noise study for the Jersey Avenue widening project.

Mr. Michael Johnson

Community Development Director

Placer County Planning Department
3091 County Center Drive, Auburn, CA 95603
(530) 745-3197 – Fax: (530) 745-3120

planning@placer.ca.gov

Provided staff training to Planning and Environmental Health Department Staff.

3. BAC's Overall Approach to Achieving Successful Project Outcomes

The following narrative outlines BAC's philosophy and approach to achieving successful outcomes to our client's noise consulting needs.

Response Time Capabilities

BAC's clients typically require rapid response times. Due to our efficiency and project management skills, we are adept at managing our workload to provide fast turn-around times. Our experience has been that even the best planned projects may undergo revisions or are met with unforeseen delays. As a result, our workload is fluid, but our commitment to our client's deadlines remains constant. Our talented and efficient staff is capable of fast-tracking projects when necessary while maintaining the flexibility to adapt to changing schedules and availability of information. BAC understands project timelines and scheduling challenges, and has been successful due to our ability to efficiently reallocate resources when necessary to complete projects within our client's schedules.

Ongoing Communication

Communication is vital for success, and begins at the outset of each project. BAC speaks the language of project management and will communicate effectively and efficiently with City staff to ensure that the project objectives are clearly understood prior to beginning any data collection or analysis. This communication will extend to other professionals involved in the project, including other stakeholders, transportation consultants, planners, and others whose participation is either required or desired to achieve the project objectives.

Early Identification of Data Needs

Each noise analysis requires data, and BAC's experience is invaluable in the early identification of those data which will ultimately be required for each project. Examples of external data needs include base maps, traffic studies, aerial imagery, etc. Examples of internal data needs include ambient noise data which will need to be collected by BAC staff. BAC will work with the City to identify all data needs early in the process and maintain regular communication with those responsible for providing that data to ensure expedient completion of the project analyses.

Thorough, Competent and Defensible Analysis

BAC utilizes state-of-the-art instrumentation, and advanced models to thoroughly analyze noise environments. All modeling utilizes calibrated measurement results to ensure the accuracy and defensibility of the analysis results.

Clear Presentation of Analysis Results

The most advanced noise analysis is limited in usefulness if not clearly and effectively presented. BAC prepares clear and concise written reports containing a detailed description of the project, all data collected, analysis methodology and results.

In addition to providing written results, BAC routinely provides personal presentation of results in the public meeting or public-hearing forums. As a result, BAC staff has developed expertise in public speaking and effective communication of complex noise-related topics in the public setting.

Exemplary Customer Service

From the beginning of each project to the end, BAC's clients can count on prompt, friendly, personal, and professional service. When you call, not only will we answer, your project manager will be intimately familiar with your project and typically able to provide you same day answers to your questions. In cases where additional research is needed to provide a reply, our clients can count on receiving it promptly. We appreciate the confidence our clients place in us, and in turn we provide the high level of customer support they deserve.

4. Proposed Scope of Work

A. Project Kickoff and Status Review Meetings

BAC will meet with City Staff to review the project scope, schedule, and deliverables. Subsequent meetings will be held to review project status, discuss issues and opportunities identified during the course of the project, and to ensure that the project objectives are on track. During these meetings, we will discuss areas uses within the City which have presented challenges with respect to noise (including complaints and new concert and other noise-generating entertainment venues), identify specific noise sources to be quantified through noise measurements, and to establish lines of communication for the efficient transfer of information between the City and BAC. We will also use this meeting to discuss the anticipated level of public participation in

the Noise Element Update and Noise Ordinance process, and how public comment/input will be incorporated. This Task includes BAC's attendance at up to 3 meetings.

B. Analysis of Existing Noise Element and Ordinance

BAC will thoroughly review the City's existing Noise Element and Noise Ordinance to completely familiarize ourselves with noise conditions and policies in the City and to identify gaps in what is not being accounted for and /or that could be evaluated more adequately. Through conversations with City staff and stakeholders, we will also ascertain those components which are working properly and many not need revision.

C. Updated Community Noise Inventory

As noted in the project RFP, the last Noise Element Update was undertaken in 2003. Since then, highway traffic has reportedly increased, as have mixed-use conflicts in the downtown area, and new concert and other noise-generating venues have been established.

BAC will conduct a thorough Community Noise Survey within the City to update the current Noise Element Background report. The survey will consist of continuous and short-term ambient noise monitoring at locations removed from major noise sources in the City to establish typical ambient conditions in residential, park, and school areas. The survey will also include noise monitoring of significant noise sources in the City, such as concert venues and special events/live music venues, California Midstate Fairgrounds activities, traffic, railroad, aircraft, and industrial/fixed noise sources.

These surveys will be an important component in the updating of Noise Element and developing Noise Ordinance standards, where appropriate, to maintain or improve the ambient noise environment within sensitive areas of the City and to develop strategies for controlling noise at the source for noise-generating uses. The results of the community noise surveys will be tabulated and plotted, with the Day/Night Average Level (L_{dn}), average (L_{eq}) and maximum (L_{max}) values included in the tables and graphics.

BAC will analyze and quantify noise levels and the extent of noise exposure of the major noise sources in the City through actual measurement and/or the use of appropriate noise modeling. BAC owns and maintains a stable of state-of-the-art sound and vibration measurement instrumentation and utilizes industry standard noise prediction models. The following specific noise sources will be evaluated:

1. Traffic Noise: Existing noise levels due to major roadways (state highways) will be evaluated. BAC will utilize the Federal Highway Administration Noise Prediction Model with existing and projected future traffic volumes provided by the City to predict distances to existing and future traffic noise contours. The contours will be plotted on appropriate basemaps provided by the City. The traffic noise evaluation will focus on Highways and major arterial/collector roadways within the City.

- 2. Airport Operations: BAC will incorporate the noise level contours prepared for the Paso Robles Municipal Airport to quantify aircraft noise exposure within the City of El Paso de Robles. This data will be supplemented with BAC observations of aircraft overflights and single-event monitoring conducted within residential areas to provide a baseline for evaluating potential sleep-disturbance issues.
- 3. Union Pacific Railroad Operations: BAC will quantify the noise generation of the UPRR (railroad) in El Paso de Robles. The number of daily/weekly rail operations will be identified and quantified through noise level measurements. The distances to railroad noise contours will be determined and plotted. The noise level measurements will be used for quantifying individual and overall train noise exposure.
- 4. Stationary Noise Sources: BAC will identify any industrial facilities and other representative fixed/stationary noise sources within the City. We will determine which facilities require noise measurements to quantify background noise levels associated with their operations. A discussion will be provided regarding these types of noise sources. Stationary noise sources to be evaluated would include, but not be limited to, such facilities and activities as commercial loading docks, entertainment venues, fairgrounds, auto repair facilities, City utilities, manufacturing facilities, and other sources which may be identified through discussions with the City staff and field observations.

D. Noise Element Goals and Policies Update.

BAC will work with the City, using information collected in Tasks A - C above, to update existing Noise Element goals and policies. The intent of these updates will be to minimize the exposure of city residents to existing and foreseeable excessive noise (and vibration were applicable), while protecting the economic base of the City by establishing reasonable standards for commercial enterprises. New policies specifically targeted at concert and other entertainment venues will be developed (BAC developed policies for entertainment venues as part of the City of Roseville Noise Ordinance Update).

E. Preparation of Draft Noise Element Update and Noise Ordinance

Upon completion of Tasks A-D above, BAC will prepare a Draft Noise Element update and Noise Ordinance for the City's review and comment. The draft Noise Element will contain a background section containing acoustical terminology, methodology, noise measurement and modeling results, an inventory of representative significant noise sources within the City, and options for noise mitigation measures. It will also contain a Goals and Policies section. All data and noise contour information will be provided electronically as well as included in the written report. The Noise Ordinance standards will be consistent with the proposed Noise Element standards, providing recommendations for exemptions, and language pertaining to Noise Ordinance enforcement.

F. Preparation of Final Noise Element Update

BAC proposes to provide up to three (3) revisions to the Draft Noise Element, as necessary to incorporate City comments, prior to completing the Final Noise Element Update.

G. Public Participation

BAC proposes to provide the following specific Scope of work for the "Public Participation" section of the RFP:

1. Tour of City, Orientation and Visits to Specific Venues.

BAC will meet with City Staff for a tour of the city, an orientation with City staff and visits to specific venues as requested by the City. This Task can be combined with the project kickoff meeting included in Task A.

2. Public Outreach Program Participation.

BAC will participate in up to 3 meetings with the City in order to collaborate with City staff in conducting a public outreach program to obtain input from key stakeholders.

3. Attendance at Public Hearings.

BAC will attend up to 4 public hearings, 2 meetings on the Draft Noise Element, and 2 meetings on the Draft Noise Ordinance, at Planning Commission and City Council.

5. Schedule for Completion

BAC will complete each of the tasks identified within the schedule to be determined by the City in consultation with BAC. BAC anticipates completion of the contract (project) within 6 months from the date the contract is awarded and executed. Depending on how extensive the comments on the draft documents are, our typical turnaround time for product revisions is 2-3 weeks.

6. Budget

BAC proposes to complete the above-described scope of work for a total fee estimated not to exceed \$56,810. The specific hours per task and cost per BAC staff member are provided in the table on page 11 of this proposal.

It should be noted that a considerable budget items associated with this project is meeting attendance, for this this proposal includes a total of 11. In the event that fewer meetings are required, BAC's costs would be reduced accordingly.

In the event that BAC is selected as the City's consultant for these services, we will be happy to work with the City to adjust the number of anticipated hours per task and corresponding costs per task as appropriate to meet the City's needs.

7. Fees and Insurance

There are no additional fees associated with this proposal beyond those identified in Item 6 above. Mileage costs and insurance coverage are included within BAC's normal overhead which is built into the hourly rates.

BAC maintains general and professional liability insurance policies with two million dollars coverage each and maintains automobile liability insurance coverage at one million dollars. Our certificate of insurance is embedded on Page 12 of this proposal.

City of Paso Robl Estimated No								
BOLLARD Acoustical Consultants Task: Description		Senior Consultant Jon Lopez	Technician	Office Manager Christine DeWolf	Per Diem (lodging & meals)	Total Hours	Total Cost	
Specific Rates of Compensation by Position	Principal Consultant Paul Bollard	\$150	\$85	\$60	\$200			
Task A: Kickoff & Status Review Meetings (3 meetings)	36	0	0	0	3	36	\$	6,900
Task B: Analysis of Existing Noise Element & Ordinance	6	0	0	0	0	6	\$	1,050
Task C: Community Noise Survey	32	32	40	8	7	112	\$	15,680
Task D: Goals & Policy Update	10	2	4	4	0	20	\$	2,630
Task E: Draft Noise Element & Ordinance Preparation	24	16	16	8	0	64	\$	8,440
Task F: Final Noise Element & Ordinance Preparation	6	2	4	2	0	14	\$	1,810
Task G: Public Participation (up to 8 meetings)	96	0	0	0	8	96	\$	18,400
Overall Project Administration/Accounting/Scheduling	4	0	0	20	0	24	\$	1,900
Total Hours	214	52	64	42	18	372		
Estimated Total Not-to-Exceed Project Costs	\$37,450	\$7,800	\$5,440	\$2,520	\$3,600	Total:	\$	56,810

8. **Insurance Certificate**

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9. Representative BAC Project and Equipment Photographs



















10. Fee Schedule

Staff / Expense Item	Rate
Principal Consultant (Bollard)	\$175 / hr.
Senior Consultant (Lopez)	\$150 / hr.
Consultant	\$125 / hr.
Principal Consultant Legal Work	\$300 / hr.
Technician	\$85 / hr.
Clerical Support Staff (DeWolf)	\$60 / hr.
Per Diem Charges (meals & lodging)	\$200 / day