

**AMENDMENT NO. 1
NAPA COUNTY AGREEMENT NO. 210015B**

PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT NO. 1 OF NAPA COUNTY AGREEMENT NO 210015B is made and entered into as of this ____ day of _____, 2021 by and between the Napa County Groundwater Sustainability Agency and its Board of Directors, hereinafter referred to as “NCGSA”, and LUHDORFF & SCALMANINI CONSULTING ENGINEERS, a corporation, whose mailing address is 500 First Street, Woodland, CA 95695, hereinafter referred to as "CONTRACTOR";

RECITALS

WHEREAS, NCGSA and CONTRACTOR entered into Napa County Agreement No. 210015B (the “Agreement”) on June 9, 2020 to obtain specialized services for the preparation of a Groundwater Sustainability Plan, participation in stakeholder outreach, development of an integrated hydrologic model, installation of groundwater monitoring wells, collection and management of groundwater data, reporting of groundwater conditions; and

WHEREAS, COUNTY and CONTRACTOR now wish to amend the Agreement to increase the maximum compensation allowable under this Agreement to add services to support the timely development of a GSP for the Napa Valley Sub-basin by January 2022; specifically, adding support for stakeholder engagement & outreach, GSP development, additional work on an Integrated Hydrologic Model as well as revision of the Groundwater Ordinance and Water Availability Analysis.

TERMS

NOW, THEREFORE, NCGSA and CONTRACTOR amend Agreement No. 210015B as follows:

1. Paragraph 2 is hereby amended to read in full as follows:

Scope of Services. CONTRACTOR shall provide NCGSA those services set forth in Exhibit “A-1” attached hereto.

2. Paragraph 3 is amended as follows:

Compensation.

- c. Maximum Amount. Notwithstanding subparagraphs (a) and (b), the maximum payments under this Agreement shall be a total of Two Million Thirty-Five Thousand Seven Hundred Dollars (\$2,035,700) for professional services provided, however, that such amounts shall not be constructed as guaranteed sums, and compensation shall be based upon services actually rendered.

Except as provided herein, the terms and provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment No. 1 to the Agreement was executed by the parties hereto as of the date first above written.

LUHDORFF & SCALMANINI CONSULTING ENGINEERS

By: _____
VICKI KRETSINGER GRABERT, President

By: _____
WILL HALLIGAN, Vice President and Chief
Financial Officer

“CONTRACTOR”

NAPA COUNTY GROUNDWATER SUSTAINABILITY AGENCY

By _____
Alfredo Pedroza, Chair
NCGSA Board of Directors

"NCGSA"

APPROVED AS TO FORM Office of County Counsel By: <i>Chris R.Y. Apallas</i> Deputy County Counsel Date: August 19, 2021	APPROVED BY THE NAPA COUNTY GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: NEJA HOSKINS Clerk of the Board of Directors By: _____
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EXHIBIT “A-1”

Task	Amendment Justification Summary	Existing Budget	Amendment Request	Revised Task Total
Task 1 – Grant Administration	<i>No Amendment requested.</i>	\$15,972	\$0	\$15,972
Task 2 – Stakeholder Engagement/Outreach	Significant effort to date in addition to initial projections, to meet state requirements for robust stakeholder engagement: - Circulation of draft Groundwater Sustainability Plan (GSP) Sections for public review & developing surveys to solicit input from the GSP Advisory Committee (GSPAC) and other stakeholders regarding draft GSP Sections - Synthesis of survey input and incorporating revisions into interim revised draft GSP Sections - Assisting facilitators with development of content for the GSA Stakeholder Communication and Engagement Plan - Engaging with the GSPAC and supporting NCGSA facilitators, including supporting six meetings of the GSPAC Subcommittee (Work Group) through and development of agenda items including the matrix of potential projects and management actions and management action future scenario, presentations to the Work Group, meeting attendance and participation, review, and markup of Work Group meeting summaries. Significant effort planned to continue: - Coordination with the Napa County Resource Conservation District (RCD) to incorporate RCD input on the characterization of Groundwater Dependent Ecosystems (GDEs), design of GDE monitoring efforts to be proposed in the GSP, and development of proposed sustainable management criteria with consideration of GDEs as beneficial uses and users of groundwater and interconnected surface water. - Outreach to staff of state and federal resources agencies who are responsible for reviewing GSPs on behalf of agencies that own or manage land in the Subbasin or have statutory obligations to restore species that are part of GDEs in the Napa Valley Subbasin. - Support for implementation of the GSA Stakeholder Communication and Engagement Plan prior to GSP adoption by the GSA to demonstrate the GSA’s commitment to considering the interests of all beneficial uses and users of groundwater in the Subbasin, per state	\$96,032	\$95,500	\$191,532

Task	Amendment Justification Summary	Existing Budget	Amendment Request	Revised Task Total
	requirements. Examples include support for additional public meetings in addition to planned GSPAC and GSA meetings			
Task 3 – GSP Document	Significant effort planned to continue: Additional effort likely in summer 2021 to incorporate or coordinate the GSP with assumptions or projections contained in the Napa Valley Drought Contingency Plan (DCP). Stakeholders have voiced a high degree of interest in the outcomes of the DCP and coordination with the GSP; however, release of the draft and final DCP has been delayed relative to the initially published schedule and is now lagging the water budget and sustainable yield analysis required to be prepared for the GSP. Additional effort also likely in early 2022, following submittal of the GSP to the Department of Water Resources to respond to substantive comments received during the state’s required 60-day public comment period.	\$579,705	\$26,900	\$606,605
Task 4 – Napa Valley Integrated Hydrologic Model	Significant effort to date in addition to initial projections, to meet state requirements for robust stakeholder engagement: In response to input received Napa County Farm Bureau members in July 2021, and from members of the GSPAC since July 2021, additional effort has been allocated to simulating two important aspects of water use in the Napa Valley Subbasin: the use of small ponds to store water and provide for use at times when surface water supplies are not available and use of water for frost protection on vineyards. While the model platform used to develop the Napa Valley Integrated Hydrologic Model is robust in its ability to simulate surface water and groundwater conditions, as recognized by its reference in Department of Water Resources Best Management Practices guidance documents GSP development, the platform does not have inherent capabilities to simulate the use of small ponds for localized water storage nor is there a built-in method for determining the demand for water use for frost protection purposes. Working with our outside advisor, Randy Hanson, who previously led development of the model platform at the U.S. Geological Survey prior to his retirement, LSCE has developed methods to account for these uses of water in response to stakeholder input.	\$543,715	\$69,800	\$613,515

Task	Amendment Justification Summary	Existing Budget	Amendment Request	Revised Task Total
Task 5 – DMS with Online Visualization	<i>No Amendment requested.</i>	\$67,470	\$0	\$67,470
Task 6 - Monitoring/Assessment	<i>No Amendment requested.</i>	\$215,715	\$0	\$215,715
Task 7 – Surface Water-Groundwater Data Collection	<i>No Amendment requested.</i>	\$98,912	\$0	\$98,912
Task 8 – Ongoing Water Quality Sampling (Optional)	<i>No Amendment requested.</i>	\$0	\$0	\$0
Task 9 – Water Year 2020 Annual Report	<i>No Amendment requested.</i>	\$34,379	\$0	\$34,379
Task 10 – Water Year 2021 Required GSP Annual Report	<i>No Amendment requested.</i>	\$73,920	\$0	\$73,920
Task 11 – Water Year 2022 Required GSP Annual Report	<i>No Amendment requested.</i>	\$74,680	\$0	\$74,680
Task 12 – Groundwater Ordinance/Water Availability Analysis Update Support, Well Testing Standards Development	This task did not include an allocation in the initial agreement; however, subsequent discussions with County staff and efforts to craft GSA Management Actions consistent with GSP regulatory requirements have indicated the need to revise the County’s Groundwater Ordinance and Water Availability Analysis guidance in fiscal year 2021-2022. Revisions would address recommendations approved by the County Board of Supervisors in 2018, including formalization of requirements for projects seeking a new use of groundwater in the Northeast Napa Management Area near Petra Drive. The revisions would also be implemented in a timely fashion in response to the water budget and sustainable yield analyses in the Napa Valley Subbasin GSP, to demonstrate County and GSA coordination toward the objective of sustainable groundwater management for the Napa Valley Subbasin.	\$0	\$43,000	\$43,000
Task 13 – Grant Proposal Support	<i>No Amendment requested.</i>	\$0	\$0	\$0
Task 14 – On-call Services and Meetings	<i>No Amendment requested.</i>	\$0	\$0	\$0
TOTAL		\$1,800,500	\$235,200	\$2,035,700

