

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

FOURTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL SERVICES

THIS FOURTH AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and Berg-Oliver Associates, Inc., (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Environmental Services on December 16, 2014, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by document dated July 28, 2015, (hereinafter "Amendment"), amendment dated October 6, 2015, (hereinafter "Second Amendment"); and subsequent amendment dated November 3, 2015, (hereinafter "Third Amendment"); and

WHEREAS, the parties desire to further amend the Agreement to include additional services specifically related to the following 2013 Mobility Projects:

1 st Street	13101
Reading Road	13102
Sansbury Blvd	13111
S. Post Oak	13112
Lake Olympia – Seg. 2	13217
Chimney Rock	13203

NOW, THEREFORE, the parties do mutually agree as follows:

1. Services to be rendered under the Agreement shall be amended to add environmental services for the above referenced 2013 Mobility Projects, as described in the Proposals dated May 20, 2015 (revised December 18, 2015), February 23, 2016, and December 15, 2015, all attached hereto as Exhibit A, and incorporated herein for purposes.
2. County shall pay Contractor an additional ninety-five thousand three hundred dollars and no/100 (\$95,300.00), for the additional professional environmental services to be rendered under this Amendment.
3. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed two hundred fifty-nine thousand six hundred sixty-eight dollars and no/100 (\$259,668.00), authorized as follows:
 - A. \$35,420.00 under the Agreement;
 - B. \$3,550.00 under the Amendment;
 - C. \$121,856.00 under the Second Amendment;
 - D. \$3,542.00 under the Third Amendment; and

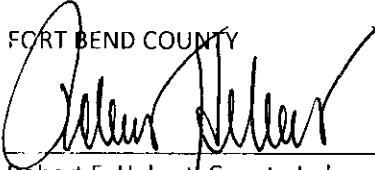
E. \$95,300.00 under this Fourth Amendment; of which amount is allocated to and funded by the 2013 Mobility Projects as follows:

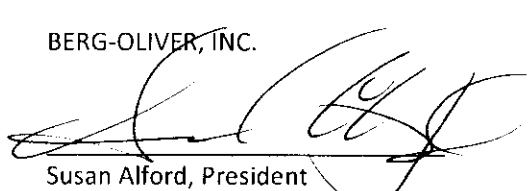
- i. \$8,185.00 1st Street Mobility Project No. 13101
- ii. \$29,400.00 Reading Road Mobility Project No. 13102
- iii. \$3,500.00 Sansbury Blvd Mobility Project No. 13111
- iv. \$13,365.00 S. Post Oak Mobility Project No. 13112
- v. \$11,450.00 Lake Olympia – Seg. 2 Mobility Project No. 13217
- vi. \$29,400.00 Chimney Rock Mobility Project No. 13203

4. In no case shall the amount paid by County for all Services under the Agreement and any subsequent amendment thereof exceed the Maximum Compensation without an approved change order.

Except as provided herein, all terms and conditions of the Agreement, the First, Second, and Third Amendments shall remain unchanged.

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FORT BEND COUNTY

Robert E. Hebert, County Judge

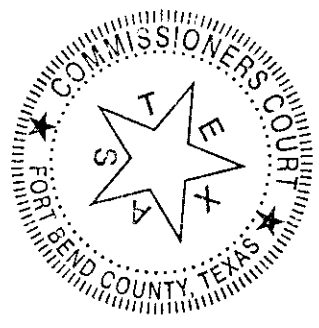
BERG-OLIVER, INC.

Susan Alford, President

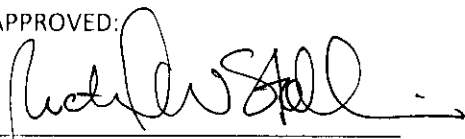
April 5, 2016
Date

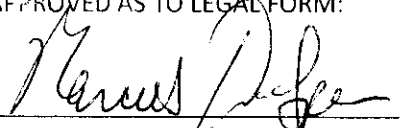
3/24/16
Date

ATTEST:

Laura Richard, County Clerk

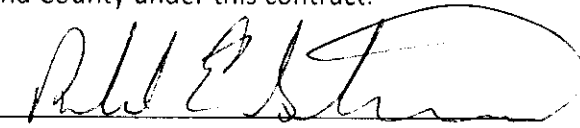


APPROVED:

Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 257,668.00 to accomplish and pay the obligation of Fort Bend County under this contract.


Robert Ed Sturdivant, County Auditor

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EXHIBIT A

Exhibit A-1 – Proposal dated May 20, 2015
(Revised December 18, 2015)

Exhibit A-2 – Proposal dated February 23, 2016

Exhibit A-3 – Proposal dated December 15, 2015

EXHIBIT A-1



BERG ♦ OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079
(281) 589-0898 fax: (281) 589-0007

Houston ♦ Dallas/ Fort Worth ♦ WDBE/HUB ♦ www.bergoliver.com

May 20, 2015 (revised December 18, 2015)

Fort Bend County Engineering Department
Mr. J. Stacy Slawinski, P.E.
301 Jackson Street
Richmond, Texas 77469

Via email: Stacy.Slawinski@forthemccountytx.gov; Tyng@hinkleybarfield.com

Re: Proposal for Additional Services for 10 projects within the Mobility Bond Program, located in Precinct 1 of Fort Bend County, Texas
BOA Project Number 9618

Dear Mr. Slawinski:

The following proposal is provided to Fort Bend County Engineering Department (FBCED) for environmental services for the Mobility Bond Program. Berg-Oliver Associates, Inc., performed the initial due diligence of 10 projects associated with the program in Fort Bend County, Texas. Berg ♦ Oliver is proposing to provide Additional Services that were identified as necessary or potentially necessary for the construction of each project based on the Limited Due Diligence Review previously performed as authorized by Fort Bend County. A summary table of proposed additional services, cost, and time estimate for complete agency approvals is included on Page 2 of this proposal.

Individual project scopes are described in Attachments A-D. Estimated costs and schedules listed on page 2 of this proposal.

AUTHORIZATION

Work performed under this proposal will be authorized by the execution of this agreement by an authorized signatory of FBCED.

RIGHT OF ENTRY

Unless otherwise stated, it is assumed that the client has the authority to enter the property for purposes of conducting environmental assessments and herein grants that authority to Berg ♦ Oliver.

BASIC COMPENSATION AND METHOD OF PAYMENT

Berg ♦ Oliver proposes to provide the environmental services on a time and materials basis per the rate schedule included as Attachment E, not to exceed the estimate for each individual task per scope item listed in the spreadsheet on page 2.

Each task may be authorized individually upon written notice by Fort Bend County, by individual project, or collectively. The table below is a summary.

Appendix	Project #	Roadway	Task	Cost Estimate	Time Estimate
A	13101	1st St	Cultural and Archaeological Pedestrian Survey	\$8,185.00	60 Days
B	13102	Reading Road	Full Due Diligence and TxDOT CE Checklist for I-M 762 Intersection	\$29,400.00	60 Days
C	13111	Sansbury Blvd	Wetland Delineation	\$3,500.00	30 Days
D	13112	S Post Oak Rd	Wetland Delineation Cultural and Archaeological Pedestrian Survey	\$3,500.00 \$9,865.00	30 Days 60 Days

The Total Estimate for additional services listed above is \$64,350.00

This amount excludes any potential permitting with the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and associated mitigation assessment and planning.

Invoices for all hourly work will be submitted monthly and will be based upon the attached Rate Schedule.

CONFIDENTIALITY OF ASSESSMENT

The assessment and all related work and services of Berg ♦ Oliver Associates, Inc. are confidential. Berg ♦ Oliver Associates, Inc. is hereby employed by Fort Bend County Engineering Department pursuant to this contract. Under such contract relationship, all correspondence, written or oral, which relates to the findings of this study are, to the extent permitted by law, strictly confidential between the parties hereto, unless Berg ♦ Oliver Associates, Inc. receives a written request from the client to offer the results of this study to a third party not a part of this agreement/proposal. Environmental assessments may occasionally uncover extremely sensitive findings. It is the responsibility of Berg ♦ Oliver Associates, Inc. to report these findings to the authorizing client and to no other party.

PROPOSAL ACCEPTANCE AND EXECUTION

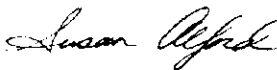
Acceptance of this proposal will serve as authorization to proceed with the work proposed herein. The signatory below also represents that the client has, or has secured, the authority to grant permission for Berg ♦ Oliver Associates, Inc. personnel to enter the subject property as necessary to conduct these assessments and that such permission is granted to Berg ♦ Oliver Associates, Inc. by the execution of this agreement/proposal. If the client is a Corporation or a Partnership, then the signature below will also represent the personal guarantee of the individual signing on behalf of the Client.

IN WITNESS THEREOF, Fort Bend County Engineering Department and Berg ♦ Oliver Associates, Inc. have accepted and executed this proposal for environmental services on this the _____ day of _____, 2015.

**FORT BEND COUNTY
ENGINEERING DEPARTMENT**

By: _____
Authorized Signature

BERG ♦ OLIVER ASSOCIATES, INC.

By:  _____
Susan Alford, REM
President

Attachment A

1ST STREET PROJECT NO. 13101

PROPOSED SCOPE

Project No. 13101 is located on 2,400 linear feet along 1st Street, Fort Bend County, Texas.

Based on the Preliminary Due Diligence performed the proposed project may possess or impact cultural resources. Specifically, near the center of the project area, historic documentation reviewed during the due diligence suggest the possibility of historic age remnants may be present. To be compliant with the Texas Antiquities Code (Title 9 Chapter 191 of the Texas Administrative Code) an architectural field survey to evaluate historic-age structures and limited archeological survey to confirm the absence of buried, historic artifacts or features is appropriate in the center portion of the project area.

It is recommended that an Archeological Pedestrian Survey be conducted. An Antiquities Permit from the Texas Historical Commission will be required to conduct the survey.

The scope of work for this investigation is anticipated to be completed within sixty (60) working days of the receipt by Berg ♦ Oliver Notice to Proceed

Attachment B

READING ROAD

From FM 762 eastward to Royal Crest Lane

Due Diligence

and

TxDOT CE Checklist for FM 762 Intersection

Proposed Scope

TASK I

PHASE I ENVIRONMENTAL SITE ASSESSMENT

and

TXDOT INITIAL SITE ASSESSMENT (ISA)

Phase I investigative work includes, but may not be limited to, four basic tasks which are each comprised of several components. The details of these tasks are set forth below, listing the standard components of each. The ASTM E 1527-2013 standard prescribes a review of *reasonably ascertainable* information; that is, information that is publicly available, obtainable from its source within reasonable time and cost restraints, and practically reviewable. The availability of information will vary based on the location of a given site. Berg ♦ Oliver will attempt to review as much of the following information as is reasonably ascertainable for this project.

Task 1: Records Review

Standard Environmental Record Sources

Review documented environmental site listings from Federal and State regulatory agency database sources, including the following:

<u>Sources</u>	<u>Minimum Search Distance</u>
1. Federal NPL Facilities/Sites Lists	1.0 Mile Radius
2. Federal NPL-Delisted Sites List	0.5 Mile Radius
3. Federal CERCLIS List	0.5 Mile Radius
4. Federal NFRAP List	0.5 Mile Radius
5. Federal RCRA Corraacts List	1.0 Mile Radius
6. Federal RCRA TSD List	0.5 Mile Radius
7. Federal RCRA Generator List	Adjoining

8. Federal Finds List	0.5 Mile Radius
9. Federal ERNS List	Site Specific
10. State Priority List	1 Mile Radius
11. State IOP List	0.5 Mile Radius
12. State SWLF/CLI List	0.5 Mile Radius
13. State CLI List	0.5 Mile Radius
14. State LPST List	0.5 Mile Radius
15. State Registered UST/AST List	Adjoining
16. State PST List	0.5 Mile Radius
17. State TCEQ VCP List	0.5 Mile Radius
18. State Brownfield List	0.5 Mile Radius
19. Dry Cleaner List	0.5 Mile Radius
20. IHW List	Adjoining
21. Local Hazmat Spills	Site Specific

Documented regulatory agency sites located within the ASTM prescribed minimum search distance will be identified and plotted on a composite site map.

Physical Setting Sources

USGS Topographic Map(s) will be reviewed to determine site topography and surface drainage patterns of the site and the surrounding area. Current and past structures, roads, well installations, and other improvements will be evaluated, as well as other pertinent physical features such as streams or water bodies. **Federal Emergency Management Agency** floodplain map(s) will be evaluated to determine if the subject property lies within a known floodplain. The appropriate **Soil Survey** from the **USDA Natural Resource Conservation Service** will be reviewed to determine the site's soil conditions and general surface geology of the area. General descriptions will be made of the subsurface hydrogeology based on information from **USGS Groundwater Maps** or other sources.

Historical Use Information

Historical Aerial Photographs will be obtained from aerial photography firms having inventory of the subject area. The photographs will be reviewed to evaluate previous land use characteristics for the property and adjacent parcels. The photographs will also be checked for possible oil and gas exploration activities, surficial anomalies associated with waste ponds or dumps, and previous commercial and/or industrial activities.

Local **City Directories** and **Sanborn Fire Insurance Maps**, if available, will be reviewed for listings of the types of past structures or business operations that may have existed on the property. In addition, **Texas Railroad Commission Records** will be reviewed to

determine if oil and/or gas exploration or production has occurred on the site. This information will be obtained from a **Regional Oil and Gas Survey Map** prepared by Tobin Research, Inc.

Task 2: Interviews and Agency Inquiries

Owner/Occupant Inquiry

Inquiries will be made of person(s) who may have knowledge of current or historical conditions associated with the subject property. One or more of the following individuals may be contacted for an interview: 1) **Current Owner** 2) **Owner's Representative** 3) **Occupants or Tenants** 4) **Adjacent Property Owners/Occupants**. Interviews may be conducted in person, by telephone, or by written correspondence in the form of an **Owner/Occupant Questionnaire**.

Local Agencies and/or Officials

Inquiries will be made of local agencies or officials that may have records of environmental conditions or incidents related to the subject property or adjacent properties. Such agencies may include the **Local Fire Department, Hazardous Materials Response, City/County Health Department, Local Pollution Control Agency**, or others deemed appropriate for the property, its location, or specific conditions.

Task 3: Additional Records Sources

In the event that site-specific conditions or standard information sources indicate a potential environmental condition(s) associated with the property, other selective files or records may be reviewed for additional information regarding such conditions. This information will be obtained at the discretion of Berg ♦ Oliver Associates, Inc. based on the findings of the investigation. Other typical sources include specific files from the **Texas Railroad Commission, the Texas Commission on Environmental Quality, and the Environmental Protection Agency**.

Task 4: Site Reconnaissance

General Site Setting

Site reconnaissance will be conducted to physically and visually inspect the property for indications of environmental conditions. Observations will be made of the **Current Site Usage, Adjacent Site Usage, Topography and Landscape, Structures, Roads, Improvements** and, to the extent practicable, **Potable Water Supply, Sewage Disposal System, and other Utility Installations**.

Interior and Exterior Observations

The property and any buildings or structures will be inspected for visual or physical evidence of hazardous substances or petroleum products. Exterior observations include, but are not limited to, pits, ponds, lagoons, stained soil or pavement, pools of liquid, strong odors, stressed vegetation, solid waste, waste water and associated discharge(s), above or below ground storage tanks, drums or containers, unidentified substances, wells, or septic systems. If interior inspection is required, observations will include those listed above, if applicable, as well as heating/cooling sources and fuels, stains or corrosion, drains and sumps, storage or treatment areas, and construction materials. Any listed, or non-listed, indicator of hazardous substances or petroleum products will be identified in the findings of the report.

TASK II **WETLAND DELINEATION** **SCOPE OF WORK**

The objective of the delineation is to evaluate and document any portion of the site to be classified as a "Jurisdictional Water of the United States" as defined in 33 CFR 328 and subject to U.S. Army Corps of Engineers (USACE) jurisdiction.

Delineation work will consist of the following tasks:

1. **Review of NRCS Soil Surveys:** Task 1 will include a review of previously published soil data published by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), to determine the types of surface soils expected to be confirmed by on-site soil analysis.
2. **Review of Aerial Photographs:** Task 2 will include a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
3. **Site Reconnaissance for Wetland Indicators:** Task 3 will include inspecting the property under the field procedures outlined in the Corps of Engineers Wetland Delineation Manual – Technical Report Y-87-1 by the USACE. The delineation will be conducted according to the 1987 USACE Wetland Delineation Manual, the December 2008 Rapanos Guidance for Jurisdictional Determination, and the 2009 Atlantic and Gulf Coast Plain Delineation Supplement.
4. **Demarcation of Wetland Areas:** Task 4 will include the flagging of the jurisdictional wetland areas and/or the ordinary high water mark for location by a Global Positioning

System (GPS) using the USACE October 2003 Standard Operating Procedures. The boundaries of all Section 10 and 404 waters/wetland limits within the property boundaries will be plotted on a scaled map. Each Jurisdictional area will be depicted with the following information: (1) size and shape; (2) surface area calculation (acres); and (3) combined total wetland and Jurisdictional Water area calculations for the entire subject tract. The final report submitted to the client from Berg ♦ Oliver will reflect the GPS data showing the location of the wetlands.

5. **Report Preparation:** Task 5 will include the preparation of a final report. Upon completion of the site reconnaissance, data translation, and map preparation, a report will be completed, one copy of which will be given to the client. The report will include a discussion of methodology used to delineate the tract, site findings, copies of all historical information reviewed (such as U.S. Geological Survey topographical maps, NRCS soil survey maps, and aerial photographs), site photographs, USACE routine data sheets, and a wetland delineation map.

TASK III
CULTURAL RESOURCES INVESTIGATION
and
TXDOT PCR
SCOPE OF WORK

The proposed project is located within a section of the Stephen F. Austin original 300 colony settlement. Documentation of the settlement specific to the project is required. Additionally, the objective of the Historical, Cultural and Archeological Assessment is to evaluate the detectable existence of sites of significant historical, cultural, and archeological public value on the subject site. The cultural resources survey will be conducted by subcontract and incorporated into the more complete assessment described herein. A review of available historical, cultural, and archeological documents and Texas Historical Commission (THC) records to assist in the evaluation of prior historical use and the presence or absence of recorded historical, cultural and/or archeological sites. The information provided under this task will be included in two Project Coordination Request (PCR) forms, one for archeological resources and one for historic resources, in accordance with TxDOT SOUs. TxDOT will conduct tribal coordination, as well as all THC coordination.

It is assumed that construction associated with this project will not affect historic structures, buildings, or districts, and will not require the completion of activities associated with a historic structure survey. The cost for deep testing and cost for curation is not included in the current estimate. However, these services can be performed at an additional cost should they be required

TASK IV:
CATEGORICAL EXCLUSION CHECKLIST
FOR McHARD ROAD INTERSECTION
SCOPE OF WORK

Berg ♦ Oliver will prepare a Categorical Exclusion Checklist (CE) for the proposed project. This Scope of Services is based on the assumption that a CE Checklist is the appropriate level of documentation for the proposed action. The purpose of this task is to prepare a CE Scoping Document upon project kick-off for TxDOT review and approval, perform an evaluation of the environmental setting for the project area, and prepare a CE Checklist and supporting documentation in compliance with TxDOT's Standards of Uniformity (SOUs). **If TxDOT determines a full CE document is needed, an additional scope and estimate will be provided to FBCED.**

As proposed as a CE Checklist, this task assumes that the purpose, need, and funding for the project has been provided by the FBCED, as identified above. The following activities are included under this task:

Data Collection - Berg ♦ Oliver will review, collect and evaluate data pertaining to this project in order to become familiar with existing conditions of the project area and to identify significant features of the community. This task includes obtaining various maps and other supporting data, as needed.

Biological and Natural Resource Impact Assessment - The Biological and Natural Resource aspects of the proposed project will be reviewed and analyzed for potential impacts to those resources. The Threatened and Endangered Species listings currently maintained by U.S. Fish & Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) will be evaluated to determine if any of the listed species may be shown to potentially inhabit the area and will be indicated by map. The site will be reviewed for the presence of biological indicators, and a Tier I Assessment in accordance with the new September 2013 TPWD-TxDOT Memorandum of Understanding (MOU). A check of the Natural Diversity Database (NDD) will be obtained from the TPWD. TxDOT's Biological Evaluation Form will be completed and submitted as part of the CE documentation.

Water Resources Assessment - This includes an evaluation of waters of the U.S. and Section 404/10 permitting, water quality (TPDES, MS4, BMPs, etc...), TCEQ's 303(d) List, and Floodplains.

Review of Socioeconomic Elements - This task includes a windshield survey of the area surrounding the project location, as well as research and review of available income information for the community, such as median annual income, to address socioeconomic conditions and environmental justice. TxDOT's Socioeconomics Technical Report will be

completed and submitted as part of the CE package.

Hazardous Waste Impacts Assessment - A hazardous materials Initial Site Assessment (ISA) will be conducted to identify, to the extent feasible under the processes prescribed in ASTM E 1527-13, the potential for recognized environmental conditions; that is, the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into the ground, groundwater, or surface water of the property. The ISA will have three components, described as follows:

1. Records Review: Obtain and review records that will help identify recognized environmental conditions in connection with the property. Some records will pertain to properties within an additional approximate search distance in order to help assess the likelihood of potential problems from migrating substances. Included in the records review is a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
2. Site Reconnaissance: Visually and physically inspect the property and adjoining properties, to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles, for evidence of hazardous substances or petroleum products.
3. Evaluation and Report Preparation: The information gathered from the previous tasks will be evaluated, and the findings will be presented in TxDOT's ISA Form (April 2014 version), in accordance with TxDOT SOUs, and submitted to the Client and TxDOT.

Summary of CE Checklist Deliverables

Berg ♦ Oliver will complete the electronic CE Checklist for TxDOT's use. In addition, the NDD map/summary, Hazardous Material ISA form, and Archeological and Historic PCR forms will be submitted electronically to the Client for review, then to TxDOT electronically for review and processing.

TASK V **PROJECT MANAGEMENT** **SCOPE OF WORK**

The Berg ♦ Oliver Project Manager will be responsible for oversight and daily management of this project. Frequent and appropriate communications will be maintained between Berg ♦ Oliver and the FBCED in an effort to expedite completion of the project. Berg ♦ Oliver has incorporated internal quality assurance/quality control procedures, which will be used to validate the data collected, conclusions drawn, and information presented in the draft and final written reports. The following items are included in the project management tasks:

1. Coordinate the daily environmental study activities of the project
2. Coordinate and meet with design teams and team members, as necessary
3. Attend up to seven (7) miscellaneous meetings, as requested by FBCED, TxDOT, and the design team.
4. Provide quality assurance of Berg♦Oliver's environmental services throughout the duration of the project.

Attachment C

SANSBURY BOULEVARD PROJECT NO. 13111

Proposed Scope

Project No. 13111 is located on 4,600 linear feet along Sansbury Boulevard, east of Williams Way Boulevard and west of Canyon Lakes Drive in Fort Bend County, Texas.

WETLAND DELINEATION SCOPE OF WORK

The objective of the delineation is to evaluate and document any portion of the site to be classified as a "Jurisdictional Water of the United States" as defined in 33 CFR 328 and subject to U.S. Army Corps of Engineers (USACE) jurisdiction.

Delineation work will consist of the following tasks:

1. Review of NRCS Soil Surveys: Task 1 will include a review of previously published soil data published by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), to determine the types of surface soils expected to be confirmed by on-site soil analysis.
2. Review of Aerial Photographs: Task 2 will include a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
3. Site Reconnaissance for Wetland Indicators.: Task 3 will include inspecting the property under the field procedures outlined in the Corps of Engineers Wetland Delineation Manual – Technical Report Y-87-1 by the USACE. The delineation will be conducted according to the 1987 United States Army Corps of Engineers Wetland Delineation Manual, the December 2008 Rapanos Guidance for Jurisdictional Determination, and the 2009 Atlantic and Gulf Coast Plain Delineation Supplement.
4. Demarcation of Wetland Areas: Task 4 will include the flagging of the jurisdictional wetland areas and/or the ordinary high water mark for location by a Global Positioning System (GPS) using the USACE October 2003 Standard Operating Procedures. The

boundaries of all Section 10 and 404 waters/wetland limits within the property boundaries will be plotted on a scaled map. Each Jurisdictional area will be depicted with the following information: (1) size and shape; (2) surface area calculation (acres); and (3) combined total wetland and Jurisdictional Water area calculations for the entire subject tract. The final report submitted to the client from Berg ♦ Oliver will reflect the GPS data showing the location of the wetlands.

5. Report Preparation: Task 6 will include the preparation of a final report. Upon completion of the site reconnaissance, data translation, and map preparation, a report will be completed, one copy of which will be given to the client. The report will include a discussion of methodology used to delineate the tract, site findings, copies of all historical information reviewed, such as U.S. Geological Survey topographical maps, NRCS soil survey maps, aerial photographs, site photographs, USACE routine data sheets, and a wetland delineation map.

Attachment D

SOUTH POST OAK ROAD PROJECT NO. 13112

Proposed Scope

Project No. 13112 is located on 5,300 linear feet along South Post Oak Road, north of Hunter Green Lane and south of Trammel Fresno Road in Fort Bend County, Texas. The exact location and description, if required, will be provided by FBCED prior to the initiation of work.

SCOPE OF SERVICES

TASK I **WETLAND DELINEATION**

The objective of the delineation is to evaluate and document any portion of the site to be classified as a "Jurisdictional Water of the United States" as defined in 33 CFR 328 and subject to U.S. Army Corps of Engineers (USACE) jurisdiction. ^

Delineation work will consist of the following tasks:

6. Review of NRCS Soil Surveys: Task 1 will include a review of previously published soil data published by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), to determine the types of surface soils expected to be confirmed by on-site soil analysis.
7. Review of Aerial Photographs: Task 2 will include a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
8. Site Reconnaissance for Wetland Indicators.: Task 3 will include inspecting the property under the field procedures outlined in the Corps of Engineers Wetland Delineation Manual – Technical Report Y-87-1 by the USACE. The delineation will be conducted according to the 1987 United States Army Corps of Engineers Wetland Delineation Manual, the December 2008 Rapanos Guidance for Jurisdictional Determination, and the

2009 Atlantic and Gulf Coast Plain Delineation Supplement. The recent guidance and supplemental criteria have altered the primary determining factors for identifying waters of the United States. However, compliance with these criteria requires a significant increase in the documentation and scientific evaluation.

Transects are required for tracts greater than 5 acres in size, unless negotiated with the USACE to forego transects based on the homogeneous landscape and habitat type. If necessary, transects will be performed across the property, perpendicular to the nearest watercourse. Samples of vegetation, soils, and hydrology indicators will be taken at each change in topography or vegetation. Vegetation samples will be evaluated and recorded at each sample area. Upland vegetation will be verified, for it is as significant as wetland vegetation in the determination process. Inspection of the property for evidence or lack of wetland hydrology will be performed at each sample area. Soil samples will be evaluated at each test site for their hydric and non-hydric characteristics. Non-hydric soils verify upland status and are as significant as hydric soils in the determination process.

9. Demarcation of Wetland Areas: Task 4 will include the flagging of the jurisdictional wetland areas and/or the ordinary high water mark for location by a Global Positioning System (GPS) using the USACE October 2003 Standard Operating Procedures. The boundaries of all Section 10 and 404 waters/wetland limits within the property boundaries will be plotted on a scaled map. Each Jurisdictional area will be depicted with the following information: (1) size and shape; (2) surface area calculation (acres); and (3) combined total wetland and Jurisdictional Water area calculations for the entire subject tract. The final report submitted to the client from Berg ♦ Oliver will reflect the GPS data showing the location of the wetlands.
10. Report Preparation: Task 6 will include the preparation of a final report. Upon completion of the site reconnaissance, data translation, and map preparation, a report will be completed, one copy of which will be given to the client. The report will include a discussion of methodology used to delineate the tract, site findings, copies of all historical information reviewed, such as U.S. Geological Survey topographical maps, NRCS soil survey maps, aerial photographs, site photographs, USACE routine data sheets, and a wetland delineation map.

TASK II
ARCHAEOLOGICAL PEDESTRIAN SURVEY
SCOPE OF WORK

Based on the Preliminary Due Diligence performed the proposed project may possess or impact cultural resources. Specifically, historic documentation reviewed during the due diligence suggest the possibility of 15-20 historic age remnants may be present. To be compliant with the Texas Antiquities Code (Title 9 Chapter 191 of the Texas Administrative Code) an architectural field

survey to evaluate historic-age structures. A limited archeological survey to confirm the absence of buried, historic artifacts or features is appropriate along the existing South Post Oak road, where historic maps and aerials suggest former homesteads may be existed, and along the area proposed for new ROW south of West Sycamore Road.

It is recommended that a Cultural and Archeological Pedestrian Survey be conducted. An Antiquities Permit from the Texas Historical Commission will be required to conduct the survey. Concurrence of Findings will be obtained from the agency.

The scope of work for this investigation is anticipated to be completed within sixty (60) working days of the receipt by Berg ♦ Oliver Notice to Proceed

Attachment E

2014 PERSONNEL RATE SCHEDULE

<u>Personnel</u>	<u>Hourly Billing Rate</u>
Project Director/Principal	\$190.00
Senior Associate	\$170.00
Professional Engineer	\$170.00
Project Manager/Registered Environmental Manager	\$160.00
Professional Geologist	\$160.00
Health/Safety Officer/Chemist	\$160.00
Project Coordinator	\$130.00
Wetlands Biologist/Ecologist	\$120.00
Soil Scientist/Geologist	\$120.00
Senior GIS Analyst	\$125.00
GIS Analyst	\$110.00
Field Technician	\$85.00
In-House Technician/Administrator	\$80.00
CADD Sr. Analyst	\$110.00
CADD Analyst	\$80.00
Administrative/Word Processing	\$65.00
Specialist Subcontractors	Cost + 15%

Above rates include all normal expenses of BOA's business, including mailing charges, in-house photocopying, long distance telephone costs, in-house graphic systems, and local area travel, unless otherwise stated in the agreement. Expenses, such as travel beyond fifty (50) miles, outside photocopying, delivery charges, photographic reproduction, and other outside services, are considered reimbursable by the client at rate of cost +15%. Any extraordinary reimbursable expenses, in excess of \$250.00 must have authorization from the client.

NOTE: The rate schedule is for the current fiscal year, with an effective date of January 1. Hourly rates are adjusted annually as inflation dictates. If this contract spans more than one fiscal year (ending December 31), hourly rates may be adjusted. Regardless of any rate adjustment, the "not to exceed" figures in a contract will not change.

EXHIBIT A-2



BERG ♦ OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079
(281) 589-0898 fax: (281) 589-0007
Houston ♦ Dallas/ Fort Worth ♦ WDBE/HUB ♦ www.bergoliver.com

February 23, 2016

Fort Bend County Engineering Department
Mr. J. Stacy Slawinski, P.E.
301 Jackson Street
Richmond, Texas 77469

Via email: Stacy.Slawinski@fortbendcountytexas.gov; DonDurgin@rpsklotz.com

Re: Proposal for Phase 2 of the Lake Olympia Extension, from FM 521 to California Street, located in Fort Bend County, Texas
BOA Project Number 10161

Dear Mr. Slawinski:

The following proposal is provided to Fort Bend County Engineering Department for environmental services for Phase 2 of the Lake Olympia Extension, with 300 foot ROW, approximately 2 miles, located within Fort Bend County, Texas. Berg ♦ Oliver Associates, Inc. (Berg ♦ Oliver) will provide special attention to complete the work in a timely and professional manner. We will begin the assessment upon your acceptance and execution of this proposal.

Berg ♦ Oliver Associates, Inc. is proposing to provide the following services: Task I) Wetland Delineation with GPS Mapping (**10161N-WD**), Task II) Threatened and Endangered Species Survey (**10161N-TE**), Task III) Archeology Records Review Cultural Resource Survey (**10161N-AR**), and Task IV) Limited Phase I Environmental Site Assessment (**10161H-PIL**). Attachment A describes each of these services.

PROJECT SCHEDULE

The scope of work involved in this environmental service proposal is anticipated to be complete within sixty (60) calendar days of the receipt of an executed proposal and boundary survey/plat, or other suitable boundary map by Berg ♦ Oliver. The project completion schedule is the goal of all parties; it does not, however, reflect unusual delays due to forces beyond the control of Berg ♦ Oliver and/or modifications to the scope of work based upon actual findings or additional requests by Fort Bend County Engineering Department, its agents, or governmental agency.

Berg ♦ Oliver Associates, Inc.
BOA Project Number 10161
February 23, 2016

RIGHT OF ENTRY

Unless otherwise stated, it is assumed that the client has the authority to enter the property for purposes of conducting environmental assessments and herein grants that authority to Berg ♦ Oliver.

BASIC COMPENSATION AND METHOD OF PAYMENT

Berg ♦ Oliver proposes to provide the environmental services described below to Fort Bend County Engineering Department for the following lump sum amount:

TASK I: WETLAND DELINEATION WITH GPS.....	\$6,900.00
TASK II: THREATENED AND ENDANGERED SPECIES.....	\$1,725.00
TASK III: ARCHEOLOGICAL REVIEW.....	\$1,100.00
TASK IV: LIMITED PHASE I ESA.....	<u>\$1,725.00</u>
GRAND TOTAL	\$11,450.00

If additional tasks require more than a 10% overage (as described above), Berg ♦ Oliver will provide the client with an appropriate change order.

This cost estimate is valid for a period of six (6) months beyond the date shown below. After six (6) months, cost estimates may change due to fluctuations in fuel, subcontractors, and other sources required to complete the project.

Berg ♦ Oliver will begin the work described herein upon the execution of this proposal by the client. Invoices for each lump sum amount will be invoiced upon completion of the task or upon 50%, 75%, and 100% completion if the project takes longer than thirty (30) days to complete. Invoices for all hourly work will be submitted monthly and will be based upon the attached Rate Schedule. Payment of all invoices is expected within thirty (30) days of the client’s receipt of the invoice submitted by Berg ♦ Oliver. If invoice is not paid in full in thirty (30) days, interest will accrue at 1.5% per month (18% per annum).

CONFIDENTIALITY OF ASSESSMENT

The assessment and all related work and services of Berg ♦ Oliver Associates, Inc. are confidential. Berg ♦ Oliver Associates, Inc. is hereby employed by Fort Bend County Engineering Department pursuant to this contract. Under such contract relationship, all correspondence, written or oral, which relates to the findings of this study are, to the extent permitted by law, strictly confidential between the parties hereto, unless Berg ♦ Oliver Associates, Inc. receives a written request from the client to offer the results of this study to a third party not a part of this agreement/proposal. Environmental assessments may occasionally uncover extremely sensitive findings. It is the responsibility of Berg ♦ Oliver Associates, Inc. to report these findings to the authorizing client and to no other party.

PROPOSAL ACCEPTANCE AND EXECUTION

Acceptance of this proposal will serve as authorization to proceed with the work proposed herein. The signatory below also represents that the client has, or has secured, the authority to grant permission for Berg ♦ Oliver Associates, Inc. personnel to enter the subject property as necessary to conduct these assessments and that such permission is granted to Berg ♦ Oliver Associates, Inc. by the execution of this agreement/proposal. If the client is a Corporation or a Partnership, then the signature below will also represent the personal guarantee of the individual signing on behalf of the Client.

IN WITNESS THEREOF, Fort Bend County Engineering Department and Berg ♦ Oliver Associates, Inc. have accepted and executed this proposal for environmental services on this the _____ day of _____, 2016.

**FORT BEND COUNTY
ENGINEERING DEPARTMENT**

By: _____
Authorized Signature

BERG ♦ OLIVER ASSOCIATES, INC.

By: *Susan Alford*
Susan Alford, REM
President

TASK I
WETLAND DELINEATION, INCLUDING GPS MAPPING
SCOPE OF WORK

The objective of the delineation is to evaluate and document any portion of the site to be classified as a "Jurisdictional Water of the United States" as defined in 33 CFR 328 and subject to U.S. Army Corps of Engineers (USACE) jurisdiction. The delineation will be conducted according to the 2010 Regional Supplement to the Corps of Engineers (USACE) Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (v.2), and the 2015 Clean Water Act Final Wetland Rule. The recent guidance and supplemental criteria have altered the primary determining factors for identifying waters of the United States. However, compliance with these criteria requires a significant increase in the documentation and scientific evaluation.

Delineation work will consist of the following tasks:

Task 1: Review of NRCS Soil Surveys: Task 1 will include a review of previously published soil data published by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), to determine the types of surface soils expected to be confirmed by on-site soil analysis.

Task 2: Review of Aerial Photographs: Task 2 will include a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.

Task 3: Site Reconnaissance for Wetland Indicators: Task 3 will include inspecting the property under the field procedures outlined in the Corps of Engineers Wetland Delineation Manual - Technical Report Y-87-1 by the USACE.

Transects are required for tracts greater than 5 acres in size, unless negotiated with the USACE to forego transects based on the homogeneous landscape and habitat type. If necessary, transects will be performed across the property, perpendicular to the nearest watercourse. Samples of vegetation, soils, and hydrology indicators will be taken at each change in topography or vegetation. Vegetation samples will be evaluated and recorded at each sample area. Upland vegetation will be verified, for it is as significant as wetland vegetation in the determination process. Inspection of the property for evidence or lack of wetland hydrology will be performed at each sample area. Soil samples will be evaluated at each test site for their hydric and non-hydric characteristics. Non-hydric soils verify upland status and are as significant as hydric soils in the determination process.

Task 4: Demarcation of Wetland Areas: Task 4 will include the flagging of the jurisdictional wetland areas and/or the ordinary high water mark for location by GPS using the USACE October 2003 Standard Operating Procedures.

Task 5: GPS of Wetland Areas: To receive USACE Verification and subsequent permits, the wetland and waters identified and marked during delineation must be located using the October 2003 USACE Standard Operating Procedure. Collection of data will be conducted using a Trimble Pro-XRS integrated GPS/Beacon receiver and a Trimble TSC1 datalogger. Each survey point will be taken using DGPS real-time or post-processed survey techniques, and all data must be submitted as NAD 1983 UTM coordinates. 10% of all points surveyed must be repeated as an additional measure of accuracy. It is estimated that the field work for the mapping will require up to two (2) days of field reconnaissance and up to one-half (1/2) day of post processing time. Prior to field reconnaissance, the client must provide a boundary survey.

Task 6: Preparation of a Map Representing Wetland Areas: Upon receipt of the GPS wetland areas and the limits of the Jurisdictional Waters, information regarding the field location of the boundaries of all Section 10 and 404 waters/wetland limits within the property boundaries will be plotted on a scaled map. Each Jurisdictional area will be depicted with the following information: (1) size and shape; (2) surface area calculation (acres); and (3) combined total wetland and Jurisdictional Water area calculations for the entire subject tract. The final report submitted to the client from Berg ♦ Oliver will reflect the surveyed data from the GPS survey showing the location of the wetlands.

Task 7: Report Preparation: Task 7 will include the preparation of a final report. Upon completion of the site reconnaissance, data translation, and map preparation, a report will be completed, two copies of which will be given to the client. The report will include a discussion of methodology used to delineate the tract, site findings, copies of all historical information reviewed, such as U.S. Geological Survey topographical maps, NRCS soil survey maps, aerial photographs, site photographs, USACE routine data sheets, and a wetland delineation map.

TASK II **THREATENED AND ENDANGERED SPECIES ASSESSMENT** **SCOPE OF WORK**

The objective of the Threatened and Endangered Species Assessment is to evaluate the potential for the existence of critical or irreplaceable habitats, which are considered protected under the Endangered Species Act of 1973 and subsequent amendments and listings. The following selected tasks will be considered for the extension project.

1: Review of Agency Listing for Estimated Habitat Boundaries. The listings currently maintained by U.S. Fish and Wildlife will be evaluated to determine if any of the listed species may be shown to potentially inhabit the area.

2: Consultation with Appropriate Agencies. Task 1 results may reveal the need for additional current information. If indicated, several private sources and agencies will be interviewed for information regarding specific species having potential for habitation of the subject site.

3: Site Reconnaissance and Biological Impact Assessment. The biological aspects of the potential habitat will be physically reviewed and documented to determine if the habitat is desirable or reproductively useful to the specific species. The site will be reviewed for biological indicators of presence. If marginal or suspicious habitats are encountered, a specialist on the specific study species will be consulted and included in the site impact assessment.

4: Preparation of Letter of Findings and Recommendations. Following the completion of all research and site reconnaissance, a letter of findings and recommendations will be completed and forwarded to the client.

TASK III
ARCHEOLOGICAL RECORDS REVIEW
CULTURAL RESOURCE SURVEY
SCOPE OF WORK

The objective of the Historical, Cultural, and Archeological Records Review is to: 1) review related historical information, including the Texas Historical Commission's (THC) records; and 2) based on the review of THC's records and property characteristics, determine if the subject tract possesses sufficient criteria to necessitate a detailed study that would evaluate the potential for sites of significant historical, cultural, or archeological public value on the subject property.

The records review will be conducted by subcontract and reviewed by Berg ♦ Oliver personnel. Findings and recommendations will be provided to the client by Berg ♦ Oliver.

TASK IV
LIMITED PHASE I ASSESSMENT
SCOPE OF WORK
INVESTIGATIVE WORK

The objective of the assessment is to identify, to the extent feasible under the processes prescribed in ASTM E 1527-2013, the potential for recognized environmental conditions; that is, the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into the ground, groundwater, or surface water of the property. The Phase I will have four components, described as follows:

Task A: Records Review

Obtain and review records that will help identify recognized environmental conditions in connection with the property. Some records will pertain to properties within an additional approximate search distance in order to help assess the likelihood of potential problems from migrating substances.

Standard Environmental Record Sources

Review documented environmental site listings from Federal and State regulatory agency database sources, including the following:

<u>Sources</u>	<u>Minimum Search Distance</u>
1. Federal NPL Facilities/Sites Lists	1.0 Mile Radius
2. Federal NPL-Delisted Sites List	0.5 Mile Radius
3. Federal CERCLIS List	0.5 Mile Radius
4. Federal NFRAP List	0.5 Mile Radius
5. Federal RCRA Corraacts List	1.0 Mile Radius
6. Federal RCRA TSD List	0.5 Mile Radius
7. Federal RCRA Generator List	Adjoining
8. Federal Finds List	0.5 Mile Radius
9. Federal ERNS List	Site Specific
10. State Priority List	1 Mile Radius
11. State IOP List	0.5 Mile Radius
12. State SWLF/CLI List	0.5 Mile Radius
13. State CLI List	0.5 Mile Radius
14. State LPST List	0.5 Mile Radius

15. State Registered UST/AST List	Adjoining
16. State PST List	0.5 Mile Radius
17. State TCEQ VCP List	0.5 Mile Radius
18. State Brownfield List	0.5 Mile Radius
19. Dry Cleaner List	0.5 Mile Radius
20. IHW List	Adjoining
21. Local Hazmat Spills	Site Specific

Documented regulatory agency sites located within the ASTM prescribed minimum search distance will be identified and plotted on a composite site map.

Task B: Site Reconnaissance and Historical Review

Visually and physically inspect the property and adjoining properties, to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles, for evidence of hazardous substances or petroleum products. Observations will be made of the **Current Site Usage, Adjacent Site Usage, Topography and Landscape, Structures, Roads, Improvements** and, to the extent practicable, **Potable Water Supply, Sewage Disposal System,** and other **Utility Installations.** Review **Historical Aerial Photographs** to evaluate previous land use characteristics for the property and adjacent parcels. The photographs will also be checked for possible oil and gas exploration activities, surficial anomalies associated with waste ponds or dumps, and previous commercial and/or industrial activities.

Task C: Evaluation and Report Preparation:

The information gathered from the previous tasks will be evaluated, and the findings will be presented in a letter report that describes, at minimum, site and vicinity descriptions, current and past uses of the property and adjoining properties, information from records reviews, information from site reconnaissance, conclusions and opinions of impacts, if any, of recognized environmental conditions. The letter report will also provide recommendations.



BERG ♦ OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079
(281) 589-0898 fax: (281) 589-0007
Houston ♦ Dallas/Fort Worth ♦ WDBIE/HUB ♦ www.bergoliver.com

2016 PERSONNEL RATE SCHEDULE

<u>Personnel</u>	<u>Hourly Billing Rate</u>
Project Director/Principal	\$190.00
Senior Associate	\$170.00
Professional Engineer	\$170.00
Project Manager/Registered Environmental Manager	\$160.00
Professional Geologist	\$160.00
Health/Safety Officer/Chemist	\$160.00
Project Coordinator	\$130.00
Wetlands Biologist/Ecologist	\$120.00
Soil Scientist/Geologist	\$120.00
Senior GIS Analyst	\$125.00
GIS Analyst	\$110.00
Field Technician	\$85.00
In-House Technician/Administrator	\$80.00
CADD Sr. Analyst	\$110.00
CADD Analyst	\$80.00
Administrative/Word Processing	\$65.00
Specialist Subcontractors	Cost + 15%

Above rates include all normal expenses of BOA's business, including mailing charges, in-house photocopying, long distance telephone costs, in-house graphic systems, and local area travel, unless otherwise stated in the agreement. Expenses, such as travel beyond fifty (50) miles, outside photocopying, delivery charges, photographic reproduction, and other outside services, are considered reimbursable by the client at rate of cost +15%. Any extraordinary reimbursable expenses, in excess of \$250.00 must have authorization from the client.

NOTE: The rate schedule is for the current fiscal year, with an effective date of January 1. Hourly rates are adjusted annually as inflation dictates. If this contract spans more than one fiscal year (ending December 31), hourly rates may be adjusted. Regardless of any rate adjustment, the "not to exceed" figures in a contract will not change.

EXHIBIT A-3



BERG ♦ OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079
(281) 589-0898 fax: (281) 589-0007
Houston ♦ Dallas/ Fort Worth ♦ WDBE/HUB ♦ www.bergoliver.com

December 15, 2015

Mr. Stacy Slawinski
Fort Bend County Engineering Department
301 Jackson Street, Suite 400
Richmond, Texas 77469

Via email:

Stacy.Slawinski@fortbendcountytexas.gov
Don.Durgin@klotz.com
Mike.Bagstad@zarinkelk.com

Re: Proposal for Environmental Assessment of the Chimney Rock extension to McHard Road as part of the Mobility Bond Program
BOA Project No. 9909N-ES

Dear Sirs:

The following proposal is provided to Fort Bend County Engineering Department for environmental services for the Mobility Bond Program (1 project), specifically the extension of Chimney Rock to McHard Road, being an estimated 150' right of way approximately 2.25 miles and two (2) detention basin sites, approximately 6 acres each (12 acres), located within Fort Bend County, Texas. Berg ♦ Oliver Associates, Inc. (Berg ♦ Oliver) will provide special attention to complete the work in a timely and professional manner. We will begin the assessment upon your acceptance and execution of this proposal.

As the proposed project is a new alignment as part of Fort Bend County Mobility Program and ties to TxDOT right of way (FM 2234, also known as McHard Road), the proposed scope of services includes tasks required for compliance with the Texas Administrative Code for a subdivision of the State as well as those for compliance with TxDOT requirements. The scope includes the following tasks:

- i) Phase ESA and TxDOT ISA
- II) Wetland Delineation
- III) Cultural Resource Review and Documentation, including TxDOT PCR
- IV) Categorical Exclusion Checklist and Documentation for TxDOT right of way
- V) Project Management
- VI) Nationwide Permit (if needed)
- VII) Individual Permit (if needed)

Berg ♦ Oliver Associates, Inc.
BOA Project Number 9909N-ES
December 15, 2015

VIII) USACE Stream Assessment and HGM (if needed)

Attachment A describes each in detail.

PROJECT SCHEDULE

Tasks I-III of the scope of work is anticipated to be complete within thirty (30) calendar days of the receipt of an executed proposal and boundary survey/plat, or other suitable boundary map by Berg ♦ Oliver. Task IV, upon execution, is anticipated to be complete within 60 days of the notice to proceed specific to this task. Task V will proceed throughout the life of the contract. Tasks VI-VIII are specifically related to potential Section 404 impacts requiring permit through the U.S. Army Corps of Engineers. A schedule for these tasks will be supplied to the client during discussions of appropriate permitting strategy for the project. The project completion schedule is the goal of all parties; it does not, however, reflect unusual delays due to forces beyond the control of Berg ♦ Oliver and/or modifications to the scope of work based upon actual findings or additional requests by Fort Bend County Engineering Department, its agents, or governmental agency.

RIGHT OF ENTRY

Unless otherwise stated, it is assumed that the client has the authority to enter the property for purposes of conducting environmental assessments and herein grants that authority to Berg ♦ Oliver.

BASIC COMPENSATION AND METHOD OF PAYMENT

Berg ♦ Oliver proposes to provide all services listed below on a time and materials basis per the rate schedule included in Attachment B, not to exceed the estimate listed in the table below. Invoices for all hourly work will be submitted monthly.

Tasks I through V are necessary for the completion of the TxDOT Re-Evaluation and NEPA compliance review. Total estimate for Tasks I-V is \$29,400.00.

Tasks VI -- VIII may be necessary upon the review of the documentation by TxDOT. These potential additional tasks area estimated to not exceed \$60,500.00.

Each task may be authorized individually upon written notice by FBCED or collectively. Collectively, Tasks I-VIII is estimated to not exceed \$89,900.00.

Project No.	Project Location	Required Tasks	Cost Estimate
13203	Chimney Rock	Phase I Environmental Site Assessment and TxDOT ISA	\$4,600.00
		Task II Wetland Delineation	
		A. Chimney Rock Right of Way	\$4,500.00
		B. 2 detention basin sites	\$3,900.00
		Task III Cultural Resource Review and TxDOT PCR	\$5,900.00

		Task IV Categorical Exclusion (Checklist)	\$4,900.00
		Task V Project Management	\$5,600.00
		Chimney Rock Assessment	\$29,400.00
		Potential Additional Tasks (If needed)	
		Task VI Nationwide Permit (if needed)	\$12,000.00
		Task VII Individual Permit (if needed)	\$42,000.00
		Task VIII USACE Stream Assessment and/or HGM for Mitigation Plan (if needed)	\$6,500.00
		Total Potential Additional Services	\$60,500.00
		Grand Total (If needed)	\$89,900.00

CONFIDENTIALITY OF ASSESSMENT

The assessment and all related work and services of Berg ♦ Oliver Associates, Inc. are confidential. Berg ♦ Oliver Associates, Inc. is hereby employed by Fort Bend County Engineering Department pursuant to this contract. Under such contract relationship, all correspondence, written or oral, which relates to the findings of this study are, to the extent permitted by law, strictly confidential between the parties hereto, unless Berg ♦ Oliver Associates, Inc. receives a written request from the client to offer the results of this study to a third party not a part of this agreement/proposal. Environmental assessments may occasionally uncover extremely sensitive findings. It is the responsibility of Berg ♦ Oliver Associates, Inc. to report these findings to the authorizing client and to no other party.

PROPOSAL ACCEPTANCE AND EXECUTION

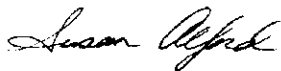
Acceptance of this proposal will serve as authorization to proceed with the work proposed herein. The signatory below also represents that the client has, or has secured, the authority to grant permission for Berg ♦ Oliver Associates, Inc. personnel to enter the subject property as necessary to conduct these assessments and that such permission is granted to Berg ♦ Oliver Associates, Inc. by the execution of this agreement/proposal. If the client is a Corporation or a Partnership, then the signature below will also represent the personal guarantee of the individual signing on behalf of the Client.

IN WITNESS THEREOF, Fort Bend County Engineering Department and Berg ♦ Oliver Associates, Inc. have accepted and executed this proposal for environmental services on this the _____ day of _____, 2015.

**FORT BEND COUNTY
ENGINEERING DEPARTMENT**

By: _____
Authorized Signature

BERG ♦ OLIVER ASSOCIATES, INC.

By:  _____
Susan Alford, REM
President

ATTACHMENT A

TASK I

PHASE I ENVIRONMENTAL SITE ASSESSMENT

and

TXDOT INITIAL SITE ASSESSMENT (ISA)

SCOPE OF WORK

INVESTIGATIVE WORK

Phase I investigative work includes, but may not be limited to, four basic tasks which are each comprised of several components. The details of these tasks are set forth below, listing the standard components of each. The ASTM E 1527-2013 standard prescribes a review of *reasonably ascertainable* information; that is, information that is publicly available, obtainable from its source within reasonable time and cost restraints, and practically reviewable. The availability of information will vary based on the location of a given site. Berg ♦ Oliver will attempt to review as much of the following information as is reasonably ascertainable for this project.

Task 1: Records Review

Standard Environmental Record Sources

Review documented environmental site listings from Federal and State regulatory agency database sources, including the following:

<u>Sources</u>	<u>Minimum Search Distance</u>
1. Federal NPL Facilities/Sites Lists	1.0 Mile Radius
2. Federal NPL-Delisted Sites List	0.5 Mile Radius
3. Federal CERCLIS List	0.5 Mile Radius
4. Federal NFRAP List	0.5 Mile Radius
5. Federal RCRA Corraacts List	1.0 Mile Radius
6. Federal RCRA TSD List	0.5 Mile Radius
7. Federal RCRA Generator List	Adjoining
8. Federal Finds List	0.5 Mile Radius
9. Federal ERNS List	Site Specific
10. State Priority List	1 Mile Radius
11. State IOP List	0.5 Mile Radius
12. State SWLF/CLI List	0.5 Mile Radius
13. State CLI List	0.5 Mile Radius
14. State LPST List	0.5 Mile Radius
15. State Registered UST/AST List	Adjoining
16. State PST List	0.5 Mile Radius
17. State TCEQ VCP List	0.5 Mile Radius
18. State Brownfield List	0.5 Mile Radius
19. Dry Cleaner List	0.5 Mile Radius
20. IHW List	Adjoining
21. Local Hazmat Spills	Site Specific

Documented regulatory agency sites located within the ASTM prescribed minimum search distance will be identified and plotted on a composite site map.

Physical Setting Sources

USGS Topographic Map(s) will be reviewed to determine site topography and surface drainage patterns of the site and the surrounding area. Current and past structures, roads, well installations, and other improvements will be evaluated, as well as other pertinent physical features such as streams or water bodies. **Federal Emergency Management Agency** floodplain map(s) will be evaluated to determine if the subject property lies within a known floodplain. The appropriate **Soil Survey** from the **USDA Natural Resource Conservation Service** will be reviewed to determine the site's soil conditions and general surface geology of the area. General descriptions will be made of the subsurface hydrogeology based on information from **USGS Groundwater Maps** or other sources.

Historical Use Information

Historical Aerial Photographs will be obtained from aerial photography firms having inventory of the subject area. The photographs will be reviewed to evaluate previous land use characteristics for the property and adjacent parcels. The photographs will also be checked for possible oil and gas exploration activities, surficial anomalies associated with waste ponds or dumps, and previous commercial and/or industrial activities. .

Local **City Directories** and **Sanborn Fire Insurance Maps**, if available, will be reviewed for listings of the types of past structures or business operations that may have existed on the property. In addition, **Texas Railroad Commission Records** will be reviewed to determine if oil and/or gas exploration or production has occurred on the site. This information will be obtained from a **Regional Oil and Gas Survey Map** prepared by Tobin Research, Inc.

Task 2: Interviews and Agency Inquiries

Owner/Occupant Inquiry

Inquiries will be made of person(s) who may have knowledge of current or historical conditions associated with the subject property. One or more of the following individuals may be contacted for an interview: 1) **Current Owner** 2) **Owner's Representative** 3) **Occupants** or **Tenants** 4) **Adjacent Property Owners/Occupants**. Interviews may be conducted in person, by telephone, or by written correspondence in the form of an **Owner/Occupant Questionnaire**.

Local Agencies and/or Officials

Inquiries will be made of local agencies or officials that may have records of environmental conditions or incidents related to the subject property or adjacent properties. Such agencies

may include the **Local Fire Department, Hazardous Materials Response, City/County Health Department, Local Pollution Control Agency**, or others deemed appropriate for the property, its location, or specific conditions.

Task 3: Additional Records Sources

In the event that site-specific conditions or standard information sources indicate a potential environmental condition(s) associated with the property, other selective files or records may be reviewed for additional information regarding such conditions. This information will be obtained at the discretion of Berg ♦ Oliver Associates, Inc. based on the findings of the investigation. Other typical sources include specific files from the **Texas Railroad Commission, the Texas Commission on Environmental Quality, and the Environmental Protection Agency.**

Task 4: Site Reconnaissance

General Site Setting

Site reconnaissance will be conducted to physically and visually inspect the property for indications of environmental conditions. Observations will be made of the **Current Site Usage, Adjacent Site Usage, Topography and Landscape, Structures, Roads, Improvements** and, to the extent practicable, **Potable Water Supply, Sewage Disposal System, and other Utility Installations.**

Interior and Exterior Observations

The property and any buildings or structures will be inspected for visual or physical evidence of hazardous substances or petroleum products. Exterior observations include, but are not limited to, pits, ponds, lagoons, stained soil or pavement, pools of liquid, strong odors, stressed vegetation, solid waste, waste water and associated discharge(s), above or below ground storage tanks, drums or containers, unidentified substances, wells, or septic systems. If interior inspection is required, observations will include those listed above, if applicable, as well as heating/cooling sources and fuels, stains or corrosion, drains and sumps, storage or treatment areas, and construction materials. Any listed, or non-listed, indicator of hazardous substances or petroleum products will be identified in the findings of the report.

TASK II **WETLAND DELINEATION** **SCOPE OF WORK**

The objective of the delineation is to evaluate and document any portion of the site to be classified as a "Jurisdictional Water of the United States" as defined in 33 CFR 328 and subject to U.S. Army Corps of Engineers (USACE) jurisdiction.

Delineation work will consist of the following tasks:

1. **Review of NRCS Soil Surveys:** Task 1 will include a review of previously published soil data published by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), to determine the types of surface soils expected to be confirmed by on-site soil analysis.
2. **Review of Aerial Photographs:** Task 2 will include a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
3. **Site Reconnaissance for Wetland Indicators:** Task 3 will include inspecting the property under the field procedures outlined in the Corps of Engineers Wetland Delineation Manual – Technical Report Y-87-1 by the USACE. The delineation will be conducted according to the 1987 USACE Wetland Delineation Manual, the December 2008 Rapanos Guidance for Jurisdictional Determination, and the 2009 Atlantic and Gulf Coast Plain Delineation Supplement.
4. **Demarcation of Wetland Areas:** Task 4 will include the flagging of the jurisdictional wetland areas and/or the ordinary high water mark for location by a Global Positioning System (GPS) using the USACE October 2003 Standard Operating Procedures. The boundaries of all Section 10 and 404 waters/wetland limits within the property boundaries will be plotted on a scaled map. Each Jurisdictional area will be depicted with the following information: (1) size and shape; (2) surface area calculation (acres); and (3) combined total wetland and Jurisdictional Water area calculations for the entire subject tract. The final report submitted to the client from Berg ♦ Oliver will reflect the GPS data showing the location of the wetlands.
5. **Report Preparation:** Task 5 will include the preparation of a final report. Upon completion of the site reconnaissance, data translation, and map preparation, a report will be completed, one copy of which will be given to the client. The report will include a discussion of methodology used to delineate the tract, site findings, copies of all historical information reviewed (such as U.S. Geological Survey topographical maps, NRCS soil survey maps, and aerial photographs), site photographs, USACE routine data sheets, and a wetland delineation map.

TASK III
CULTURAL RESOURCES INVESTIGATION
and
TXDOT PCR
SCOPE OF WORK

The proposed project is located within a section of the Stephen F. Austin original 300 colony settlement. Documentation of the settlement specific to the project is required. Additionally, the objective of the Historical, Cultural and Archeological Assessment is to evaluate the detectable existence of sites of significant historical, cultural, and archeological public value on the subject site. The cultural resources survey will be conducted by subcontract and

incorporated into the more complete assessment described herein. A review of available historical, cultural, and archeological documents and Texas Historical Commission (THC) records to assist in the evaluation of prior historical use and the presence or absence of recorded historical, cultural and/or archeological sites. The information provided under this task will be included in two Project Coordination Request (PCR) forms, one for archeological resources and one for historic resources, in accordance with TxDOT SOUs. TxDOT will conduct tribal coordination, as well as all THC coordination.

It is assumed that construction associated with this project will not affect historic structures, buildings, or districts, and will not require the completion of activities associated with a historic structure survey. The cost for deep testing and cost for curation is not included in the current estimate. However, these services can be performed at an additional cost should they be required

TASK IV:

CATEGORICAL EXCLUSION CHECKLIST **FOR McHARD ROAD INTERSECTION** **SCOPE OF WORK**

Berg ♦ Oliver will prepare a Categorical Exclusion (CE) for the proposed project. This Scope of Services is based on the assumption that a CE is the appropriate level of documentation for the proposed action. The purpose of this task is to prepare a CE Scoping Document upon project kick-off for TxDOT review and approval, perform an evaluation of the environmental setting for the project area, and prepare a CE Checklist and supporting documentation in compliance with TxDOT's Standards of Uniformity (SOUs). This task assumes that the purpose, need, and funding for the project has been provided by the FBCED, as identified above. The following activities are included under this task:

Data Collection - Berg ♦ Oliver will review, collect and evaluate data pertaining to this project in order to become familiar with existing conditions of the project area and to identify significant features of the community. This task includes obtaining various maps and other supporting data, as needed.

Biological and Natural Resource Impact Assessment - The Biological and Natural Resource aspects of the proposed project will be reviewed and analyzed for potential impacts to those resources. The Threatened and Endangered Species listings currently maintained by U.S. Fish & Wildlife Service (USFWS) and Texas Parks and Wildlife Department (TPWD) will be evaluated to determine if any of the listed species may be shown to potentially inhabit the area and will be indicated by map. The site will be reviewed for the presence of biological indicators, and a Tier I Assessment in accordance with the new September 2013 TPWD-TxDOT Memorandum of Understanding (MOU). A check of the Natural Diversity Database (NDD) will be obtained from the TPWD. TxDOT's Biological Evaluation Form will be completed and submitted as part of the CE documentation.

Water Resources Assessment - This includes an evaluation of waters of the U.S. and Section 404/10 permitting, water quality (TPDES, MS4, BMPs, etc...), TCEQ's 303(d) List, and

Floodplains.

Review of Socioeconomic Elements - This task includes a windshield survey of the area surrounding the project location, as well as research and review of available income information for the community, such as median annual income, to address socioeconomic conditions and environmental justice. TxDOT's Socioeconomics Technical Report will be completed and submitted as part of the CE package.

Hazardous Waste Impacts Assessment - A hazardous materials Initial Site Assessment (ISA) will be conducted to identify, to the extent feasible under the processes prescribed in ASTM E 1527-13, the potential for recognized environmental conditions; that is, the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into the ground, groundwater, or surface water of the property. The ISA will have three components, described as follows:

1. Records Review: Obtain and review records that will help identify recognized environmental conditions in connection with the property. Some records will pertain to properties within an additional approximate search distance in order to help assess the likelihood of potential problems from migrating substances. Included in the records review is a review of historical aerial color and black/white photographic enlargements for selected years. Infrared color photographs will be analyzed for the presence of wetland signature color distortions. Information for all photographic interpretation will be compared to locate recurring sites where wetland signatures are present.
2. Site Reconnaissance: Visually and physically inspect the property and adjoining properties, to the extent not obstructed by bodies of water, adjacent buildings, or other obstacles, for evidence of hazardous substances or petroleum products.
3. Evaluation and Report Preparation: The information gathered from the previous tasks will be evaluated, and the findings will be presented in TxDOT's ISA Form (April 2014 version), in accordance with TxDOT SOUs, and submitted to the Client and TxDOT.

Summary of CE Deliverables

Berg ♦ Oliver will complete the electronic CE Checklist for TxDOT's use. In addition, the NDD map/summary, Hazardous Material ISA form, and Archeological and Historic PCR forms will be submitted electronically to the Client for review, then to TxDOT electronically for review and processing.

TASK V **PROJECT MANAGEMENT** **SCOPE OF WORK**

The Berg ♦ Oliver Project Manager will be responsible for oversight and daily management of this project. Frequent and appropriate communications will be maintained between Berg ♦ Oliver and the FBCED in an effort to expedite completion of the project. Berg ♦ Oliver has incorporated internal quality assurance/quality control procedures, which will be used to validate the data collected, conclusions drawn, and information presented in the draft and final written reports. The following items are included in the project management tasks:

1. Coordinate the daily environmental study activities of the project
2. Coordinate and meet with design teams and team members, as necessary
3. Attend up to seven (7) miscellaneous meetings, as requested by FBCED, TxDOT, and the design team.
4. Provide quality assurance of Berg♦Oliver's environmental services throughout the duration of the project.

TASK VI and VII (If Needed)
SECTION 404 CLEAN WATER ACT PERMITTING
PREPARATION AND COORDINATION
SCOPE OF WORK

After field work for the Chimney Rock and Lake Olympia extension are completed, the design team will meet with FBCED to determine the appropriate permitting strategy.

If the Chimney Rock section may proceed under a Nationwide Permit (Task VI) for impacts less than 0.5 acre cumulative wetland impacts, Task VI will be initiated. If cumulative wetland impacts will exceed 0.5 acre, Task VII for an Individual Permit will be initiated.

The subtasks below are specific for Task VII, however, Berg♦Oliver will perform the following under this scope:

1. **Initial Permit Package Submittal:** Draft and submit the Individual Permit application and support documents to the applicant/client for review prior to submittal to the USACE. (Berg♦Oliver must have written approval from the client authorizing Berg♦Oliver to submit the permit application to the USACE.) Preparation and submittal includes preparation of all plan and profile sheets of impacts and mitigation per the USACE requirements. Threatened/Endangered Species Assessment is to evaluate the potential for the existence of critical or irreplaceable habitats, which are considered protected under the Endangered Species Act of 1973 and subsequent amendments and listings, Cultural Resource Assessment (completed in Task VI), and a mitigation plan.

This task also includes meeting with a USACE project manager to review the application.

2. **Meeting with Client, Interest Groups, and Government Agencies:** Berg♦Oliver will attend meetings with the client, two (2) on-site meetings with the USACE, Texas Commission on Environmental Quality (TCEQ), and resource protection agencies. Berg♦Oliver will also attend two (2) additional meetings with the USACE in Galveston and/or the TCEQ in Austin, if necessary.
3. **TCEQ Section 401 Certification- Alternative Analysis and Water Quality Plan:** Section 401 certification is required for Individual Permits. Berg♦Oliver will draft and submit an

alternatives analysis to the applicant/client for review prior to submittal to the TCEQ, and a Tier I checklist and/or Tier II questionnaire, whichever is appropriate, upon written approval from the applicant/client. The purpose of this information is to satisfy the regulatory guidelines set forth in Section 401 and Section 404(b)(1) of the Clean Water Act. Drafting of the alternative analysis is a lengthy process and will require information from the client and engineer. Section 401 certification is a separate coordination effort with the TCEQ and is required prior to the USACE authorizing the Section 404 permit.

4. **USACE Alternative Analysis & Cumulative/Indirect Impacts Analysis:** Berg ♦ Oliver will draft the Alternative Analysis to be submitted to the USACE. Both off-site and on-site alternatives will be assessed to document that the proposed plan is the least damaging practical alternative. Berg ♦ Oliver will need assistance from the client, engineer, land planner, and development team to complete this task. Task 4 is required for compliance with Section 404(b)(1) guidelines. A key provision of the 404(b)(1) guidelines is the “practicable alternative test” which requires that “no discharge of fill material shall be permitted if there is practicable alternative to the proposed fill which would have a less adverse impact on the aquatic ecosystem.” Therefore the applicant must demonstrate that there are no less damaging sites available and that all on-site impacts to Waters of the United States have been avoided to the maximum practicable extent possible. For an alternative to be considered “practicable”, it must be available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purpose.

Berg ♦ Oliver will perform Task 4 for compliance with Section 404(b)(1). This task may include the preparation of multiple on-site and off-site land plans and the evaluation of off-site properties for environmental conditions.

5. **Draft Public Notice:** Berg ♦ Oliver will prepare a draft of the Public Notice to submit to the USACE. The intent is to assist the USACE and expedite the process to the extent possible.
6. **Government Agency Site Visits:** Berg ♦ Oliver will attend all site visits with any government agency as part of the Public Notice process.
7. **Response to Comments Document (Initial & Follow-Up):** Berg ♦ Oliver will assist the applicant in responding to agency comment letters submitted during the interagency and/or thirty (30) day Public Notice period. It is anticipated that Sierra Club and other interest groups will prepare extensive comments to be addressed. Similar projects have received 20 pages of comments from these groups.
8. **Draft Statement of Findings:** Berg ♦ Oliver will draft the Statement of Findings and submit to the USACE. In some instances, the USACE, on a case by case basis, may allow the applicant to draft the Statement of Findings document, which incorporates the Alternative Analysis information, Cumulative Impacts Statement information, and the overall project mitigation plans. The purpose is to save time and to expedite the permit approval process. Final approval of the Statement of Findings will be made by the USACE.
9. **Final Approval Coordination:** Berg ♦ Oliver will coordinate with the USACE, TCEQ, and other governmental agencies to get final approval of the permit.

TASK VIII (If Needed)
STREAM ASSESSMENT MODEL
& HYDROGEOMORPHIC MODEL (HGM)
FOR MITIGATION ASSESSMENT
SCOPE OF WORK

If required by the terms of a Nationwide or Individual Permit, in order to determine appropriate compensatory mitigation for all unavoidable impacts to streams and wetlands, the USACE - Galveston District requires applicants to utilize the Interim SWG Stream-Tool or the Hydrogeomorphic Model (HGM). Berg♦Oliver will conduct the appropriate assessment for the areas of impact and make recommendations for on-site mitigation or off-site mitigation (permittee responsible or bank credit purchase) that will satisfy the USACE mitigation requirements. Berg♦Oliver will also prepare a mitigation plan for the impacts to be submitted to the USACE. The mitigation plan will address the creation and maintenance of the mitigation area. A condition of the stream mitigation in the permit also requires monitoring and reporting to the USACE. Berg♦Oliver will propose a maintenance schedule for the entire monitoring period. The mitigation plan will provide for consultation with appropriate agencies and other specialists to develop mitigation solutions. This cost proposal does not include mitigation construction, planting, and monitoring.

If off-site permittee responsible mitigation is required, the USACE may require additional tasks be performed that are outside of this scope, such as a Wetland Delineation and an archaeological study of the off-site location. If additional tasks are necessary, Berg♦Oliver will submit a change order to the client for approval prior to conducting additional out-of-scope work.



ATTACHMENT B
BERG ♦ OLIVER ASSOCIATES, INC.

Environmental Science & Land Use Consultants
14701 St. Mary's Lane, Suite 400, Houston, Texas 77079
(281) 589-0898 fax: (281) 589-0007
Houston ♦ Dallas/Fort Worth ♦ WDBE/HUB ♦ www.bergoliver.com

2015 PERSONNEL RATE SCHEDULE

<u>Personnel</u>	<u>Hourly Billing Rate</u>
Project Director/Principal	\$190.00
Senior Associate	\$170.00
Professional Engineer	\$170.00
Project Manager/Registered Environmental Manager	\$160.00
Professional Geologist	\$160.00
Health/Safety Officer/Chemist	\$160.00
Project Coordinator	\$130.00
Wetlands Biologist/Ecologist	\$120.00
Soil Scientist/Geologist	\$120.00
Senior GIS Analyst	\$125.00
GIS Analyst	\$110.00
Field Technician	\$85.00
In-House Technician/Administrator	\$80.00
CADD Sr. Analyst	\$110.00
CADD Analyst	\$80.00
Administrative/Word Processing	\$65.00
Specialist Subcontractors	Cost + 15%

Above rates include all normal expenses of BOA's business, including mailing charges, in-house photocopying, long distance telephone costs, in-house graphic systems, and local area travel, unless otherwise stated in the agreement. Expenses, such as travel beyond fifty (50) miles, outside photocopying, delivery charges, photographic reproduction, and other outside services, are considered reimbursable by the client at rate of cost +15%. Any extraordinary reimbursable expenses, in excess of \$250.00 must have authorization from the client.

NOTE: The rate schedule is for the current fiscal year, with an effective date of January 1. Hourly rates are adjusted annually as inflation dictates. If this contract spans more than one fiscal year (ending December 31), hourly rates may be adjusted. Regardless of any rate adjustment, the "not to exceed" figures in a contract will not change.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Berg-Oliver Associates, Inc.
Houston, TX United States

Certificate Number:
2016-31516

Date Filed:
03/28/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

76-0371760
Full Due Diligence, Wetland Delineation, and Cultural and Archaeological Pedestrian Survey

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO interested Party.

6 AFFIDAVIT



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

[Handwritten Signature]

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Susan Alford, this the 28th day of March, 2016, to certify which, witness my hand and seal of office.

Donna Hardy

Signature of officer administering oath

Donna Hardy

Printed name of officer administering oath

Notary Public

Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Berg-Oliver Associates, Inc.
Houston, TX United States

Certificate Number:
2016-31516

Date Filed:
03/28/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

Date Acknowledged:
04/05/2016

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

76-0371760
Full Due Diligence, Wetland Delineation, and Cultural and Archaeological Pedestrian Survey

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath