



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Gavin Newsom
Governor

October 12, 2020

Randall Bruner
Ghirardelli Associates, Inc.
2055 Gateway Place, Suite 470
San Jose, CA 95110

Subject: Contract Number 18-T4549 A-2

Dear Mr. Bruner,

Enclosed for your records is a copy of the fully executed Standard Agreement for the above-mentioned Contract.

Thank you for your cooperation during the entire process. If you have any questions, please contact me at 916.323.0245.

Sincerely,

Darcy Christoffersen

Darcy Christoffersen
Contracts Unit

Enclosure(s)

cc: Jagroop Khela, DTSC
Tim Crick, DTSC
Fue Xiong, DTSC
Aaron Prchlik, GAI
Tyler Darland, GAI

"FULLY EXECUTED"**STANDARD AGREEMENT**

STD 213A (Rev. 07/2019)

 CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 2 PAGES

AGREEMENT NUMBER

18-T4549

AMENDMENT NUMBER

2

Purchasing Authority Number

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY NAME

Department of Toxic Substances Control

CONTRACTOR NAME

Ghirardelli Associates, Inc.

2. The term of this Agreement is:

START DATE

March 11, 2019

THROUGH END DATE

June 30, 2021

3. The maximum amount of this Agreement after this Amendment is:

\$8,553,143.44

4. The parties mutually agree to this amendment as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

SITE: Exide

Purpose: To add \$3,133,925.44 to the Agreement and extend the term end date from March 10, 2021 to June 30, 2021. The total amount of the Agreement shall not exceed \$8,553,143.44.

Exhibit A - Section 1 is modified. (1 page)

Exhibit B - Section 9 is added. (1 page)

Text insertions or deletions in modified sections are displayed in red, bold, and underline or as strike-through text, respectively.

All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

Ghirardelli Associates, Inc.

CONTRACTOR BUSINESS ADDRESS

2055 Gateway Place, Suite 470

CITY

San Jose

STATE

CA

ZIP

95110

PRINTED NAME OF PERSON SIGNING

Randall Bruner

TITLE

President

CONTRACTOR AUTHORIZED SIGNATURE



DATE SIGNED

9/22/20

STANDARD AGREEMENT

STD 213A (Rev. 07/2019)

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AGREEMENT NUMBER

18-T4549

AMENDMENT NUMBER

2

Purchasing Authority Number

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Department of Toxic Substances Control

CONTRACTING AGENCY ADDRESS

1001 I Street, P.O. Box 806

CITY

Sacramento

STATE

CA

ZIP

95812

PRINTED NAME OF PERSON SIGNING

Francesca Negri

TITLE

Chief Deputy Director

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

10.6.2020

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (if Applicable)

**Exempt From the Department
of General Services Review
per H & S Code Sections
25358.3(a) and 25358.5.**

EXHIBIT A – Scope of Work

1) Exhibit A, Scope of Work, Section 1 is modified as follows:

1. This Project Management and Quality Assurance (PM/QA) Contract (the Contract) requires Ghirardelli Associates, Inc. (the PM/QA Contractor) to provide the Department of Toxic Substances Control (DTSC) with personnel and services necessary to support the Exide Division (Exide Project Team) with project management and quality assurance services during its implementation of DTSC's *Removal Action Plan (Cleanup Plan) Offsite Properties within the Exide Preliminary Investigation Area*, dated July 17, 2017, including any modifications, amendments or addenda thereto (the Cleanup Plan) and DTSC's Mitigation Monitoring and Reporting Program, including any modifications, amendments or addenda thereto (MMRP). DTSC's Cleanup Plan work is focused on sensitive use properties within the Preliminary Investigation Area (PIA), which is the area within an approximately 1.7-mile radius of the former Exide Technologies (Exide) lead-acid battery recycling facility in Vernon, California (former Exide Facility). Implementing the Cleanup Plan includes, among other related removal action activities, excavation of lead-contaminated soil from approximately 2,500 sensitive use properties in the PIA. DTSC selects properties for cleanup by using previously collected soil sample results to determine whether a sampled property meets the prioritization criteria set forth in the Cleanup Plan. The MMRP sets out Project Design Features and mitigation measures that DTSC must implement to reduce or avoid potential adverse environmental impacts associated with the Cleanup Plan work.

The period of performance for this Contract is presented on the STD 213 form. This Contract will be time and materials, ~~for an amount not to exceed \$5,419,218~~. This Contract may be amended in writing upon mutual agreement of both parties. This Contract term may be extended at any time to include additional tasks, time, and funding for the project completion, at the discretion of DTSC.

EXHIBIT B – Budget Detail and Payment Provisions

2) Exhibit B, Budget Detail and Payment Provisions, Section 9, Budget Details, is added as follows:

9. Budget Details

[Handwritten signature]
 10/2/20

The Budget shall not exceed \$8,553,143.44 as follows:

<u>Task</u>	<u>Task Description</u>	<u>Anticipated Budget</u>
<u>1.1</u>	<u>Project Initiation</u>	\$281,217.74 <u>\$186,852.28</u>
<u>1.2</u>	<u>Project Management Plan</u>	\$72,487.31 <u>\$48,194.40</u>
<u>2.1</u>	<u>Day to Day Support</u>	\$3,637,149.71 <u>\$2,167,170.79</u>
<u>2.2</u>	<u>Logistics Support</u>	\$1,315,833.40 <u>\$840,517.44</u>
<u>2.3</u>	<u>Contract Scoping</u>	\$856,492.65 <u>\$577,916.64</u>
<u>3.1</u>	<u>Review Property Specific Workplans</u>	\$46,190.02 <u>\$584,862.40</u>
<u>3.2</u>	<u>Review Letters of Completion</u>	\$1,143,537.17 <u>\$2,246,578.36</u>
<u>3.3</u>	<u>Field Oversight Support</u>	\$1,091,334.40 <u>\$1,187,114.53</u>
<u>4</u>	<u>Internal Project Management</u>	\$83,769.84 <u>\$221,280.60</u>
<u>C</u>	<u>Contingency</u>	\$25,131.20 <u>\$492,656.00</u>
<u>Totals</u>		<u>\$8,553,143.44</u>

Due to the dynamic nature of the Exide Residential Cleanup process, the amount budgeted for each task represents the anticipated total only. The DTSC Contract Manager may move funds between line items in the Budget as long as it does not exceed the total budgeted amount.

Access to and use of funding from the contingency line item shall be directed by the DTSC Contract Manager only and requires written approval by the DTSC Contract Manager through a Work Order.