

COUNTY OF LAKE
 Department of Public Works
 255 North Forbes Street
 Lakeport, CA 95453

CHANGE ORDER NO: 1

DATE: September 11, 2018

PROJECT: **Mockingbird Lane at Robinson Creek Bridge Replacement
 Federal Project No. BRLO-5914(105)**

CONTRACTOR: **Team Ghilotti, Inc.
 2531 Petaluma BLVD. S.
 Petaluma, CA 94952**

Note: These changes in no way relieve the Contractor of completing work in accordance with standards established by the Standard Specifications and Special Provisions.

ITEM NO.	DESCRIPTION	TIME EXTENSION	VALUE
1	Lead Compliance Plan	0	\$7,559.00
2	Bat Exclusion Plan	0	\$6,851.00
3	Accelerated Schedule	0	\$124,866.00
		0	\$139,276.00

REQUESTED BY: Owner

REASONS: 1) Paint on the existing bridge railing was tested per contract requirements (Special Provisions, the first paragraph on page SP-30); and results indicated that lead and other heavy metals were present in the paint thus, requiring the contractor to submit a Lead Compliance Plan to handle, store, transport and dispose of debris produced when the existing paint is disturbed.
 2) On July 25, 2018, the biologist discovered a bat maternity colony in the crevice of the existing bridge soffit; and RE suspended the bridge removal operation pending CDFW's determination regarding the said discovery. CDFW required that a bat exclusion plan be developed and implemented to remove the bats humanely, prior to commencement of bridge removal operation.
 3) An accelerated schedule to complete the project on time (i.e., on or before October 15, 2018) is required to make up for inactive time during temporary suspension of construction due to the following events:
 a) On July 11, 2018, the biologist discovered an active nest, consequently RE suspended the construction in compliance with Section 2.4 of the Streambed Alteration Agreement Notification No. 1600-2017-0348-R2 of CDFW. On July 25, 2018 biologist reported the birds had fledged hence, rendering the nest inactive.
 b) On July 25, 2018, suspension continued pending CDFW's determination regarding discovery of bat maternity colony in the crevice of the existing bridge soffit.
 c) On July 30, 2018, a mandatory evacuation order was issued due to recent fires in the area; and was enforced through August 6, 2018.
 Therefore, this Change Order is to accelerate the construction schedule, pay for implementation of lead compliance plan and bat exclusion plan.
 In addition, contractor will be charged \$7300.00 for each day needed to complete all field activities inside the creek after October 15, 2018.

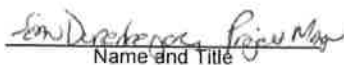
ORIGINAL CONTRACT WORKING DAYS:	90	Days
TIME EXTENSION ON PREVIOUS CHANGE ORDER(S):	0	Days
TIME EXTENSION FOR THIS CHANGE ORDER:	0	Days
REVISED CONTRACT WORKING DAYS:	90	Days

ORIGINAL CONTRACT AMOUNT:	\$1,264,590.47
AMOUNT PREVIOUS CHANGE ORDERS: (Additions)	0.00
AMOUNT PREVIOUS CHANGE ORDERS: (Deletions)	0.00
AMOUNT THIS CHANGE ORDER:	139,276.00
REVISED CONTRACT AMOUNT:	\$1,403,866.47

ACCEPTED: CONTRACTOR

By:




 Name and Title


 Date

RECOMMENDED:

By:

Department of Public Works

Scott De Leon, Director
 Name and Title

Date

APPROVED: OWNER

By:

Board of Supervisors

Jim Steele, Chair
 Name and Title

Date

Date: Sep 11, 2018

CHANGE ORDER MEMORANDUM

TO: COUNTY OF LAKE			FILE: COUNTY CONTRACT NO. <u>18-01</u>	
FROM: Manouchehr Mahmoudzadeh, P.E. Resident Engineer			COUNTY PROJECT NAME <u>Mockingbird Lane at Robinson Creek Bridge Replacement</u>	
CCO NO. <u>1</u>	SUPPLEMENT NO.	CATEGORY CODE	CONTINGENCY BALANCE (Including this change): - \$ 866.47	
CHANGE ORDER AMOUNT \$139,276.00 <u>X</u> INCREASE <u> </u> DECREASE			COUNTY BOARD OF SUPERVISORS APPROVAL REQUIRED? YES <u>X</u> NO <u> </u>	
SUPPLEMENTAL FUNDS PROVIDED \$ <u>0</u>			IS THIS REQUEST IN ACCORDANCE WITH ENVIRONMENTAL DOCUMENTS YES <u>X</u> NO <u> </u>	
ORIGINAL CONTRACT TIME: <u>90</u> DAY(S)	TIME ADJUSTMENT THIS CHANGE: <u>0</u> DAY(S)	PREVIOUSLY APPROVED TIME ADJUSTMENTS: <u>0</u> DAY(S)	PERCENTAGE TIME ADJUSTED (Including this change) <u>0</u> %	TOTAL # OF UNRECONCILED DEFERRED TIME (Including this change) <u>0</u>

This Change Order provides for:

COMPREHENSIVE DESCRIPTION, JUSTIFICATION, AND COST SUMMARY:
THIS CHANGE ORDER PROVIDES FOR:

- 1) Handling, storing, transportation and disposal of debris produced during bridge removal operation resulting in disturbance of the paint on the existing bridge railing containing lead and other heavy metals.
- 2) Exclusion of Bat maternity colony discovered in the crevice of the existing bridge soffit.
- 3) Increase productivity utilizing an accelerated schedule to complete the project on time (i.e., on or before Oct 15, 2018).

REASON FOR CHANGE:

- 1) Paint on the existing bridge railing was tested per contract requirements (Special Provisions, 1st paragraph on page SP-30); and results indicated that lead and other heavy metals were present in the paint thus, requiring the contractor to submit a Lead Compliance Plan to handle, store, transport and dispose of debris produced when the existing paint is disturbed.
- 2) On July 25, 2018, the biologist discovered a bat maternity colony in the crevice of the existing bridge soffit; and bridge removal operation was postponed pending CDFW determination regarding the said discovery. On August 1, 2018, CDFW required a bat exclusion plan be developed and implemented to remove the bats humanely, prior to commencement of bridge removal operation.
- 3) On July 11, 2018, the biologist had discovered an active nest hence, shutting down the construction per requirement specified in Section 2.4 of the Streambed Alteration Agreement Notification No. 1600-2017-0348-R2 of CDFW. The nest was declared inactive, on July 25, 2018. However, suspension of construction continued due to discovery of the bat maternity colony on the same day moreover, on July 30, 2018, a mandatory evacuation order was issued due to recent fires in the area further delaying resumption of the construction field activities.

Therefore, this Change Order is being developed to pay for implementation of a lead compliance plan as specified in the contract Special Provisions, bat exclusion; and increasing productivity utilizing an accelerated schedule.

METHOD OF PAYMENT:

Agreed Lump Sum

TIME ADJUSTMENT:

None

CONCURRED BY:		ESTIMATE OF COST		
DESIGN ENGINEER	DATE:	THIS REQUEST		TO DATE
Quincy Engineering		ITEMS		
		FORCE ACCOUNT	<u>\$0.00</u>	<u>\$0.00</u>
RESIDENT ENGINEER	DATE:	AGREED PRICE	<u>\$139,276.00</u>	<u>\$139,276.00</u>
Manouchehr Mahmoudzadeh, P.E.	9/11/2018	ADJUSTMENT	<u>\$0.00</u>	<u>\$0.00</u>
MGE Engineering		TOTAL	<u>\$139,276.00</u>	<u>\$139,276.00</u>
PROJECT MANAGER	DATE:	FEDERAL PARTICIPATION		
Fred Pezeshk	9/19/18	<u>X</u> PARTICIPATING	<u> </u> PARTICIPATING IN PART	<u> </u> NONE
OTHER	DATE:	<u> </u> NON-PARTICIPATING (Maintenance)	<u> </u> NON-PARTICIPATING	

COUNTY OF LAKE
DEPARTMENT OF PUBLIC WORKS

FIELD ORDER

Field Order No.: 1

Project Title: Mockingbird Lane at Robinson Creek Bridge Replacement

W. O. No.: _____ Bid No.: 18-01 Federal Project No.: BRLO-5914(105) Contract Date: April 17, 2018

Prime Contractor: Team Ghilotti, Inc.

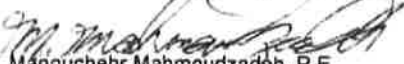
You are hereby authorized and instructed to effect the following modifications of the contract for the foregoing named project:	
1) Your proposed Bat Exclusion Plan has been approved and you may proceed forward per approved plan.	
2) You may also proceed forward with Lead Compliance Plan as part of approved Bridge Removal Plan	
3) Resume construction field activities to complete the project per attached proposed accelerated schedule.	
The proposed accelerated schedule indicates resumption of field activities on Aug 12, 2018; and completion of	
all field activities in the creek on or before October 15, 2018.	
Please state your readiness to resume construction as indicated above.	
Your attention is directed to the approved Bat Exclusion Plan under "One-Way Devices" stating	
"Exclusion installation will take place after the bats have emerged to forage for the night."	
Maximum Cost:	<u>\$150,000.00</u>
or Minimum Credit:	<u>\$</u>

This form shall be used only for the issuance of emergency instructions to the Contractor where the time required for preparation and execution of a formal Change Order would result in delay or stoppage of the work, or would allow a hazardous condition to exist. A duly authorized Change Order shall replace this Field Order as soon as possible and shall bear appropriate reference in this Field Order.

- Distribution:
- 1. Contractor
 - 2. File
 - 3. Owner

8/9/2018
Date

8/10/18
Date


Manouchehr Mahmoudzadeh, P.E.
Resident Project Representative


Contractor's Authorized Representative

gallaway ENTERPRISES

117 Meyers Street • Suite 120 • Chico CA 95928 • 530-332-9909

July 11, 2018

Sean Durenberger
Team Ghilotti, Inc.
2531 Petaluma Blvd S
Petaluma, CA 94952

Re: Monitoring and Active Nest Discovery Report for Mockingbird Lane at Robinson Creek Bridge Replacement Project, Lake County

Dear Mr. Durenberger,

Gallaway Enterprises biologist Brittany Reaves conducted biological monitoring and compliance monitoring during construction activities for the Mockingbird Lane at Robinson Creek Bridge Replacement Project (project) in Lake County, California. Biological and PLAC compliance monitoring was conducted on July 11, 2018 in compliance with the County of Lake (County) Public Works Department special provisions, Robinson Creek Bridge Rehabilitation Project Mitigation and Monitoring Plan (IS-11-30), and the California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (#1600-2017-0348-R2) for the project. The following are the construction activities that occurred, methods and results of monitoring activities, and details of the active nest discovery.

Construction and Monitoring Activities

Ms. Reaves presented the biological resource information program to onsite personnel from Team Ghilotti and Pacific Gas & Electric. Team Ghilotti installed the bridge detour by placing k-rail to block the bridge from access and placing signs directing traffic through the temporary bridge. Pacific Gas & Electric personnel worked on moving utilities. Team Ghilotti began installing black plastic sheeting in the creek bed under the bridge in preparation for demolition, but work was stopped after the discovery of an active nest on the bridge structure.

Results

One (1) active¹ pacific-slope flycatcher (*Empidonax difficilis*) nest containing two (2) chicks was discovered on a beam underneath the southern portion of the existing Robinson Creek Bridge at 9:30 am on July 11, 2018.

Per Avoidance and Minimization Measure 2.5 of the Streambed Alteration Agreement, the size of the non-disturbance buffer around the nest site should be determined through consultation with CDFW. Ms. Reaves established a 100-foot non-disturbance buffer around the nest site, which should be maintained until consultation with CDFW is complete.

¹An active nest contains eggs or young

Recommendations

Pacific-slope flycatchers typically have a nestling period of 14 to 18 days. The non-disturbance buffer around the active pacific-slope flycatcher nest shall be maintained until the nest is no longer active (i.e. the young have fledged, or the nest has failed) as determined by a qualified biologist. Gallaway Enterprises will monitor the nest twice per week to determine its status.

If you have any questions please do not hesitate to contact Gallaway Enterprises at (530) 332-9909, or biologist Melissa Murphy at melissa@gallawayenterprises.com.

Sincerely,



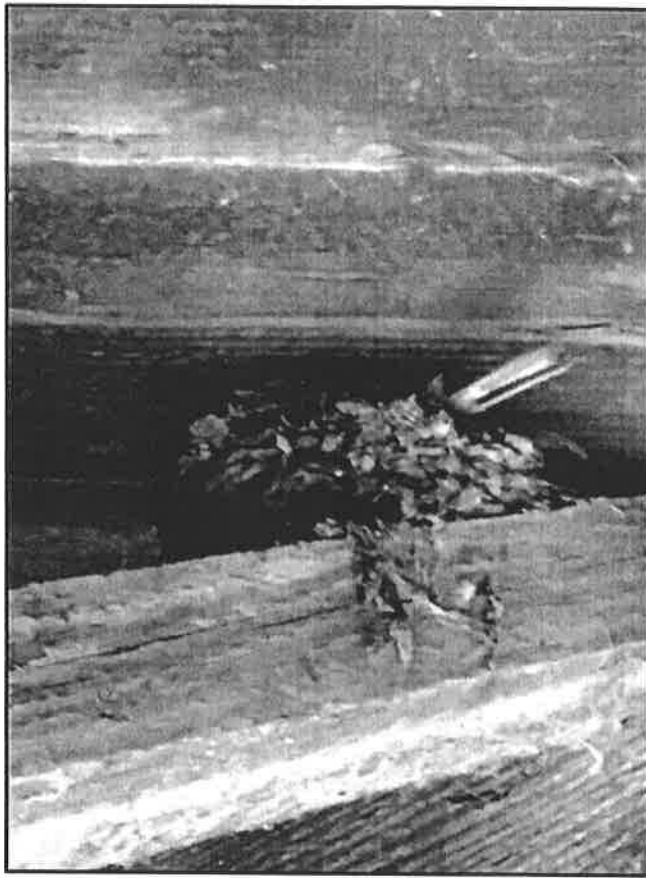
Brittany Reaves

Biologist, Gallaway Enterprises

Attached:

- Project Site Photos Taken July 11, 2018
- Biological Resource Information Program Sign-In Sheet

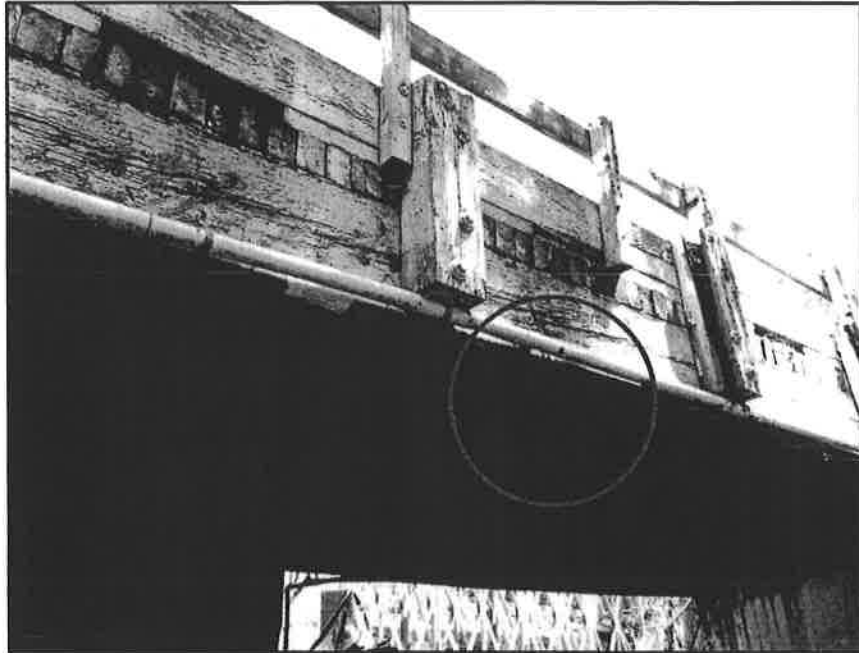
Project Site Photos Taken July 11, 2018



Pacific-slope flycatcher observed in nest.



Two chicks observed in nest.



Approximate location of the pacific-slope flycatcher nest.



Example of buffer delineation marked with green spray paint, pink flagging, and orange ground flags.

gallaway ENTERPRISES

117 Meyers Street • Suite 120 • Chico CA 95928 • 530-332-9909

July 24, 2018

Sean Durenberger
Team Ghilotti, Inc.
2531 Petaluma Blvd S
Petaluma, CA 94952

Re: Active Nest Monitoring and Bat Roost Discovery for the Mockingbird Lane at Robinson Creek Bridge Replacement Project, Lake County

Gallaway Enterprises Biologist Dan Machek conducted a monitoring survey of an active nest at the Mockingbird Lane at Robinson Creek Bridge Replacement Project (project) in Lake County, California. The purpose of this survey was to monitor an active (i.e., containing eggs or young) pacific-slope flycatcher (*Empidonax difficilis*) nest within the project site. The nest is located on a beam underneath the southern portion of the existing Robinson Creek Bridge. The monitoring survey was conducted on July 24, 2018 in compliance with the project's County of Lake (County) Public Works Department special provisions, Robinson Creek Bridge Rehabilitation Project Mitigation and Monitoring Plan (IS-11-30), and the California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (#1600-2017-0348-R2). The following are the methods, results, and recommendations of the monitoring survey.

Survey Methods

Biologist Dan Machek conducted a monitoring survey to check the progress of the active pacific-slope flycatcher nest from 8:30 am to 9:00 am. The nest was visually inspected to determine the status of the nest.

Survey Results

The pacific-slope flycatcher nest is no longer active as of July 24, 2018.

Mr. Machek incidentally observed bat guano on the black plastic sheeting in the creek bed under the existing bridge, leading to the discovery of approximately 15 bats (*Myotis sp.*) and one (1) big brown bat (*Eptesicus fuscus*) roosting in a crevice in the existing bridge structure.

Gallaway Enterprises Biologist Melissa Murphy conducted an emergence survey on July 24, 2018 from 8:30 pm to 9:30 pm. Ms. Murphy then inspected the roost. No bats were observed in the crevice at 9:30 pm, indicating that all bats are volant (i.e., able to fly). Given the number of bats roosting in one location, there is potential that this is a small maternity colony.

Recommendations

Bats are not listed as a regulated species for this project, however they are protected by the California Fish and Game Code. Consultation with CDFW should occur prior to the recommencement of construction activities. Additionally, bats should be excluded from the bridge prior to demolition. Exclusion is generally installed outside of the bat maternity season, which typically ends September 15. In addition, Gallaway Enterprises recommends the loss of bat maternity day roost habitat be mitigated for in-kind, with bat boxes capable of supporting a bat maternity colony either on the proposed bridge or boxes within close proximity to the existing bridge location.

If construction personnel observe active nests or regulated species within the project site they are to stop work within 100 feet of the sighting and contact Gallaway Enterprises at (530) 332-9909 for further guidance.

If you have any questions, please do not hesitate to contact Biologist Melissa Murphy at (530) 332-9909.

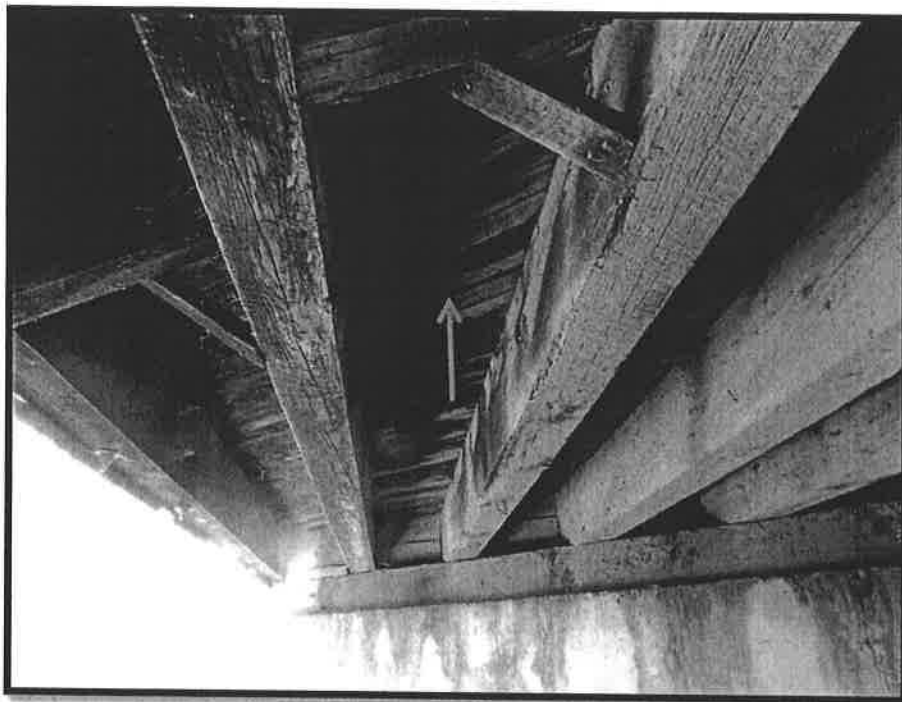
Sincerely,

A handwritten signature in black ink, appearing to read "Dan Machek". The signature is written in a cursive, flowing style.

Dan Machek, Biologist
Gallaway Enterprises

Project Site Photos

(Photos taken 7/24/2018)



Bat roost location on existing bridge.



Crevice where bats are found roosting within the existing bridge structure.



Bat guano discovered under existing bridge.

Bat Exclusion Plan

MOCKINGBIRD LANE AT ROBINSON CREEK BRIDGE REPLACEMENT

August 2018



Prepared for:

Team Ghilotti Inc.

2531 Petaluma Blvd S

Petaluma Ca 94952

Prepared by:

Gallaway Enterprises

117 Meyers Street, Suite 120

Chico CA 95928

(530) 332-9909

www.gallawayenterprises.com

Bat Exclusion Plan

MOCKINGBIRD LANE AT ROBINSON CREEK BRIDGE REPLACEMENT

Introduction

The following Bat Exclusion Plan will outline the proposed methods and materials that will be used to protect structure roosting from becoming harmed during construction activities (i.e. take of bats). Gallaway Enterprises adopted the following exclusion methods from the basic exclusion designs released by Bat Conservation and Management and wildlife exclusion professionals. Gallaway Enterprises has successfully designed, installed, and maintained bat exclusion devices on bridges throughout northern California.

Non-invasive Bat Exclusion Techniques Proposed

Bats will be excluded from the bridge using the following exclusion materials or any combination thereof:

- Backer rod;
- Foam;
- 10 mil polypropylene plastic;

Exclusion materials will be installed so they seal the entire underside of the bridge. Exclusion devices will be secured to the bridge with a staple gun and/or 100% silicone caulk.

One-way Devices

Exclusion installation will take place after the bats have emerged to forage for the night. Based on a previous emergence survey all bats in the bridge are volant. Each crevice in the bridge will be inspected for the presence of bats prior to the installation of exclusion devices. If bats are observed within the bridge then one-way devices will be installed. One-way devices will consist of one of the following design methods:

- 2-inch smooth-wall PVC pipe, a minimum of 10 inches in length with a clear plastic collapsible sleeve attached to the end of the pipe that comes to a narrow opening and faces away from the structure;
- Clear plastic collapsible sleeve, minimum of 10-inches in length mounted directly to bridge structure using staples.

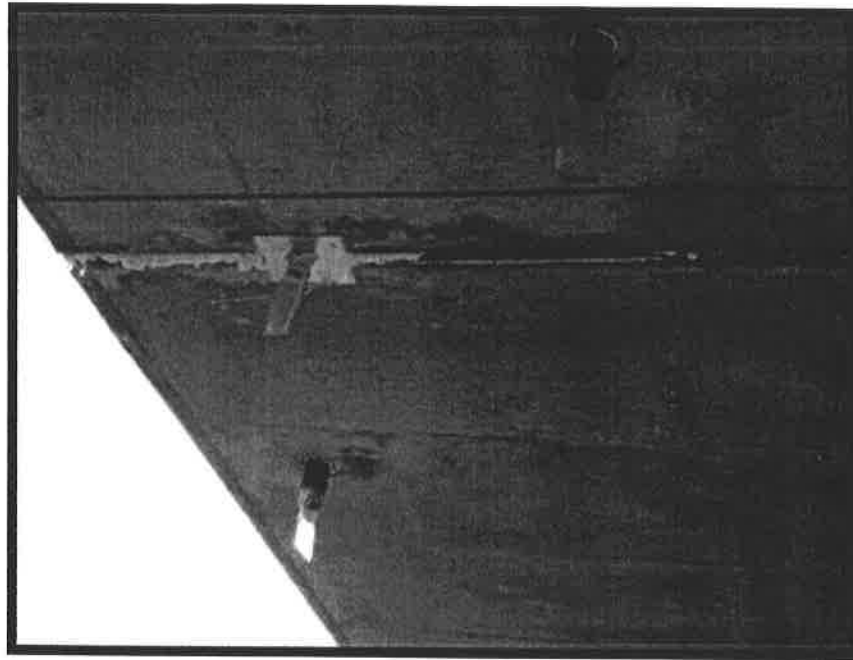


Figure 1. One-way exclusion devices made of 4-inch PVC and plastic sheeting designed by Gallaway Enterprises for the Ord Ferry Seismic Retrofit Project.

Monitoring and Maintenance Techniques

The exclusion devices will be left in place until the bridge is demolished. Immediately prior to the demolition of the bridge a Gallaway Enterprises biologist will inspect the bridge to ensure there are no roosting bats and the exclusion is functioning properly. The biologist will remain onsite to monitor the demolition of the bridge.

Mitigation

To minimize the loss of foraging and roosting habitat adjacent to the bridge, vegetation removal shall be kept to the minimum necessary to complete the project. To mitigate for the loss of roosting habitat a minimum of two (2) bat boxes made of wood will be mounted to the new bridge. The boxes should mimic the habitat provided by the existing bridge as best as possible. In addition, the boxes should be multi-chambered and mounted in a location determined as suitable by the biologist.

Gallaway Enterprises Staff/Contact Information

The following are Gallaway Enterprises biologists approved to work on the project:

Project Manager, POC, Lead Biologist

Melissa Murphy, Biologist
117 Meyers Street, Suite 120
Chico, CA 95928
melissa@gallawayenterprises.com

office (530) 332-9909
cell (760) 957-6775

Biologists

Dan Machek, Biologist
dan@gallawayenterprises.com

Leah Cochran, Biologist
leah@gallawayenterprises.com

Brittany Reaves, Biologist
brittany@gallawayenterprises.com

Laura Lampe, Biologist
laura@gallawayenterprises.com

References

Caltrans (California Department of Transportation). 2004. California Bat Mitigation Technique, Solutions, and Effectiveness. Prepared by H.T Harvey & Associates. December 2004.

Bat Conservation and Management. "Bats and Buildings: What to Look for and How to Do Them."
<http://www.batmanagement.com/havebats/nuisance.html>