



Monitoring Agreement
Eastlake Elementary SRTS and CDBG
Project

Elem Indian Colony



Contact Information

Tribal Office

Elem Indian Colony
PO Box 757
Lower Lake, CA 95457
(707)994-3400

Lead Agency

County of Lake, Public Works Department
255 North Forbes Street
Lakeport, CA 95453
Scott Hornung

Financially Responsible Party

County of Lake

Elem Project Coordinator

Elem THPO Officer
Lamont Brown
(707)295-1492



Monitoring Agreement

1. COMPENSATION

Monitor(s) identified by the Tribe will work as “contract employee(s)” of the Tribe.

The County of Lake (Financially Responsible Agency), herein after referenced to as “County” shall hire the Monitor(s) identified by the Tribe for all soil disturbing or excavation activities of the Project and shall be responsible for ensuring the protection of cultural resources and coordinating the activities necessary to achieve this responsibility.

The County shall compensate Elem Indian Colony at a base rate no less than \$ 75.00 per hour per Monitor utilized. Total payments to the tribe shall not exceed \$40,000.00 without prior written authorization by the County, and formal Amendment to this Agreement.

A day charge (eight hours) will be invoiced to the County for unannounced work stoppages for Monitors. If the Monitor works less than eight hours the Tribe will bill for eight hours. If the Monitor shows up to the job site and work does not commence then the Tribe will bill for four hours.

The hourly base rate will not be applicable to travel time to and from the Project site. If weekend work is required the rate is 150% of the base rate. If work is required between the hours of 7:00 PM to 7:00AM or on a Federal or State holiday, the hourly rate is 200% of the base rate. These rates are commensurate with industry standards for pay during nonstandard times.

The PARTIES agree that the Tribe will invoice the signatory County. The Monitors will supply copies of daily monitoring logs to the THPO Officer, Lamont Brown, with their invoice. Copies of these documents will be forwarded to the County and the Project Coordinator along with invoice forms.

The County agrees to remit payment on each invoice in full directly to Elem Indian Colony within thirty (30) days of receipt of the invoice or be charged an additional late fee of 5% of the total invoice amount. After sixty (60) days the interest rate will be 10% of the unpaid balance. The County agrees to pay all costs associated with collection of the fee(s), including, if necessary, attorney fees.



2. INSURANCE

The THPO Officer will provide to the County, upon request, a copy of the certificate of insurance provided by the Tribe for the Monitors. The insurance includes workman's compensation, liability, use of private vehicle and errors and omissions. The Monitors are required to have available for review copies of the type and limits of the coverage provided by the Tribe.

The Elem Indian Colony Project Coordinator is:

Name: THPO Officer: Lamont Brown

Phone: (707)295-1492

COUNTY and Tribe have executed this Agreement on this _____ day of _____, 2018.

COUNTY OF LAKE:

THE ELEM INDIAN COLONY:

Chair, Board of Supervisors



AGUSTIN GARCIA
Tribal Chairman

ATTEST: CAROL J. HUCHINGSON
Clerk of the Board
of Supervisors

APPROVED AS TO FORM:
ANITA L. GRANT
County Counsel

By: _____

By:  _____