

**AGREEMENT FOR PROFESSIONAL SERVICES FOR APPRAISAL AND
RELOCATION ASSISTANCE SERVICES FOR THE MIDDLE CREEK FLOOD
DAMAGE REDUCTION AND ECOSYSTEM RESTORATION PROJECT.**

_____ day of _____, 2020, by and between the Lake County Watershed Protection District, hereinafter referred to as “DISTRICT”, Monument Inc., hereinafter referred to as “CONSULTANT”.

RECITALS

WHEREAS, the District entered into Agreement No. 4600012946 dated July 2, 2019 with the State of California Department of Water Resources accepting \$15,000,000 in grant funding for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project (Project); and

WHEREAS, funds from Agreement No. 4600012946 are to be used for the acquisition of property from willing sellers that will be affected by the Project; and

WHEREAS, in order to complete the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project, all parcels located within the Project Area need to be acquired by the DISTRICT; and

WHEREAS, there are forty six (46) remaining parcels in the Project area needing to be acquired; and

WHEREAS, the DISTRICT requires assistance for appraisal, acquisition and relocation services for properties it is acquiring in the Project area; and

WHEREAS, CONSULTANT is a licensed professional in the State of California and is qualified and willing to provide said services.

NOW, THEREFORE, the parties hereby agree as follows:

- A. CONSULTANT has been selected by DISTRICT to provide services described hereunder in **Exhibit A**, titled “Scope of Work” which includes full right of way acquisition services of forty-six (46) parcels with twenty-six (26) owners for a total cost not to exceed hundred eighty-seven thousand four hundred and zero cents (\$187,400.00).

The Parties agree that all other terms and conditions of the original Agreement shall remain in full force and effect.

AYES:

NOES:

ABSENT OR NOT VOTING:

By: _____
(Chair, Board of Directors)

Date: _____

ATTEST:
Carol J. Huchingson
Clerk of the Board

By: _____
Date: _____

APPROVED AS TO FORM:
Anita Grant
County Counsel

By: _____
Date: _____



November 2, 2020

Scott De Leon, Water Resources Director
Lake County Water Resources Department
255 North Forbes Street
Lakeport, CA 95453

Re: Proposal to Provide Appraisal and Acquisition Services for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project

Dear Mr. De Leon,

Monument is pleased to present this cost proposal to provide appraisal and acquisition services to the Lake County Water Resources Department in connection with the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project ("Project"). Monument, a DBE and SBE firm, is a full-service real estate and right-of-way company that specializes in providing exceptional services, strategic planning, innovation and timely delivery. We serve local, state and federal agencies on building and improving public infrastructure throughout California. At Monument, we understand the difference an experienced, solutions-minded right-of-way partner can bring in achieving the goals and objectives of a project and that's exactly what we are.

Monument is designating one of its newest and most experienced Project Managers, Jeremy Nied, to lead the right-of-way effort. Over the last 6 years, Jeremy played an instrumental role on the Project and was successful in acquiring many of the parcels involved during the earlier phases. He will be supported by Bob Morrison, Principal-in-Charge and co-founder of Monument, and Raj Virk, a senior agent with extensive experience in property acquisitions and relocation assistance. Resumes for each are provided with the proposal. This team brings over 50 years of experience in the right-of-way profession and provides the County with firsthand project knowledge and continuity of staff that will ensure there is no interruption to this important project.

SCOPE OF WORK

All services will be performed in accordance with all applicable statutory and regulatory requirements, including: the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR Part 24), as amended; the Caltrans Right of Way Manual; the California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations); and the County's own policies and procedures.

Monument will provide complete acquisition services which include:

- Plan, organize, supervise, coordinate and administer the various elements of the right-of-way program.
- Meet with County on a regular basis to communicate project updates and review status of acquisitions and relocations.
- Review of title reports, underlying documents, plat maps and legal descriptions.
- Procure, manage and perform a peer review of appraisal reports.



2450 Venture Oaks Way, Suite 240, Sacramento, CA 95833

info@monumentrow.com | 800 577 0109

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- Submission of appraisals to the Department of Water Resources for review, and oversight of any requested revisions.
- Preparation of offer packages, appraisal summary statements and acquisition documents.
- Presentation of offer packages and conduct good faith negotiations with property owners.
- Secure fully executed documents and deposit into escrow.
- Coordinate escrow closings and title clearance services.

PROPERTY DETAILS

Assessor's Parcel Number	Owner
201-010-02	Chandler, Linda Ruth – Trustee
004-022-08 004-021-15; 08	Robinson Rancheria
201-010-01 004-022-34	Brookman, Martha - Trustee
003-055-09 004-013-02	Narvaez, Gregory A.
004-010-45	Seely, Eric
201-010-05	Reck, Robert A. & Judith A. - Trustee
031-031-09	Mountanos, Michael S. – Trustee
004-020-04; 05; 10 004-022-07; 21	Reclamation District 2070
004-013-20 004-010-51	Luna Gaming – Upper Lake LLC
004-010-05 004-013-05	Kahn, Lawrence
004-010-10; 18; 19; 20 004-013-06; 08; 12	Saechao, Meuythao & Ouyern
004-010-16 004-013-09	Foster, John Douglas & Michelle Marie – Trustee
004-013-11	Koker, Donna – Trustee
004-013-19	Jones, Steven Z. – Trustee
004-014-04; 05 004-019-02	Edmands Reclamation District
004-014-12 004-019-23	Sacramento & San Joaquin Drainage District
004-014-15	Lake County Mosquito Abatement District
004-014-20	Christianson, Al
004-015-02	Frias, Roberto Robles & Mendoza, Veronica
004-015-12	Vetzmadian, Shushan B. & Sharon, Greg A.
004-015-13	Villegas, Maria G.
004-016-06	Department of Transportation
004-016-11	Herrin, Bruce Scott





004-016-13	Wilkerson, Jacob H. & Nadia T. – Trustee
004-016-23	Barragan, Antonio & Patsy
004-016-29	Frye, Ernest H. & Pamela - Trustee

Based on information provided by the County, there are no anticipated relocations required for the above parcels. Should relocations be deemed necessary at a later date, relocation services will be provided at an additional cost.

COST PROPOSAL

Monument will complete the scope of work as detailed above for a not-to-exceed fee of \$187,400, based on the following calculations which will be invoiced monthly in accordance with the Hourly Rate Schedule provided on the following page.

TASK	RATE	FEE
Acquisition Services 26 @ \$3,650	\$3,650	\$94,900
Appraisal Reports 26 @ \$3,500	\$3,500	\$91,000
Other Direct Costs (mileage only) at Cost		\$1,500
TOTAL		\$187,400

ASSUMPTIONS

1. Acquisition of 46 parcels from 26 property owners.
2. Title Reports will be provided by the County.
3. Does not include fees for condemnation support.

ESTIMATED TIMELINE

Monument is aware that all acquisitions must be completed prior to March 31, 2022. Assuming environmental clearance and a Notice to Proceed date of December 1, 2020, we believe that this deadline can be met based on the below estimates:

Task	Duration	Date Range
Notice to Proceed		December 1, 2020
Appraisals	3 months	December 1, 2020 – March 1, 2021
DWR Appraisal Review	2 weeks	March 1, 2021 – May 15, 2021
Offer Preparation	2 weeks	May 15, 2021 – June 1, 2021
Present Offers	3 weeks	June 1, 2021 – June 22, 2021
Negotiations	3 months	June 22, 2021 – September 20, 2021
Escrow Processing	2 months	September 20, 2021 – November 19, 2021
Condemnation Proceedings	6 months	September 20, 2021 - March 20, 2022





We sincerely appreciate the opportunity to present the County with this proposal. Please do not hesitate to contact the undersigned at 562.260.0507 or electronically at acostello@monumentrow.com with any additional questions or should you need additional information. We look forward to serving Lake County.

Sincerely,

Amber Costello
President





MONUMENT RIGHT-OF-WAY 2020 HOURLY RATE SCHEDULE

Right of Way Management & Implementation	
Program Manager / Principal	\$250.00 per hour
Senior Project Manager	\$165.00 per hour
Project Manager	\$150.00 per hour
Senior Acquisition Agent / Senior Relocation Agent / Senior Analyst	\$115.00 per hour
Acquisition Agent / Relocation Agent / Analyst	\$105.00 per hour
Project Analyst	\$90.00 per hour
Project Support / Administrative	
Project Support Specialist	\$65.00 per hour
Administrative Assistant	\$40.00 per hour

The above hourly rates are exclusive of local travel/mileage, photocopying, first class postage and overnight courier service. These expenses including out-of-pocket expenses such as pre-approved travel and lodging, outside exhibit preparation, requested overnight courier or registered and/or certified mail (return receipt requested) charges, and specialty reproduction (unless otherwise specified) are in addition to the contract amount and will be charged at cost plus ten percent (+10%) for administration, coordination, and handling. Subcontracted services, other than those listed above, will be invoiced at cost plus ten percent (+10%).

In the event Monument is required to perform any act in relation to litigation arising out of any project with the Client (for example, expert consulting, responding to a complaint, or proceeding with discovery and trial), such services are not part of this contract, nor are they part of our normal fees. If required, these types of services will be invoiced at two times the regular hourly rates.

In the event this contract extends twelve (12) months beyond the initial date of execution, the hourly rates and any remaining amount in the contract shall be adjusted upwardly by five percent (5%) per annum, compounded annually, on the anniversary date of this contract.

Written communication services in other languages would be an additional cost and would be billed separately based on quoted hourly rates by independent translation services. Verbal communication in Spanish, if necessary, will be included at no additional charge.

Monument will submit monthly invoices for the professional and trade services rendered based on the hourly rate schedule provided above. The client shall promptly pay the uncontested amount due within no more than thirty (30) days after receipt of invoice. Upon completion of services, the remaining unbilled amount of the project balance shall become immediately due and payable.

