

December 3, 2021

City of Emeryville
c/o Todd Teachout
City Engineer
Department of Public Works
1333 Park Avenue
Emeryville, CA 94608

Exhibit A - Workslope To Completion

South Bayfront Pedestrian-Bicycle Bridge Project, Archaeological Services: Amendment 4 Request, Contract 17022-0000-PW01 (AECOM Project No. 60551384)

Dear Mr. Teachout:

As a result of changed conditions and City of Emeryville staff requested out of scope services, there is insufficient funding to complete needed work, unless the budget is augmented. This letter documents services completed by AECOM and the budget request to cover those out-of-scope services performed under existing Tasks 4, 5, and 6. This Amendment 4 also includes additional funding for curation costs, under Task 5, due to the larger archaeological collection created as a result of changed field conditions. Following is a summary of the additional activities AECOM conducted at the direction of the City, under existing task numbers, and the associated costs. These costs were paid under existing purchase order authorizations and had the effect of reducing the remaining budget to complete the authorized scope.

Additional Scope of Work

Tasks 4 and 5: An unanticipated complex archaeological feature (consisting of thousands of bone fragments, hearth features, unique artifacts, etc.) was identified at the bottom of Stair Support 7 (SS7) during mechanical excavation of SS7, after completion of the scoped data recovery excavations for the previously identified midden deposit there. This type of unanticipated significant complex archaeological feature was explicitly excluded through assumptions under Task 4 (Amendment 2). At the request of the City, between May 24, 2018 and June 28, 2018, AECOM archaeologists conducted additional archaeological field excavations in order to appropriately document this deeply buried unique archaeological feature and allow the project to move forward as planned, through the clearance of each proposed bridge footing location. The out-of-scope work at SS7 included several weeks of hand excavations to expose and document the feature's constituents, screen excavated soils for additional archaeological materials, collection of samples for additional laboratory analysis, laboratory analysis of collected samples, and an additional day of backhoe work (including backhoe rental and operator) to complete clearance of SS7 (once hand excavation was completed). The cost for these out-of-scope services totaled **\$27,887**.

In addition to the scope of work described above, Amendment 4 includes additional funding for the curation of archaeological materials from the 2018 field excavations and subsequent monitoring. As described in Amendment 2, Sonoma State University's curation facility has agreed to house the collection in perpetuity. The original budget for the collection curation was estimated at \$11,000 in 2011. Since that time, the cost of curation has increased. An additional \$4,800 was allocated in 2018 (Amendment 2) for four additional boxes, for a total curation

budget of \$15,800. However, significantly more archaeological material was recovered than initially anticipated, due to the density of the midden deposit, the complex SS7 feature described above, and additional artifacts recovered during monitoring. With a total anticipated collection size of 25 boxes, once materials not worthy of curation are disposed of (e.g., historic period artifacts mixed in with the surface of the midden deposit, unprocessed soil samples, etc.), at a standard cost of \$1200/box, the cost for curation would be \$30,000. As such, Amendment 4 includes an additional **\$14,200** (the difference between the current cost, \$30,000, and the original estimate of \$15,800) to complete the curation of collected archaeological materials.

Task 6: Between 11/13/2019 and 7/16/2021, out-of-scope work conducted by AECOM under Task 6, at the direction of the City, included:

- a) AECOM coordinated with the Most Likely Descendant (MLD/tribe), City, and contractor on human remains reburial. Since the start of data recovery excavations in 2018, three burials were encountered (two during excavation and one during monitoring). One burial was recorded and left in place, but the other two burials required recordation and excavation. Tribal involvement in these excavations were covered by the contingencies in Amendment 2. However, at the request of the City, AECOM prepared an out-of-scope formal reburial plan document, which included multiple review cycles and revisions. Subsequently, AECOM coordinated the implementation of the plan with the contractor and MLD.
- b) At the beginning of 2021, the City identified a new opportunity to develop and install interpretive panels within the Horton Landing Park, to better integrate the park with other greenway elements to the south. At the request of the City, AECOM, in coordination with eth MLD, developed a conceptual draft for a cultural/tribal interpretive panel, including development of a formal land acknowledgement statement.
- c) The original scope and budget for construction-period archaeological monitoring, under Task 6 (Amendment 1), was developed in 2017, based on assumptions of level of effort provided by the City at the time. Due to project schedule, design, and other changes (including pandemic-related delays) that were beyond AECOM's control, additional days of monitoring (by archaeologists and tribal members) and coordination were required beyond the original scope. The delay in project construction also resulted in higher labor costs, beyond what was originally anticipated in 2017.

The cost for these out-of-scope services, provided under Task 6, totaled **\$22,548**.

Summary

The total cost for out-of-scope services performed to date (inclusive of Task 4 and Task 6, as described above) and additional curation budget due to the increased size of the archaeological collection, is **\$64,635**. AECOM requests a fourth contract amendment in this amount, for a total revised contract amount of **\$434,066**.

The remaining work under the existing contract (Task 4 and Task 5) includes: (1) completion of the sorting, analysis (e.g., speciation of faunal bone, shell, etc., to create data tables for comparative analysis and complete documentation); (2) preparation of the collection for curation (bags and tags meeting the requirements of the specific curation facility); (3) transfer of the collection and payment to the curation facility; and (4) preparation of the final data recovery report. Amendment 4 is necessary for the completion of these services and the successful mitigation of project-related impacts to this important historical resource and unique

archaeological resource. We look forward to our continued work with the City and the successful completion of this important project.

Respectfully,

A handwritten signature in blue ink, consisting of a stylized 'S' followed by a cursive 'L' and a horizontal line.

Steve Leach
Vice President

E: steve.leach@aecom.com

A handwritten signature in blue ink, featuring a stylized 'J' and 'R' followed by a horizontal line.

Jay Rehor
Project Manager

South Bayfront Pedestrian Bicycle Bridge/Horton Landing Park Project.

EXHIBIT A-Workscope to Completion and Summary of Work Done and Work Remaining

| Task | Description | Status | Contract Authorization | Authorized Budget | Spent (as of 10/8/2021) | Budget Remaining | Additional Budget needed to make whole |
|------|--|---------------------------------------|---|-------------------|-------------------------|------------------|--|
| 1 | Proj Admin/MLD Coordination | Ongoing | Original and Amend 1 | \$13,971 | \$20,355 | (\$6,385) | Note 1 |
| 2 | GeoProbe-W. Side | Done | Original | \$21,988 | \$21,342 | \$646 | |
| 3 | Pre-Excavation (Bent 2-11, Bent 12, Stair Support 7) | Done | Amend 1 | \$31,320 | \$41,522 | (\$10,202) | Note 2 |
| 4 | Archaeological Test and Data Recovery Excavations | Field Work Done/ Analysis in progress | Amend 1 and 2 (part of Amend 1 budget brought into Amend 2) | \$167,457 | \$156,847** | \$10,610 | Note 3 |
| | 4.1- Data recovery exc. Stair Support 7 | Field Work Done | Amend 2 | | | (\$27,887) | \$27,887 |
| | 4.2- Mechanical Pre-Exc. and Data Recovery exc. – HLP Drain line | Field Work Done | Amend 2 | | | | |
| | Post-Field Lab Tasks: | | | | | | |
| | Floatation Processing of Column Samples | Done | Amend 2 | | | | |
| | Floral Analysis (Wholgemuth) | 90% Done (awaiting final report) | Amend 2 | | | | |
| | Pollen Analysis (ACS) | Done | Amend 2 | | | | |
| | Human Remains Analysis (Eerkens) | 90% Done (awaiting final report) | Amend 2 | | | | |
| | Obsidian Hydration (Origer) | 0% | Amend 2 | | | | |
| | Radiocarbon Assay | Done | Amend 2 | | | | |
| | Isotope Analysis (Eerkens) | 20% | Amend 2 | | | | |
| | Fish Remains Analysis (Gobalet) | 0% | Amend 2 | | | | |

| Task | Description | Status | Contract Authorization | Authorized Budget | Spent (as of 10/8/2021) | Budget Remaining | Additional Budget needed to make whole |
|---|---|--------------------|------------------------|-------------------|-------------------------|-------------------|--|
| | Curation Facility Fees | 0% | Amend 2 | \$4,800 | | | |
| 5 | Analysis and Reporting | In Progress | Amend 1 | \$93,085 | \$30,054 | \$63,031 | Note 4 |
| | Narrative Report | In progress | Amend 1 | | | | \$14,200 Note 4 |
| | Shellfish Analysis | In Progress, 40% | Amend 1 | | | | |
| | Faunal Analysis | In Progress, 60% | Amend 1 | | | | |
| | Formal Artifact/Tool documentation and analysis | In Progress, 10% | Amend 1 | | | | |
| | Groundstone analysis | 0% | Amend 1 | | | | |
| | Lithic Analysis | 0% | Amend 1 | | | | |
| | Prep of collection for curation (bagging/boxing/labeling) | 0% | Amend 1 | | | | |
| | Curation Facility Fees | 0% | Amend 1 | \$11,000 | | | |
| 6 | Construction Monitoring | Done | Amend 1 | \$41,610 | \$64,158* | (\$22,548) | \$22,548 |
| Total | | | | \$369,431 | \$334,278 | \$35,153 | \$64,635 |
| *Out of Scope Services Rendered and Billed Under Task 6 | | | | | | | |
| | Interpretive Signage | Done | | | \$23,067 | (\$22,548) | |
| | Addn Monitoring-Irrigation/Electric Trenching | Done | | | | | |
| | Reinterment Plan Prep | Done | | | | | |
| **Out of Scope Services Rendered and Billed Under Task 4 | | | | | | | |

| Task | Description | Status | Contract Authorization | Authorized Budget | Spent (as of 10/8/2021) | Budget Remaining | Additional Budget needed to make whole |
|------|--|--------|------------------------|-------------------|-------------------------|------------------|--|
| | Excavation of unanticipated complex feature at base of SS7 (work conducted 5/16-6/28/2018) | Done | | | \$27,887 | (\$27,887) | |

- Note 1** Originally scoped in 2017 to cover coordination during early reactivation efforts. Duration of project and degree of coordination required (with City, contractor, and Native American's) greater than anticipated at the time. Going forward Admin costs will be distributed within the Task Budgets of the remaining work (Task 4 and 5).
- Note 2** Additional cultural resources discovered were beyond expectation and cost estimates, and explicitly exclude through assumptions. Out-of-scope costs incurred, and authorized by the City, were related to additional field work to retrieve and analyze resources in advance of curation.
- Note 3** Budget remaining for Task 4 is insufficient to complete remaining work, particularly in light of additional resources encountered during excavation and monitoring.
- Note 4** As of 10/8/2021, the current Budget balance is \$35,153. \$30,000 is proposed to be the revised cost to curate artifacts that have been recovered and need to be archived. This amount includes a budget augmentation of \$14,200 due to time passing since earlier estimates were prepared as well as a greater quantity of artifacts that must be archived. The remaining \$5,153 plus the additional Amendment 4 funding request of \$64,635 (total \$69,788) is the cost estimate for completing remaining analyses of the archaeological collection, including payment to subcontractors, preparing the collection for curation, and completing the final project report that will be forwarded to Tribal representatives and submitted to the California Historical Resources Information System.