

FIFTH AMENDMENT
TO
AGREEMENT BETWEEN
THREE RIVERS LEVEE IMPROVEMENT AUTHORITY
AND RIVER PARTNERS

THIS FIFTH AMENDATORY AGREEMENT is made and entered into this 5 day of June 2017, by and between the THREE RIVERS LEVEE IMPROVEMENT AUTHORITY, a Joint Powers Authority, ("TRLIA") and River Partners ("CONTRACTOR").

RECITALS:

WHEREAS, TRLIA and CONTRACTOR entered into an agreement to provide Professional Services dated September 12, 2006 ("AGREEMENT");

WHEREAS, Article C.24 of the AGREEMENT, states that modifications or amendments to the terms of the AGREEMENT shall be in writing and executed by both parties;

WHEREAS, TRLIA and CONTRACTOR desire to amend the AGREEMENT.

NOW, THEREFORE, TRLIA and CONTRACTOR agree as follows:

1. Amendment to Agreement. The Professional Services Agreement is hereby amended as follows:

1.1 The scope of services (Attachment A to the Agreement for Professional Services between TRLIA and River Partners, dated September 12, 2006) is amended to expand the scope of work as described in attached Exhibit A dated June 2017, to address the continuation of management and monitoring services on the Bear River setback property.

1.2 The payment, budget, and not-to-exceed amounts (Professional Services Agreement Attachment C) are amended to include the additional amount of \$48,193.87 for a total contract amount of \$4,931,118.87.

1.3 The termination date is extended to May 31, 2019.

All other terms and conditions contained in the Agreement shall remain in full force and effect.

This AMENDED AGREEMENT is hereby executed on this 6 day of June 2017.

THREE RIVERS LEVEE
IMPROVEMENT AUTHORITY

BY: Paul G. Brunner
Paul G. Brunner
Executive Director

CONTRACTOR

BY: John Carlton
John Carlton, President, River Partners

ATTEST:
DONNA STOTTEMEYER
SECRETARY

Donna Stottmeyer

APPROVED AS TO FORM:

Andrea P. Clark
Andrea Clark, General Counsel, TRLIA

Exhibit A
Scope of Services- June 2017

River Partners shall furnish all labor, materials, equipment and services for maintaining the 639 acres of riparian and upland habitats and mitigation features associated with the Bear River Setback Levee Project located south of Marysville, California. Maintenance activities will occur for the period of June 1, 2017 to May 31, 2019.

Task 1: Maintenance of Management Units

Maintenance activities are defined for the following management units within the Bear River Setback Area to ensure the proper hydraulic functioning of the setback area; maintain high-quality habitat values consistent with regulatory and resource agency agreements; and meet requirements for protecting mitigation features:

- 1) Riparian Restoration Areas
- 2) Mitigation Areas
- 3) Floodplain Swale and Adjacent Floodplain
- 4) Low Hydraulic Roughness Areas

All wages for covered work onsite will be paid under the Landscape Maintenance Laborer determination issued by the Department of Industrial Relations.

The network of roads across all four management units will be mowed to maintain vehicle clearance and reduce weeds. The road edges will be spot-sprayed to reduce weeds, with a focus on aggressive, non-native invasive weed species.

All trash and debris shall be removed from the floodplain swale. Natural debris shall be evaluated to determine if it creates a hazard or inhibits flood conveyance. Removed trash and debris will be transported to the dump.

The floodplain swale may develop dense stands of cottonwood and willow seedlings that may trap sediments that may eventually alter the drainage of the swale. Therefore, some routine maintenance of the swale may be necessary. Routine maintenance will be restricted to minor activities to remove debris and fish-passage barriers, such as beaver dams and sediment-trapping vegetation from the swale.

Total Cost

Management: \$7,692.42
Maintenance: \$40,501.45

Total: \$48,193.87