

**AMENDMENT 1 TO CONTRACT  
BETWEEN SANTA MARIA VALLEY WATER CONSERVATION DISTRICT AND HORNE LLP**

This Amendment 1 to the Contract (“Contract”) (“Amendment 1”), is made and entered by and between Santa Maria Valley Water Conservation District (“SMVWCD”) and HORNE LLP (“Contractor”).

**RECITALS**

**WHEREAS**, SMVWCD and Contractor entered into the Contract for Contractor’s provision of professional consulting services, said Contract having an effective date of June 22, 2023 and continuing for a term until June 30, 2024; and

**WHEREAS**, the Contract pertains to the provision of compliance services, oversight of the restoration of the Twitchell Reservoir and Dam, and assistance in identifying, applying for, and implementing a combination of state and federal funding sources to accomplish the remediation and restoration; and

**WHEREAS**, the SMVWCD desires to expand the current scope of the Contract to include the appeal of a Project Worksheet denial by FEMA dated October 16, 2023 , and increase the amount to be paid in consideration for these expanded services; and

**WHEREAS**, the parties desire to increase the contract amount by a not to exceed amount of \$75,000.00, which amount shall be allocated solely to the appeal effort; and

**WHEREAS**, Contractor intends to consult with the law firm of Baker Donelson for assistance in processing the appeal; and

**WHEREAS**, the SMVWCD desires to continue utilizing the consulting and administration services of Contractor, and Contractor is willing and able to provide such services under the terms and conditions set forth in the Contract and this Amendment 1.

**NOW, THEREFORE**, for good and valuable consideration, the sufficiency of which is hereby acknowledged, it is mutually understood and agreed by and between the undersigned contracting parties as follows:

1. The following is added to Subsection A.2:

“ Grant Assistance:

- Support for appeal of Project Worksheet denial by FEMA, including arbitration support.”

2. The following is added to Subsection C.4.b:

“FEMA First Appeal

	<b>Appeal Support</b>	
<b>Attorney</b>	<b>Title</b>	<b>2023 Rate</b>
Erin Greten	Of Counsel	\$585.00

Wendy Huff Ellard	Shareholder	\$550.00
Michelle Zaltsberg	Shareholder	\$475.00
Danielle Aymond	Of Counsel	\$475.00
Jordan Corbitt	Associate	\$375.00
Parker Wiseman	Of Counsel	\$360.00
Katelyn Dodd	Associate	\$335.00
Chris Bomhoff	Disaster Policy Specialist	\$350.00
Jaron Herd	Disaster Policy Specialist	\$255.00
Yann Kaufman	Disaster Policy Specialist	\$225.00
Melody Williams	Disaster Recovery Coordinator	\$195.00

Appeal Support personnel will be on an hourly basis for actual work performed. Supporting documentation is to be compliant with all requirements for reimbursement of state or federal grants. Personnel shall have sufficient qualifications and experience for the position billed and positions shall be task appropriate.”

3. Subsection C(1) is replaced with the following:

“In no event shall the maximum liability of SMVWCD to Contractor under this Contract exceed Four Million Seventy Five Thousand Dollars (\$4,075,000 in year one) (“Maximum Liability”). This Contract does not grant Contractor any exclusive rights to perform the Work.”

4. Amendment Effective Date. The revisions set forth herein shall be effective November 1, 2023. All other terms and conditions of the referenced Contract not expressly amended herein shall remain in full force and effect.

**SMVWCD:**


**Santa Maria Valley Water Conservation District**

By:   
 Keith Hadick, Board President

Date: 11.1.2023

**CONTRACTOR:**

**HORNE LLP**

By:   
By: Jonathan Krebs (Oct 31, 2023 17:32 CDT)  
Jonathan Krebs, Managing Partner

Date: October 31, 2023






# Amendment 1 SMVWCD.HORNE Contract 10.31.23

Final Audit Report

2023-10-31

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