



May 14, 2019

Napa Valley Unified School District  
1616 Lincoln Ave.  
Napa, CA 94558  
Attn: Jennifer Gibb

Re: EquoLogic Contract Modification

Dear Ms. Gibb

This is a request for a contract modification. EquoLogic's original contract was dated August 18, 2016. EquoLogic Group has provided services to the District related to obtaining reimbursement from the State of California Underground Storage Tank Reimbursement Fund (Fund). Our work has resulted in the District receiving an unexpected \$304,387. Recovery of this money has been challenging and has taken over 2 ½ years.

EquoLogic applied for \$595,443 in reimbursement, of which \$314,387 was approved. A \$10,000 deductible was applied before the payment of \$304,387 was issued. We would like to attempt an appeal on behalf of the District for a portion of the remaining \$245,056. In the event that any additional funds are recovered, we are requesting an increase in our contingency fee from 20% to 30%. We will receive no compensation if no additional money is received by the District. This formal appeal will be considered a Fund Manager Decision.

Please contact me if you have any questions.

Sincerely,

Susan Garner

President

The EquoLogic Group

Approval by Authorized Representative  
Signature

Name

date

Napa Valley Unified School District

1040 Park Ave, #200A, San Jose, CA 95126  
P.O. Box 59160, San Jose, CA 95159  
[www.EquoLogicGroup.com](http://www.EquoLogicGroup.com)

Remedial

#	Remedial O&M	Post Remedial Site Closure	Total Eligible	Eligible Third Party	Pending	Ineligible	RTA Cost	POP Needed	Foot Notes	Comments
1			14,956.68						5	Scope of work (SOW) - Impacted soil disposal fees (7/27/99 to 8/26/99) from UST removal excavation and over excavation. All costs are eligible.
2			58,209.80							SOW - Excavation, transportation and disposal of impacted soil. Analytical costs and project management. All costs are eligible.
3			1,700.00							SOW - Provide professional services during initial assessment. All costs are eligible.
4			71,880.00			11,588.00			1 to 7 and 8	SOW - Initial assessment and permitting (sensitive receptor survey, Health & safety Plan, Utilities Survey, Geophysical Survey - \$3,600), Extraction well (EW) installation (1 well), Pump and Treat remediation treatment system design and installation, system O&M for 6 months (\$54,480), Expedited Site Assessment activities (11 hand augured soil borings to 15 ft. depth - \$13,800) and Site Conceptual Model (SCM). Total eligible amount is \$71,880 (\$3,600 surveying, permitting, etc. + \$54,480 for O&M, + \$13,800 expedited site assessment). AAIneligible: Costs related to Site Conceptual Model (SCM) Report (2001) (\$4,000), and 10% contingency amount charged (\$7,588) is not eligible. Copy of the report is not available (either a hard copy or on a disc). Please refer to footnote 8. Total ineligible amount is \$11,588. Refer to footnotes 1-7 and 8 for reasons for the ineligible amount.
5			47,400.00			78,638.00			1 to 7 and 9	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scopes of proposed work were implemented or not. Proposed work included costs estimates related to installation of monitoring wells (MWs) (7 @ 20 ft. deep, \$37,150), extraction well (EW) (1 @ 30 ft, \$7,220) remediation system O&M for additional 6 months (\$23,830) and Groundwater Monitoring (GWM) events (4 events in 2003 - Q1, Q2, Q3 and Q4 2003) (\$19,800 = \$16,200 for labor, equipment and lab + \$3,600 for 4 GWM reports). Total eligible amount is \$47,400 (\$24,500 for MWs + \$4,000 for EW + 16,200 labor/equipment/lab costs associated with for GWM events + \$2,700 for 3 GWM reports Q1, Q2, Q3 2003). AAIneligible: \$78,638 related to unreasonable costs associated with MW/EW installation, additional 6 months of remediation system O&M and one GWM report (reports for Q4 2003 is not provided) is not eligible. Refer to footnotes 1-7 and 9 for reasons for the ineligible amount.



Remedy Selection	Remedial Impl.	Remedial O&M	Post Remedial Site Closure	Total Eligible	Eligible Third Party	Pending	Ineligible	RTA Cost	POP Needed	Foot Notes	Comments
				25,900.00			48,075.00			1 to 7 and 10	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scope of proposed work were implemented or not. Proposed work included costs estimates related to installation of additional three MWs (3 @ 20 ft. deep) (\$14,950), additional five EWs (five, 6-inch wells) (\$21,900), remediation system O&M for additional 6 months (\$30,400) and 10% Contingency (\$6,725). Please refer to footnote 10 for the eligible amount. Total eligible amount is \$25,900 (\$4,000 for 1 MW + \$21,900 for 5 EW). AAlneligible: \$48,075 related to costs estimates for installation of two MWs that were never installed, and additional six months of remediation O&M is not eligible. Refer to footnotes 1-7 and 10 for reasons for the ineligible amount.
				24,450.00			21,902.00			1 to 7 and 11	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scope of proposed work were implemented or not. Proposed work included costs estimates related to remediation system O&M for additional 12 months (\$12,900), GWM events/GWM reports (5 events – Q1 thru Q4 2004 and Q1 2005) (\$25,300), Corrective Action Plan (CAP) (\$4,500) and Contingency (\$3,652). Please refer to footnote 11 for the eligible amount. Amount associated with conducting GWM for all 5 events is eligible \$20,850 (labor/equipment/lab costs only). Copies of 4 reports out of those 5 GWM events have been provided (Q1, Q3, Q4 2004 and Q1 2005). So, \$3,600 for 4 GWM reports (\$900 for each reports) is eligible. Total amount eligible is \$24,450 (\$20,850 for 5 GWM events + \$3,600 for 4 GWM reports). A Alneligible: \$21,902 related to additional 12 months of remediation system O&M, CAP Report and 2 GWM reports is not eligible. Refer to footnotes 1-7 and 11 for reasons for the ineligible amount.
				9,000.00			31,410.00			1 to 7 and 12	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scope of proposed work were implemented or not. Proposed work included costs estimates related to remediation system O&M for additional 12 months (\$13,450), GWM events (4 events in 2006 ? Q1 thru Q4 2006) (\$21,560), One additional MW installation (\$6,900) and 10% Contingency (\$4,191). Please refer to footnote 12 for the eligible amount. Total eligible amount is \$9,000 related to 2 GWM events (Q1 on 2/22/2006 and Q2 on 5/11/2006) (labor/equipment/lab costs only). AAlneligible: \$31,410 related to additional 12 months of remediation system O&M, one additional MW installation, 2 GWM events (Q3 and Q4 2006) GWM events (labor/equipment/lab costs) and 4 GWM reports (Q1 thru Q4 2006) is not eligible. Refer to footnotes 1-7 and 12 for reasons for the ineligible amount.

Remedy Selection	Remedial Impl.	Remedial O&M	Post Remedial Site Closure	Total Eligible	Eligible Third Party	Pending	Ineligible	RTA Cost	POP Needed	Foot Notes	Comments
				4,900.00			10,100.00			1 to 7 and 13	A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scope of proposed work were implemented or not. Proposed work included costs estimates related to one round of GWM event (in 2007), regulatory interface, and preparation of final CAP. Copy of CAP was not available (on geotracker). Please refer to footnote 13 for the eligible amount. Amount for conducting one GWM event (labor/equipment/lab) is eligible (\$4,000 based on historical amount previously requested) and \$900 for GWM report is eligible. Total eligible amount of \$4,900. Refer to footnotes 1 to 7 and 13 for the ineligible amount.
				14,500.00			10,500.00			1 to 7 and 14	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if some of the proposed scope of work was implemented. Proposed scope of work included costs estimates related to Site Conceptual Model (SCM) evaluation, workplan, sensitive receptor survey, one round of 4th Quarter 2007 GWM (Q4 2007), prepare closure report, and project management. Please refer to footnote 14 for the eligible amount. Total amount eligible is \$14,500. AAllineligible: \$10,500 related to Q4 2007 GWM event and unreasonable costs associated with risk analysis is not reimbursed. Refer to footnotes 1-7 and 14 for reasons for the ineligible amount.
				39,490.65			43,200.35			1 to 7 and 15	SOW: A letter and purchase order was submitted in place of an actual invoice. Staff is unable to verify if certain scope of proposed work if that were implemented or not. Proposed work included costs related to well/remediation system abandonment (\$65,000), \$3,000 for Closure Summary Form, \$6,500 for Closure Report, \$4,000 for regulatory assistance/project management and \$4,191 for contingency. \$29,490.65 (\$28,552.16 + \$938.49) related to well/remediation system abandonment work performed by Gribi Associates, \$3,000 for Closure Summary form, additional \$3,000 for Closure Report (instead of \$7,000 requested) and \$4,000 for project management and regulatory interaction is eligible. Total eligible amount is \$39,490.65 (\$29,490.65 + \$3,000 + \$3,000 + \$4,000). Please refer to footnote 15. AAllineligible: \$43,200.35 related to Final Closure report, contingency and well/remediation system abandonment is not eligible. Refer to footnotes 1-7 and 15 for reasons for the ineligible amount.
				2,000.00			23,600.00			1 to 7	SOW: Project management, system performance evaluation, system repair, O&M, and equipment costs. Amount was requested through an e-mail instead of an invoice. The work described in the email cannot be verified. Invoices were not submitted and reports relating to the implemented work were not provided and are not available on GeoTracker. An email with a cost estimate for the scope of work, as was submitted in this case, does not accurately reflect the actual costs incurred. Please provide invoices with details regarding labor rates and work performed. Only, \$2,000 amount for project management is eligible.
				314,387.13			279,013.35				



10	Invoice 196805	\$14,950 was requested for installation of 3 MWs. However, based on available reports (final Closure Report for instance) there are total of 8 MWs at the site. Reasonable amount for installation of 7 MWs has already been reimbursed in Invoice 182469. So, additional \$4,000 is eligible for costs related to installation of remaining one additional MW as part of this invoice. \$21,900 requested for installation of 5 extraction wells (EWs) is eligible as requested. \$52,410 is requested for additional 6 months of remediation system O&M. As indicated previously, there are no reports, discharge permits, or dates/duration of system operation information, site visits data to verify system O&M costs (either hard copies or on a disc). \$0 is eligible for system O&M. 10% charged as contingency (\$6,725) is not eligible. Total eligible amount is \$25,900 (\$4,000 for one MW installation + \$21,900 for five EWs installation)
11	Invoice 204796	\$12,900 was requested for additional 12 months of remediation system O&M. As indicated previously, there are no reports, discharge permits, or dates/duration of system operation information, site visits data to verify system O&M costs (either hard copies or on a disc). \$0 is approved for system O&M. \$4,500 was requested for preparation of CAP. Copy of CAP report is not provided or available (hard copy or on a disc). \$0 is eligible for CAP. 10% charged as contingency (\$3,652) is also not eligible. \$25,350 was requested related to five GWM events including costs for preparing 5 GWM reports (Q1 thru Q4 2004 and Q1 2005) (\$4,500). Labor/equipment/lab costs associated with conducting 5 GWM events is eligible. However, amount associated with 1 GWM report (\$900) is not eligible since copies 4 GWM reports have been provided (Q1, Q3, Q4 2004 and Q1 2005). Remaining 1 report for Q2 2004 GWM event has not been provided (either hard copies or on a disc). Out of \$25,350 for GWM events, \$900 is ineligible related to 1 GWM report. Total of \$24,450 (\$20,850 related to five GWM events (labor/equipment/lab costs) and \$3,600 related to 4 GWM reports) is eligible. A
12	Invoice 213706	\$13,450 was requested for additional 12 months of remediation system O&M. As indicated previously, there are no reports, discharge permits, or dates/duration of system operation information, site visits data to verify system O&M costs (either hard copies or on a disc). \$0 is approved for system O&M (on geotracker). \$21,560 was requested for 4 proposed GWM events including \$4,000 for 4 GWM reports (4 events in 2006 – Q1 thru Q4 2006). However, based on the August 2007 Closure Report, only 2 GWM events were conducted during 2006 (on 2/22/2006 and 5/11/2006 – Q1 and Q2 2006). So, amount for 2 GWM events is eligible (\$9,000) (labor/equipment/lab costs only). Costs (\$4,000) for all 4 GWM reports (Q1 thru Q4 2006) is not eligible since copies of those reports are not available on geotracker. \$6,900 requested for proposed installation of 1 MW is not eligible since that well was never installed. (Amount for 8 MW installation has already been reimbursed). 10% charged as contingency (\$4,191) is also not eligible. Only amount eligible is related to 2 GWM events without any reports (\$9,000).
13	Invoice 228083	Proposed work included costs related to one round of GWM event, regulatory interface, and preparation of final CAP. \$15,000 lump sum was charged for the proposed scope of work. No breakdowns or actual invoice was provided. Invoice fails to provide specific information about which GWM event. Based on the review of 2007 Closure Report, one GWM event (Q2 2007) was conducted in 2007 (5/20/2007). So, amount for one GWM event and report is eligible. \$4,000 for conducting one GWM event (labor/equipment/lab) and \$900 for GWM report (based on historical amount previously requested) is eligible. Total eligible amount of \$4,900 Remaining of \$10,100 is not eligible as copy of CAP is not available and no details have been provided regarding other work.
14	Invoice 242488	Total of \$25,000 was requested which included costs related to SCM evaluation (\$2,500), workplan, sensitive receptor survey (SRS) (\$2,000), site specific risk-based screening (\$2,500), one round of GWM (Q4 2007) (\$8,000), sampling down gradient well (\$1,000) prepare SCM (\$6,000), prepare closure report (\$3,000). \$2,500 for SCM Work Plan is not eligible as copy of SCM Work Plan is not available on geotracker. \$1,000 is eligible for risk screening since there is no report or enough information to justify \$2,000. \$2,000 is eligible for SRS as requested. Amount for Q4 2007 GWM event is not eligible since there are no records to verify that Q4 2007 GWM event was conducted. Based on the 2007 Closure Report, only one GWM event was conducted in 2007 (Q2 2007). Amount for that GWM event has been reimbursed in previous invoice (\$8,000 requested for GWM event is not eligible). \$6,000 for SCM and \$3,000 is eligible for Closure Report as requested. Total eligible amount is \$14,500 (\$2,550 for SCM/Work Plan + \$2,000 for SRS + \$1,000 for Risk Analysis + \$6,000 for SCM + \$3,000 for Closure Report). A
15	Invoice 246818	\$65,000 was requested by 3 Phase Inc. for well destruction and remediation system abandonment including costs related to well destruction work plan, well destruction, traffic control, decommissioning of remediation system, waste disposal. However, this scope of work was performed by a subcontractor Gribi for \$29,490.65 (\$28,552.16 + \$938.49). Therefore, instead of proposed costs of \$65,000, \$29,490.65 is eligible for work related to well and remediation system abandonment. \$35,509.35 related to well/remediation system abandonment is not eligible. \$3,000 related to Case Closure Summary Form and \$4,000 for project management/regulatory interaction is eligible for reimbursement. Additional \$7,000 has been requested for Closure report. \$3,000 for closure report has been previously reimbursed in Invoice 242488. Additional \$3,000 is eligible for reimbursement for Closure Report as part of this invoice and remaining \$4,000 related to Closure report is not eligible. \$4,191 for contingency is also not eligible. Total eligible amount is \$39,490.65 (\$29,490.65 + \$3,000 + \$3,000 + \$4,000). A