

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 FIRST AMENDMENT TO AGREEMENT NO. 35615

2 **35615**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35615 is made and
4 entered, as of August 3, 2022, for reference purposes only, pursuant to minute orders
5 adopted by the City Council of the City of Long Beach at its meetings on July 7, 2020 and
6 July 12, 2022, by and between NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL
7 SCIENCES CONSULTANTS, a California corporation ("Consultant"), with a place of
8 business at 475 Goddard, Suite 200, Irvine, California 92618, and the CITY OF LONG
9 BEACH, a municipal corporation ("City").

10 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
11 35615 (the "Agreement") whereby Consultant agreed to provide as-needed construction
12 materials testing and inspection services for various development projects at the Long
13 Beach Airport; and

14 WHEREAS, the Parties desire to add \$407,259 to the Agreement for a total
15 not to exceed amount of \$1,407,259, extend the term one (1) additional one-year period
16 and attach an updated rate sheet;

17 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
18 conditions herein contained, the Parties agree as follows:

19 1. Section 1.A. of the Agreement is hereby amended to read as follows:

20 "A. Consultant shall furnish specialized services described in
21 Request for Qualifications Number AP19-133, attached to the Agreement as Exhibit
22 "A-1" and incorporated by this reference; and more particularly described in the
23 Consultant's Proposal, attached to the Agreement as Exhibit "A-2" and incorporated
24 by this reference, in accordance with the standards of the profession, and City shall
25 pay for these services in the manner described below, in an amount not to exceed
26 One Million Four Hundred Seven Thousand Two Hundred Fifty-Nine Dollars
27 (\$1,407,259), at the rates or charges shown in Exhibit "B".

28 2. Section 2 of the Agreement is hereby amended to read as follows:

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1 "2. TERM. The term of this Agreement shall commence at midnight on
2 August 10, 2020, and shall terminate at 11:59 p.m. on August 9, 2023, unless sooner
3 terminated as provided in this Agreement, or unless the services or the Project is
4 completed sooner. The term may be extended for two (2) additional one-year periods, at
5 the discretion of the City Manager."

6 3. The Rates in Exhibit "B" to the Agreement are hereby amended in
7 accordance with Exhibit "B-1", attached hereto and incorporated by this reference.

8 IN WITNESS WHEREOF, the Parties have caused this document to be duly
9 executed with all formalities required by law as of the date first stated above.

NINYO & MOORE GEOTECHNICAL &
ENVIRONMENTAL SCIENCES
CONSULTANTS, a California corporation

10
11
12 August 11, 2022

By Auram Ninyo
Name Auram Ninyo
Title President

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14
15 August 11, 2022

By Elaine G. Autus
Name Elaine G. Autus
Title Secretary

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

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20 August 25, 2022

By Linda J. Jakum
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

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23 This First Amendment to Agreement No. 35816 is approved as to form on
24 August 23, 2022.

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CHARLES PARKIN, City Attorney
By [Signature]
Deputy

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EXHIBIT "B-1"

Schedule of Fees

Hourly Charges for Personnel

Professional Staff

Principal Engineer/Geologist/Environmental Scientist/Certified Industrial Hygienist	\$ 210
Senior Engineer/Geologist/Environmental Scientist	\$ 200
Senior Project Engineer/Geologist/Environmental Scientist	\$ 195
Project Engineer/Geologist/Environmental Scientist	\$ 185
Senior Staff Engineer/Geologist/Environmental Scientist	\$ 160
Staff Engineer/Geologist/Environmental Scientist	\$ 155
GIS Analyst	\$ 130
Technical Illustrator/CAD Operator	\$ 110

Field Staff

Certified Asbestos/Lead Technician	\$ 195
Field Operations Manager	\$ 130
Nondestructive Examination Technician (UT, MT, LP)	\$ 125
Supervisory Technician	\$ 120
Special Inspector (Concrete, Masonry, Structural Steel, Welding, and Fireproofing)	\$ 115
Senior Technician	\$ 110
Technician	\$ 110

Administrative Staff

Information Specialist	\$ 90
Geotechnical/Environmental/Laboratory Assistant	\$ 90
Data Processor	\$ 75

Other Charges

Concrete Coring Equipment (includes technician)	\$ 190/hr
Anchor Load Test Equipment (includes technician)	\$ 190/hr
GPR Equipment	\$ 180/hr
Inclinometer	\$ 100/hr
Hand Auger Equipment	\$ 80/hr
Rebar Locator (Pachometer)	\$ 25/hr
Vapor Emission Kit	\$ 65/kit
Nuclear Density Gauge	\$ 12/hr
X-Ray Fluorescence	\$ 70/hr
PID/FID	\$ 25/hr
Air Sampling Pump	\$ 10/hr
Field Vehicle	\$ 15/hr
Expert Witness Testimony	\$ 450/hr
Direct Expenses	Cost plus 15 %
Union Surcharge & PLA Administration Fee (for PLA regulated projects only)	\$ 15/hr

Special equipment charges will be provided upon request.

Notes

For field and laboratory technicians and special inspectors, overtime rates at 1.5 times the regular rates will be charged for work performed in excess of 8 hours in one day Monday through Friday and all day on Saturday. Rates at twice the regular rates will be charged for all work in excess of 12 hours in one day, all day Sunday and on holidays.

Field technician and special inspection hours are charged at a 4-hour minimum, and 8-hour minimum for hours exceeding 4 hours.

Invoices are payable upon receipt. A service charge of 1.5 percent per month may be charged on accounts not paid within 30 days.

Our rates will be adjusted in conjunction with the increase in the Prevailing Wage Determination during the life of the project, as applicable.

The terms and conditions are included in Ninyo & Moore's Work Authorization and Agreement form.

Schedule of Fees for Laboratory Testing

SOILS

Atterberg Limits, D 4318, CT 204.....	\$ 170
California Bearing Ratio (CBR), D 1883.....	\$ 550
Chloride and Sulfate Content, CT 417 & CT 422.....	\$ 175
Consolidation, D 2435, CT 219.....	\$ 300
Consolidation, Hydro-Collapse only, D 2435.....	\$ 150
Consolidation – Time Rate, D 2435, CT 219.....	\$ 200
Direct Shear – Remolded, D 3080.....	\$ 350
Direct Shear – Undisturbed, D 3080.....	\$ 300
Durability Index, CT 229.....	\$ 175
Expansion Index, D 4829, IBC 18-3.....	\$ 190
Expansion Potential (Method A), D 4546.....	\$ 170
Geofabric Tensile and Elongation Test, D 4632.....	\$ 200
Hydraulic Conductivity, D 5084.....	\$ 350
Hydrometer Analysis, D 6913, CT 203.....	\$ 220
Moisture, Ash, & Organic Matter of Peat/Organic Soils.....	\$ 120
Moisture Only, D 2216, CT 226.....	\$ 35
Moisture and Density, D 2937.....	\$ 45
Permeability, CH, D 2434, CT 220.....	\$ 300
pH and Resistivity, CT 643.....	\$ 175
Proctor Density D1557, D 698, CT 216, AASHTO T-180.....	\$ 220
Proctor Density with Rock Correction D 1557.....	\$ 340
R-value, D 2844, CT 301.....	\$ 375
Sand Equivalent, D 2419, CT 217.....	\$ 125
Sieve Analysis, D 6913, CT 202.....	\$ 145
Sieve Analysis, 200 Wash, D 1140, CT 202.....	\$ 100
Specific Gravity, D 854.....	\$ 125
Thermal Resistivity (ASTM 5334, IEEE 442).....	\$ 925
Triaxial Shear, C.D, D 4767, T 297.....	\$ 550
Triaxial Shear, C.U., w/pore pressure, D 4767, T 2297 per pt.....	\$ 450
Triaxial Shear, C.U., w/o pore pressure, D 4767, T 2297 per pt.....	\$ 350
Triaxial Shear, U.U., D 2850.....	\$ 250
Unconfined Compression, D 2166, T 208.....	\$ 180

MASONRY

Brick Absorption, 24-hour submersion, 5-hr boiling, 7-day, C 67.....	\$ 70
Brick Compression Test, C 67.....	\$ 55
Brick Efflorescence, C 67.....	\$ 55
Brick Modulus of Rupture, C 67.....	\$ 50
Brick Moisture as received, C 67.....	\$ 45
Brick Saturation Coefficient, C 67.....	\$ 60
Concrete Block Compression Test, 8x8x16, C 140.....	\$ 70
Concrete Block Conformance Package, C 90.....	\$ 500
Concrete Block Linear Shrinkage, C 426.....	\$ 200
Concrete Block Unit Weight and Absorption, C 140.....	\$ 70
Cores, Compression or Shear Bond, CA Code.....	\$ 70
Masonry Grout, 3x3x6 prism compression, C 39.....	\$ 45
Masonry Mortar, 2x4 cylinder compression, C 109.....	\$ 35
Masonry Prism, half size, compression, C 1019.....	\$ 120
Masonry Prism, Full size, compression, C 1019.....	\$ 200

REINFORCING AND STRUCTURAL STEEL

Chemical Analysis, A 36, A 615.....	\$ 135
Fireproofing Density Test, UBC 7-6.....	\$ 90
Hardness Test, Rockwell, A 370.....	\$ 80
High Strength Bolt, Nut & Washer Conformance, per assembly, A 325.....	\$ 150
Mechanically Spliced Reinforcing Tensile Test, ACI.....	\$ 175
Pre-Stress Strand (7 wire), A 416.....	\$ 170
Reinforcing Tensile or Bend up to No. 11, A 615 & A 706.....	\$ 75
Structural Steel Tensile Test: Up to 200,000 lbs., A 370.....	\$ 90
Welded Reinforcing Tensile Test: Up to No. 11 bars, ACI.....	\$ 80

CONCRETE

Compression Tests, 6x12 Cylinder, C 39.....	\$ 35
Concrete Mix Design Review, Job Spec.....	\$ 300
Concrete Mix Design, per Trial Batch, 6 cylinder, ACI.....	\$ 850
Concrete Cores, Compression (excludes sampling), C 42.....	\$ 120
Drying Shrinkage, C 157.....	\$ 400
Flexural Test, C 78.....	\$ 85
Flexural Test, C 293.....	\$ 85
Flexural Test, CT 523.....	\$ 95
Gunite/Shotcrete, Panels, 3 cut cores per panel and test, ACI.....	\$ 275
Lightweight Concrete Fill, Compression, C 495.....	\$ 80
Petrographic Analysis, C 856.....	\$ 2,000
Restrained Expansion of Shrinkage Compensation.....	\$ 450
Splitting Tensile Strength, C 496.....	\$ 100
3x6 Grout, (CLSM), C 39.....	\$ 55
2x2x2 Non-Shrink Grout, C 109.....	\$ 55

ASPHALT

Air Voids, T 269.....	\$ 85
Asphalt Mix Design, Caltrans (incl. Aggregate Quality).....	\$ 4,500
Asphalt Mix Design Review, Job Spec.....	\$ 180
Dust Proportioning, CT LP-4.....	\$ 85
Extraction, % Asphalt, including Gradation, D 2172, CT 382.....	\$ 250
Extraction, % Asphalt without Gradation, D 2172, CT 382.....	\$ 150
Film Stripping, CT 302.....	\$ 120
Hveem Stability and Unit Weight D 1560, T 246, CT 366.....	\$ 225
Marshall Stability, Flow and Unit Weight, T 245.....	\$ 240
Maximum Theoretical Unit Weight, D 2041, CT 309.....	\$ 150
Moisture Content, CT 370.....	\$ 95
Moisture Susceptibility and Tensile Stress Ratio, T 238, CT 371.....	\$ 1,000
Slurry Wet Track Abrasion, D 3910.....	\$ 150
Superpave, Asphalt Mix Verification (incl. Aggregate Quality).....	\$ 4,900
Superpave, Gyration Unit Wt., T 312.....	\$ 100
Superpave, Hamburg Wheel, 20,000 passes, T 324.....	\$ 1,000
Unit Weight sample or core, D 2726, CT 308.....	\$ 100
Voids in Mineral Aggregate, (VMA) CT LP-2.....	\$ 90
Voids filled with Asphalt, (VFA) CT LP-3.....	\$ 90
Wax Density, D 1188.....	\$ 140

AGGREGATES

Clay Lumps and Friable Particles, C 142.....	\$ 180
Cleaness Value, CT 227.....	\$ 180
Crushed Particles, CT 205.....	\$ 175
Durability, Coarse or Fine, CT 229.....	\$ 205
Fine Aggregate Angularity, ASTM C 1252, T 304, CT 234.....	\$ 180
Flat and Elongated Particle, D 4791.....	\$ 220
Lightweight Particles, C 123.....	\$ 180
Los Angeles Abrasion, C 131 or C 535.....	\$ 200
Material Finer than No. 200 Sieve by Washing, C 117.....	\$ 90
Organic Impurities, C 40.....	\$ 90
Potential Alkali Reactivity, Mortar Bar Method, Coarse, C 1260.....	\$ 1,250
Potential Alkali Reactivity, Mortar Bar Method, Fine, C 1260.....	\$ 950
Potential Reactivity of Aggregate (Chemical Method), C 289.....	\$ 475
Sand Equivalent, T 176, CT 217.....	\$ 125
Sieve Analysis, Coarse Aggregate, T 27, C 136.....	\$ 120
Sieve Analysis, Fine Aggregate (including wash), T 27, C 136.....	\$ 145
Sodium Sulfate Soundness, C 88.....	\$ 450
Specific Gravity and Absorption, Coarse, C 127, CT 206.....	\$ 115
Specific Gravity and Absorption, Fine, C 128, CT 207.....	\$ 175

ROOFING

Roofing Tile Absorption, (set of 5), C 67.....	\$ 250
Roofing Tile Strength Test, (set of 5), C 67.....	\$ 250

Special preparation of standard test specimens will be charged at the technician's hourly rate.
Ninyo & Moore is accredited to perform the AASHTO equivalent of many ASTM test procedures.