

34362

FIFTH AMENDMENT TO AGREEMENT NO. 34362

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THIS FIFTH AMENDMENT TO AGREEMENT NO. 34362 is made and entered, as of July 6, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 6, 2023, by and between GRIFFIN STRUCTURES, INC., a California corporation ("Consultant"), with a place of business at 1 Technology Drive, Suite 1829, Irvine, California 92618, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34362 (the "Agreement") under Specification No. RFQ PW16-115, whereby Consultant agreed to provide as-needed public works construction management and inspection services in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) for a period of three (3) years with the option to extend for two (2) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to August 31, 2020; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to August 31, 2021; and

WHEREAS, on August 3, 2021, the City Council authorized increasing the aggregate not to exceed amount and extended the term to August 31, 2022, for as-needed construction management and inspection services for all public works projects created under Specification No. RFQ PW16-115; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to August 31, 2022; and

WHEREAS, on July 19, 2022, the City Council authorized increasing the aggregate not to exceed amount and extended the term to August 31, 2023, for as-needed construction management and inspection services for all public works projects created under Specification No. RFQ PW16-115; and

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

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Irvine, CA 92612-4664

1 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement
2 to extend the term to August 31, 2023, attach an updated rate sheet, and update the City
3 Representative; and

4 WHEREAS, on June 6, 2023, the City Council authorized extending the term
5 of the Agreement to August 31, 2024, for as-needed construction management and
6 inspection services for all public works projects created under Specification No. RFQ
7 PW16-115; and

8 WHEREAS, the Parties desire to extend the term of the Agreement by one
9 (1) additional one-year period, and attach an updated rate sheet;

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

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

13 “2. TERM. The term of this Agreement shall commence at midnight on
14 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2024, unless sooner
15 terminated as provided in this Agreement, or unless the services or the Project is
16 completed sooner.”

17 2. The Rates attached as Exhibit “B-1” in the Fourth Amendment to the
18 Agreement are hereby amended and replaced by Exhibit “B-2”, attached hereto and
19 incorporated herein.

20 3. Except as expressly amended herein, all terms and conditions in
21 Agreement No. 34362 are ratified and confirmed and shall remain in full force and effect.

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

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

GRIFFIN STRUCTURES, INC., a California corporation

21 JULY, 2023

By [Signature]
Name MARK HOGELUND
Title GFO

July 21, 2023

By [Signature]
Name John Hughes
Title President

"Consultant"

CITY OF LONG BEACH, a municipal corporation

August 9, 2023

By [Signature]
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This Fifth Amendment to Agreement No. 34362 is approved as to form on

AUGUST 3, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

Exhibit "B-2"

Rate Update



Griffin Structures, Inc.
As Needed Construction Management

City of Long Beach

Contract Extension 09/01/2023 - 08/31/2024

Rate Sheet

<u>POSITION</u>	<u>HOURLY BILLING RATE</u>
President and CEO:	\$258.00
Executive Vice President:	\$247.00
Vice President:	\$237.00
Project Executive:	\$221.00
Sr. Project Manager	\$216.00
Project Manager	\$204.00
Strategic Services Advisor	\$211.00
Estimating	\$206.00
Public Outreach	\$206.00
Project Administration	\$136.00
Subconsultant Costs	At Cost
Reimbursable Costs	At Cost

No mileage, transportation charges or per diem allowed. Pre-approved reimbursable items charged at cost.

Sub-consultants billed at cost.

Rates can only be changed by amendment.

Pre-approved overtime will be charged at time and a half.