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

## SECOND AMENDMENT TO AGREEMENT NO. 35531

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THIS SECOND AMENDMENT TO AGREEMENT NO. 35531 is made and entered, in duplicate, as of October 12, 2021, for reference purposes only, pursuant to Resolution No. RES-20-0061, adopted by the City Council of the City of Long Beach at its meeting on May 12, 2020 and September 7, 2021, by and between ANSER ADVISORY, LLC, dba SIMPLUS MANAGEMENT LLC, a Delaware limited liability company ("Consultant"), with a place of business at 2677 N. Main Street, Suite 400, Santa Ana, California 92705, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35531 (the "Agreement") whereby Consultant agreed to provide construction management services for the Phase II Terminal Area improvements at the Long Beach Airport; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to update the fee schedule; and

WHEREAS, the Parties desire to add \$3,538,000 for a total not to exceed amount of \$7,485,343 and attach an updated fee schedule;

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

- 1. Section 1.A of the Agreement is hereby amended to read as follows:
- "A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, in an amount not to exceed Seven Million Four Hundred Eighty-Five Thousand Three Hundred Forty-Three Dollars (\$7,485,343), at the rates or charges shown in Exhibit "B"."
- 2. The Fees/Rates in Exhibit "B-1" to the First Amendment to the Agreement are hereby amended in accordance with Exhibit "B-2", attached hereto and incorporated by this reference.

3. Except as expressly	modified herein, all of the terms and conditions
contained in Agreement No. 35531 are rat	ified and confirmed and shall remain in full force
and effect.	
IN WITNESS WHEREOF, th	e Parties have caused this document to be duly
executed with all formalities required by la	w as of the date first stated above.
November 1, 2021  November 1, 2021	ANSER ADVISORY, LLC, dba SIMPLUS MANAGEMENT LLC, a Delaware limited liability company  By Poul & Buckley  Name PAUL & BUCKLEY  Title VICE PRESIDENT  Name Chain, Halvorran  Title Secretary
	"Consultant"
	CITY OF LONG BEACH, a municipal corporation
Moumber 19, 2021	By Sinda J. Jahrn City Manager
	"City" TO CENTED OF OF THE CHY CHARTER.
This Second Amendment to	Agreement No. 35531 is approved as to form or
<u>                                     </u>	
	CHARLES PARKIN, City Attorney By
	Deputy

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EXHIBIT "B-2"

### Long Beach Airport Phase II Improvements Project

#### Anser Advisory Inc.

Construction Management Staffing Plan - Scenario 6

Contract Date Range: May 2020 - April 2023

Staffing Plan for November 2021 - December 2023 September 22, 2021

#### RATE TABLE

Palifor	<b>Company</b>	Year	2021 11/04/21 to 13/31/21		2022 01/01/22 to 12/31/22		2023 01/01/20 to 12/21/23	
		Effective Excitation						
				.00%		Left		E.DOY.
Executive Advisor/Principal-In-Charge	Anser Advisory		\$	272	\$	286	\$	300
Senior Construction Manager	Anser Advisory		\$	220	\$	231	\$	243
Field Construction Manager	Anser Advisory		\$	163	\$	171	\$	180
Field Engineer	Anser Advisory		\$	111	\$	117	\$	123
MP Specialist	Anser Advisory		\$	157	\$	165	\$	173
Office Enginer/Document Control	Anser Advisory		\$	110	\$	116	\$	122
Lead/Building Inspector	Anser Advisory		\$	120	\$	126	\$	132
Building/Elec. Inspector	Anser Advisory		\$	120	\$	126	\$	132
IT Specialist	Anser Advisory		\$	168	\$	176	\$	185
Senior Cost Engineer	Faithful & Gould		\$	188	\$	197	\$	207
Project Manager / Cost Support	Faithful & Gould		\$	115	\$	121	\$	127
Senior Cost Estimator	Anser Advisory		\$	155	\$	163	\$	171
Senior Scheduler II	Anser Advisory		\$	143	\$	150	\$	158
Commissioning Project Manager	3QC		\$	202	\$	212	\$	223
Commissioning Agent	3QC		\$	195	\$	205	\$	215
BECx Consultant	3QC		\$	195	\$	205	\$	215
Commissioning Provider	3QC		\$	153	\$	161	\$	169

#### NOTES:

- 1. Billing rates are shown for Anser's based on our current published multiplier.
- 2. The multiplier and escalation shall be adjusted annually.
- 3. Annual escalation shown is only estimated and represents the maximum posible increase in any one year.
- 4. Actual billing escalation to be used will be as mutually agreed to by the Airport and Anser in December of each year. The rates will take effect on January 1 of each year.
- 5. The basis for the escalation will be as determined by the Consumer Price Index as listed for the So. Cal. Region.
- 6. The billing Rates for Faithful & Gould, HNTB and 3Qc are a carry over from Amendment No. 02.
- Rate increases for Inspectors, highlighted in green above, will be based on the DIR Law that governes all prevailing wage inspection employees. These rate increases are effective on July 1 of each year.
- 8. Rates for the Field Construction Manager, Field Engineer and IT Specialist are adjusted to reflect the change in personnel for these positions and their respective direct salaries.