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

. .

FIRST AMENDMENT TO AGREEMENT NO. 36051

THIS FIRST AMENDMENT TO AGREEMENT NO. 36051 is made and entered, in duplicate, as of April 12, 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 July 6, 2021, by and between SWAIN CONSULTANTS, a sole proprietorship ("Consultant"), with a place of business at 388 East Ocean Boulevard, Suite 1110, Long Beach, California 90802, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed professional engineering services ("Project"); and

WHEREAS, on July 6, 2021, the City Council adopted Specifications No. RFQ PW0-059 and awarded agreements for as-needed professional engineering services for a period of two (2) years, with the option to renew for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36051 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties desire to extend the term of the Agreement using the first one-year period option, update the rates sheet in Exhibit B, and update the City's Representative in Exhibit C;

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

- 1. Section 2 of the Agreement is hereby amended to read as follows.
- "2. <u>TERM.</u> The term of this Agreement shall commence at midnight on August 1, 2021, and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended for two (2) additional one-year periods, at the discretion of the City Manager."
 - 2. The Rates in Exhibit "B" to the Agreement are hereby amended in

4. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36051 are ratified and confirmed and shall remain in full force and effect.

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.

	SWAIN CONSULTANTS, a sole proprietorship
April <u>25</u> , 2023	By
, 2023	By Name Title
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.	"Consultant" CITY OF LONG BEACH, a municipal corporation
<u>May 19</u> , 2023	By <u>Aında</u> J. Jahrm City Manager
	"City"
This First Amendment to Agr	eement No. 36051 is approved as to form on
MAY 16 , 2023.	
	DAWN MCINTOSH, City Attorney
	By Deputy

Exhibit B-1 Rate Sheet



Schedule of Rates for Services Sheet for City of Long Beach As Needed Engineering Services Rates for PW20-059 On-Call Professional Engineering Services August 1, 2023, to July 31, 2024

Classification	Hourly Rates
Principal in Charge	\$255
QA / QC Manager	\$185
Geotechnical Engineer	\$185
Senior Structural Engineer	\$215
Structural Engineer	\$205
Senior Project Manager	\$225
Project Manager	\$185
Senior Project Engineer	\$185
Project Engineer	\$160
Design Engineer	\$140
Associate Design Engineer	\$130
Staff Engineer	\$140
GIS Technician	\$90
Senior CAD Technician	\$90
CAD Technician	\$90
Project Administration	\$90
Senior Plan Checker	\$125
Plan Checker	\$90

- o No Mileage.
- o Reimbursable items at cost.
- o Consultants and Sub Consultants billed at cost.
- o Rates may only be changed by mutual consent by contract amendment.
- Overtime will be charged at 1.5 times the regular hourly rate for each hour worked over 8 per day on weekdays and Saturdays.

Exhibit C-1 City's Representative

Keith Hoey, Acting City Engineer Keith.Hoey@longbeach.gov 562/570-6586