



1 exceed One Million Two Hundred Forty-Seven Thousand Four Hundred Seventy-Four  
2 Dollars (\$1,247,474), at the rates or charges shown in Exhibit "A-2".

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

4 "2. TERM. The term of this Agreement shall commence at midnight on  
5 October 2, 2013, and shall terminate at 11:59 p.m. on October 1, 2019, unless sooner  
6 terminated as provided in this Agreement, or unless the services or the Project is  
7 completed sooner."

8 3. The Rates in Exhibit "A-2" to the Agreement are hereby amended in  
9 accordance with Exhibit "A-3", attached hereto and incorporated by this reference.

10 4. Except as expressly modified herein, all of the terms and conditions  
11 contained in Agreement No. 33263 are ratified and confirmed and shall remain in full force  
12 and effect.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Lona 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.

ANDERSONPENNA PARTNERS, INC., a California corporation

\_\_\_\_\_, 2017

By *Lisa M. Penna*  
Name \_\_\_\_\_  
Title **Lisa M. Penna, PE, QSP**  
President/CEO

\_\_\_\_\_, 2017

By *Angelique M. Lucero*  
Name *Angelique M. Lucero*  
Title *CFR*

"Consultant"

CITY OF LONG BEACH, a municipal corporation

*Dec. 11*, 2017

By *TBM*  
City Manager  
*Tom Modica*  
"City" Assistant City Manager  
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Third Amendment Agreement No. 33263 is approved as to form on

*11/20*, 2017.

CHARLES PARKIN, City Attorney

By *Raku*  
Deputy

# EXHIBIT "A-3"

Rates or Charges



## Revised Fee Schedule

Project Management Schedule of Rates	
TITLE	RATE
<b>Professional Services</b>	
<b>Original Contract</b>	
Project Manager	\$ 165.00
Outreach & LB Departmental Liaison	\$ 165.00
Aquatics Specialist	\$ 180.00
Office Engineering and Administration	\$ 90.00
<b>Additional Classifications</b>	
Project Executive	\$ 220.00
Senior Construction Manager	\$ 185.00
Construction Manager	\$ 170.00
Assistant Project / Construction Manager	\$ 145.00
Project Controls	\$ 115.00

### Notes and Assumptions:

Notes, limitations and exclusions from original and prior amendments are revised as follows: Notes and Assumptions:

- The contract amount will be paid on an as-needed, time and materials basis.

**Other Direct Costs:** Ordinary identifiable non-salary costs that are directly attributable to the project such as reproduction, regular vehicular travel costs, overnight postage / couriers, etc., are covered in APP's rates and fee detailed above. Extraordinary expenses, such as oversized and/or color reproduction costs, site facility hard phone line and/or internet service charges, non-commuter project miles and/or other travel expenses to remote (over 50 miles one-way) fabrication yards / batch plants, overnight postage / couriers, etc., are billed cost. Travel charges to a casting / fabrication yard or batch plant will include the hourly billing rate plus travel expenses as listed in the Caltrans Travel Guide (State rates). Extraordinary charges will not be billed to the Client unless specifically requested and approved by the Client in writing prior to incurring the expense.

### EXCLUSIONS TO SCOPE AND FEE:

The following items are specifically excluded:

- Legal advice or services of any kind
- Surveying
- Licensed or specialty practitioners not included in proposal
- Temporary field office facilities, equipment, furniture, utilities and/or services
- Specialized Software (other than MS Office Suite, MS Project)
- Geotechnical, construction and/or hazardous materials inspection, testing or monitoring