

1 FOURTH AMENDMENT TO AGREEMENT NO. 34359

2 34359

3 THIS FOURTH AMENDMENT TO AGREEMENT NO. 34359 is made and
4 entered, as of July 25, 2022, for reference purposes only, pursuant to a minute order
5 adopted by the City Council of the City of Long Beach at its meeting on July 19, 2022, by
6 and between BERG & ASSOCIATES, INC., a California corporation ("Consultant"), with a
7 place of business at 302 W. 5th Street, Suite 210, San Pedro, California 90731, and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34359 (the "Agreement") whereby Consultant agreed to provide as-needed public works
11 construction management and inspection services in an amount not to exceed Five
12 Hundred Thousand Dollars (\$500,000) for a period of three (3) years with the option to
13 extend for two (2) additional one-year periods, at the discretion of the City Manager; and

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

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

18 WHEREAS, on August 3, 2021, the City Council authorized increasing the
19 aggregate not to exceed amount and extended the term to August 31, 2022, for as-needed
20 construction management and inspection services for all public works projects; and

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

23 WHEREAS, on July 19, 2022, the City Council authorized increasing the
24 aggregate not to exceed amount and extended the term to August 31, 2023, for as-needed
25 construction management and inspection services for all public works projects; and

26 WHEREAS, the Parties desire to extend the term one (1) additional one-year
27 period, attach an updated rate sheet and update the City Representative;

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

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Innn Beach, CA 90802-4664

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

3 1. 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 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2023, unless sooner
6 terminated as provided in this Agreement, or unless the services or the Project is
7 completed sooner."

8 2. The Rates contained in Exhibit "B" to the Agreement are hereby
9 amended and replaced by Exhibit "B-1", attached hereto and incorporated herein.

10 3. The City Representative in Exhibit "C" to the Agreement is hereby
11 amended in accordance with Exhibit "C-1", attached hereto and incorporated by this
12 reference.

13 4. Except as expressly amended herein, all terms and conditions in
14 Agreement No. 34359 are ratified and confirmed and shall remain in full force and effect.

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

3 BERG & ASSOCIATES, INC., a California
4 corporation

5 August 9, 2022

6 By [Signature]
7 Name Alicia Berg
8 Title Secretary

9 August 9, 2022

10 By [Signature]
11 Name Wendy Crawford
12 Title CFO

13 "Consultant"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 August 19, 2022

17 By [Signature]
18 City Manager

19 "City" EXECUTED PURSUANT
20 TO SECTION 301 OF
21 THE CITY CHARTER

22 This Fourth Amendment to Agreement No. 34559 is approved as to form on

23 August 16, 2022.

24 CHARLES PARKIN, City Attorney

25 By [Signature]
26 Deputy

27 OFFICE OF THE CITY ATTORNEY
28 CHARLES PARKIN, City Attorney
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Long Beach, CA 90802-4664

Exhibit B-1

Rates or Charges Update



Schedule of Rates for Services for City of Long Beach

As Needed Construction Management & Inspection

September 1, 2022 to August 31, 2023

Title (No Names)	Hourly Rate (blended for 3 years)
Executive Manager III	\$212
Executive Manager II	\$200
Executive Manager I	\$115
Licensed Professional III	\$203
Licensed Professional II	\$184
Licensed Professional I	\$166
Construction Manager III	\$174
Construction Manager II	\$155
Construction Manager I	\$121
Technical III	\$144
Technical II	\$133
Technical I	\$123
Field Technician III	\$133
Field Technician II	\$107
Field Technician I	\$99
Inspection III	\$163
Inspection II	\$157
Inspection I	\$143
Professional II	\$176
Professional I	\$159
Accounting	\$108
Administrative II	\$93
Administrative I	\$75

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.

Exhibit C-1

City's Representative:

Keith Hoey

Assistant City Engineer

Keith.Hoey@LongBeach.Gov

562/570-6586