

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

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THIRD AMENDMENT TO AGREEMENT NO. 35583

35583

THIS THIRD AMENDMENT TO AGREEMENT NO. 35583 is made and entered, as of April 5, 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 May 12, 2020, by and between ENERGY EXPERTS INTERNATIONAL, a California corporation ("Consultant"), with a place of business at 555 Twin Dolphin Drive, Suite 150, Redwood, California 94065, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35583 (the "Agreement") whereby Consultant agreed to provide as-needed on-call professional engineering and inspection services for a period of one (1) year, with the option to renew for four (4) 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 June 30, 2022; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to June 30, 2023; and

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

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. TERM. The term of this Agreement shall commence at midnight on July 1, 2020, and shall terminate at 11:59 p.m. on June 30, 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 one (1) additional one-year period, at the discretion of the City Manager."
2. The rates/charges in Exhibit "B" attached to the Agreement are hereby

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1 amended and replaced with Exhibit "B-1", attached hereto and incorporated herein.

2 3. Except as expressly amended herein, all terms and conditions in
3 Agreement No. 35583 are ratified and confirmed and shall remain in full force and effect

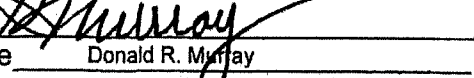
4 IN WITNESS WHEREOF, the Parties have caused this document to be duly
5 executed with all formalities required by law as of the date first stated above.

6 ENERGY EXPERTS INTERNATIONAL, a
7 California corporation

8 April 7, 2023

By 
Name Michael T. Watanabe
Title President & CEO

10 April 17, 2023

By 
Name Donald R. Murray
Title Exec Vice President & COO

"Consultant"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 April 26, 2023

By 
City Manager

"City"

18 This Third Amendment to Agreement No. 35583 is approved as to form on
19 April 13, 2023.

21 EXECUTED PURSUANT
22 TO SECTION 301 OF
23 THE CITY CHARTER.

DAWN MCINTOSH, City Attorney

By 
Deputy

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EXHIBIT "B-1"



ENERGY EXPERTS
INTERNATIONAL

**Proposed Rate Schedule
Rates Effective July 1, 2023**

DIRECT LABOR RATES

Professional Services

Classification	Proposed Billing Rate - (US\$/hr.)		
Principal Engineer / Project Manager	\$183.75		
Sr. Engineer / Sr. Consultant	\$141.75		
Technical Writer / Consultant	\$136.50		
Subject Matter Expert (SME)	\$157.50 / \$194.25		
Principal Civil Engineer	\$288.75		

OTHER DIRECT AND INDIRECT COSTS AND RATES

1. Personal Vehicle Mileage used for company business will be invoiced at the currently effective IRS Mileage Rate.
2. Per diem shall cover lodging, meals, incidentals, and expenses. The per diem rate will be in accordance with the current U.S. General Services Administration ("GSA") rate. Per diem paid to Inspectors will be adjusted to maintain consistency with the GSA rate.
<https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>
3. Equipment Rentals - Invoiced with Mark Up rate of 5.00%

PROPOSED
2023 GAS PIPELINE ENGINEERING RATES

Classification	Proposed 2023 Gas Engineering Rates
Administrative	\$ 52.74
Engineer I	\$ 79.78
Engineer II	\$ 127.86
Senior Engineer	\$ 169.12
Expert Engineer - SME	\$ 205.82
Principal Engineer	\$ 251.08
CAD Drafter I	\$ 67.17
CAD Drafter II	\$ 95.76
CAD Drafter III	\$ 143.45
Project Manager I	\$ 121.25
Project Manager II	\$ 172.80
Project Manager III	\$ 214.47
Project Manager IV	\$ 232.77
Consultant Tech I	\$ 121.25
Consultant Tech II	\$ 174.64
Consultant Tech III	\$ 205.33
Gas Estimator	\$ 131.25
Senior Gas Estimator	\$ 157.50



ENERGY EXPERTS
INTERNATIONAL

**Proposed Rate Schedule
Rates Effective July 1, 2023**

DIRECT LABOR RATES

Construction Inspection Services

Classification	Proposed Billing Rate - (US\$/hr.)	OT	DT
Chief Inspector	\$98.70	\$148.05	\$197.40
Construction Manager	\$103.95	\$155.93	\$207.90
Field Engineer	\$89.25	\$133.88	\$178.50
Utility Inspector	\$77.70	\$116.55	\$155.40
Material Inspector	\$72.45	\$108.68	\$144.90

OTHER DIRECT AND INDIRECT COSTS AND RATES

1. Personal Vehicle Mileage used for company business will be invoiced at the currently effective IRS Mileage Rate.
2. Per diem shall cover lodging, meals, incidentals, and expenses. The per diem rate will be in accordance with the current U.S. General Services Administration ("GSA") rate. Per diem paid to Inspectors will be adjusted to maintain consistency with the GSA rate.
<https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>
3. Equipment Rentals - Invoiced with Mark Up rate of 5.00%



ENERGY EXPERTS
INTERNATIONAL

Rate Schedule
Renewal Option #3 Agreement 35583

DIRECT LABOR RATES

Professional Services

	2022	5% Increase	Proposed 2023
Classification	2022 Billing Rate - (US\$/hr.)	Increase Amount	Proposed 2023 Billing Rate - (US\$/hr.)
Principal Engineer / Project Manager	175.00	5%	183.75
Sr. Engineer / Sr. Consultant	135.00	5%	141.75
Technical Writer / Consultant	130.00	5%	136.50
Subject Matter Expert (SME)	150.00 / 185.00	5%	157.50 / 194.25
Principal Civil Engineer	275.00	5%	288.75

OTHER DIRECT AND INDIRECT COSTS AND RATES

1. Personal Vehicle Mileage used for company business will be invoiced at the currently effective IRS Mileage Rate.
2. Per diem shall cover lodging, meals, incidentals, and expenses. The per diem rate will be in accordance with the current U.S. General Services Administration ("GSA") rate. Per diem paid to Inspectors will be adjusted to maintain consistency with the GSA rate.
<https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>
3. Equipment Rentals - Invoiced with Mark Up rate of 5.00%

Rate Schedule

Renewal Option #3 Agreement 35583

Proposed 2023 Gas Pipeline Engineering Rates

Classification	2022 Gas Engineering Rates	Proposed 2023 Gas Engineering Rates	Per Cent Increase
Administrative	\$ 50.23	\$ 52.74	5%
Engineer I	\$ 75.98	\$ 79.78	5%
Engineer II	\$ 121.77	\$ 127.86	5%
Senior Engineer	\$ 161.07	\$ 169.12	5%
Expert Engineer - SME	\$ 196.02	\$ 205.82	5%
Principal Engineer	\$ 239.12	\$ 251.08	5%
CAD Drafter I	\$ 63.97	\$ 67.17	5%
CAD Drafter II	\$ 91.20	\$ 95.76	5%
CAD Drafter III	\$ 136.62	\$ 143.45	5%
Project Manager I	\$ 115.48	\$ 121.25	5%
Project Manager II	\$ 164.57	\$ 172.80	5%
Project Manager III	\$ 204.26	\$ 214.47	5%
Project Manager IV	\$ 221.69	\$ 232.77	5%
Consultant Tech I	\$ 115.48	\$ 121.25	5%
Consultant Tech II	\$ 166.32	\$ 174.64	5%
Consultant Tech III	\$ 195.55	\$ 205.33	5%
Gas Estimator	\$ 125.00	\$ 131.25	5%
Senior Gas Estimator	\$ 150.00	\$ 157.50	5%



ENERGY EXPERTS
INTERNATIONAL

Rate Schedule
Renewal Option #3 Agreement 35583

DIRECT LABOR RATES
Construction Inspection Services

Classification	2022	2022	2022	Proposed	Proposed	Proposed	Proposed
	Billing Rate (US\$/hr.)	OT	DT	2023 Increase	2023 Billing Rate (US\$/hr.)	2023 OT	2023 DT
Chief Inspector	\$94.00	\$141.00	\$188.00	5%	\$98.70	\$148.05	\$197.40
Construction Manager	\$99.00	\$148.50	\$198.00	5%	\$103.95	\$155.93	\$207.90
Field Engineer	\$85.00	\$127.50	\$170.00	5%	\$89.25	\$133.88	\$178.50
Utility Inspector	\$74.00	\$111.00	\$148.00	5%	\$77.70	\$116.55	\$155.40
Material Inspector	\$69.00	\$103.50	\$138.00	5%	\$72.45	\$108.68	\$144.90

OTHER DIRECT AND INDIRECT COSTS AND RATES

1. Personal Vehicle Mileage used for company business will be invoiced at the currently effective IRS Mileage Rate.
2. Per diem shall cover lodging, meals, incidentals, and expenses. The per diem rate will be in accordance with the current U.S. General Services Administration ("GSA") rate. Per diem paid to Inspectors will be adjusted to maintain consistency with the GSA rate.
<https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup>
3. Equipment Rentals - Invoiced with Mark Up rate of 5.00%

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

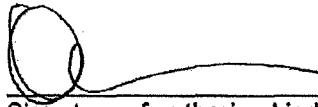
NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

4/4/23

Date



Signature of authorized individual

Veronica Guerrero

Type or write name of authorized individual

491 Airport Plaza LLC

Type or write name of company