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. 36045

THIS FIRST AMENDMENT TO AGREEMENT NO. 36045 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 HDR ENGINEERING, INC., a Nebraska corporation ("Consultant"), with a place of business at 1917 South 67th Street, Omaha, Nebraska 68106, 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. 36045 (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

accordance with Exhibit "B-1", attached hereto and incorporated by this reference.

- 3. The City's Representative in Exhibit "C" to the Agreement is hereby amended in accordance with Exhibit "C-1", attached hereto and incorporated by this reference.
- Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36045 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.

		HDR ENGINEERING, INC., a Nebraska corporation
May 8	, 2023	By Come
	, –	Name Thomas T. Kim, PE Title Sr. Vice President
	, 2023	By
		Name Title
	EXECUTED PURSUANT	"Consultant"
	TO SECTION 301 OF THE CITY CHARTER.	CITY OF LONG BEACH, a municipal corporation
10	lan 19, 2023	By Sinda F. Jahrm City Manager
		City Manager
		"City"
Thi	s First Amendment to Agr	reement No. 36045 is approved as to form on
May 16	, 2023.	
		DAWN MCINTOSH, City Attorney
		By Deputy

CERTIFICATE

The undersigned hereby certifies that she is the Assistant Secretary of HDR Engineering, Inc., a Nebraska corporation (the "Corporation"), and that, as such, has custody of the minute books of the Corporation, and that, by Consent and Agreement of the Board of Directors, the following resolution was unanimously adopted:

"RESOLVED, that effective immediately, and until termination of said individual from the Corporation, or until recision by the Corporation's Board of Directors, whichever occurs first, the following individuals are hereby granted the nondelegable authority to execute or approve on behalf of the Corporation, contracts, amendments or change orders for engineering services and architectural services incidental to engineering services to be rendered by the Corporation, . . . , or releases of claim or lien in connection with such services, such contracts, amendments, change orders or releases so executed or approved shall be binding upon the Corporation:

... Thomas T. Kim – Senior Vice President ... "

The undersigned further certifies that the foregoing resolution has been spread in full upon the minute books of the Corporation and is in full force and effect.

DATED March 30, 2020.

SEAL SEAL STATE OF ST

Elizabeth C. Buell, Assistant Secretary

Elizabet Chevell

Exhibit B-1 Rate Sheet



HDR Engineering, Inc.

Hourly Rate Schedule	August 1, 2023 to July 31, 2024
Classification	Hourly Rate
Admin Asst 1	\$109.18
Admin Asst 2	\$130.81
Assoc Biologist/Assoc Envir Planne	r/Assoc Arch Historian\$113.30
Biologist/Architectural Historian	\$ 84.46
CADD 1/GIS Mapping	\$131.84
CADD 2/Graphics/Analyst/Sr Desig	ner/Staff Engineer\$166.86
Field Technician/Inspector*/Survey	Technician\$128.75
Intern	\$ 72.10
Principal in Charge	\$327.54
Project Engineer/Sr Assoc Planner/	Construction Manager\$208.06
Project Surveyor*/Environmental Pl	anner\$185.40
QA/QC Manager	\$257.50
Sr Project Manager	\$324.45
Sr Architectural Historian/Sr Biologi	st/GIS/Designer\$153.47
Sr Construction Manager	\$288.40
Sr Engineer	\$247.20
Sr GIS Mapping/Sr Biologist	\$180.25
Survey Manager/Landscape Archite	ect\$212.18
Task Manager/Project Manager	\$278.10
1-Person Survey Crew*	\$195.70
2-Person Survey Crew*	\$319.30
3-Person Survey Crew*	\$453.20

Notes:

- Other direct costs are billable at cost.
- Mileage will be billed at the IRS allowable rate.

May be subject to prevailing wage *

Exhibit C-1 City's Representative

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