

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

FOURTH AMENDMENT TO AGREEMENT NO. 33819

**33819**

THIS FOURTH AMENDMENT TO AGREEMENT NO. 33819 is made and entered, in duplicate, as of January 17, 2017, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on January 6, 2015, by and between INTERWEST CONSULTING GROUP, a California corporation ("Consultant"), with a place of business at 15140 Transistor Lane, Huntington Beach, California 92649, 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 plan review and inspection services; and

WHEREAS, City and Consultant entered into Agreement No. 33819 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, City and Consultant entered into a First Amendment to the Agreement to increase the not to exceed amount to \$90,000; and

WHEREAS, City and Consultant entered into a Second Amendment to the Agreement to increase the not to exceed amount to \$155,000; and

WHEREAS, City and Consultant entered into a Third Amendment to the Agreement to increase the not to exceed amount to \$280,000; and

WHEREAS, City and Consultant desire to increase the not to exceed amount to \$465,000, extend the term for an additional one (1) year period, and attach a revised rate sheet;

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

1. Section 1.A. of the Agreement is hereby amended to read as follows:

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in

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1 the manner described below, an amount not to exceed Four Hundred Sixty-Five Thousand  
2 Dollars (\$465,000), at the rates or charges shown in Exhibit "B".

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 January 7, 2015, and shall terminate at 11:59 p.m. on January 6, 2018, unless sooner  
6 terminated as provided in this Agreement, or unless the services or the Project is  
7 completed sooner. The parties have the option to extend the term for one (1) additional  
8 one-year period."

9 3. The Rates or Charges in Exhibit "B" to the Agreement are hereby  
10 amended in accordance with Exhibit "B-1", attached hereto and incorporated by this  
11 reference.

12 4. Except as expressly modified herein, all of the terms and conditions  
13 contained in Agreement No. 33819 are ratified and confirmed and shall remain in full force  
14 and effect.

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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.

INTERWEST CONSULTING GROUP, a California corporation

February 17, 2017

By [Signature]  
Name Ron Beehler, SE, CBO  
Title Director, Building & Safety Services

February 17, 2017

By [Signature]  
Name James G. Ross  
Title Public Works Group Leader  
"Consultant"

CITY OF LONG BEACH, a municipal corporation

March 9, 2017

By [Signature]  
City Manager  
"City" Assistant City Manager  
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fourth Amendment Agreement No. 33819 is approved as to form on 3/2, 2017.

CHARLES PARKIN, City Attorney  
By [Signature]  
Deputy

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# EXHIBIT “B-1”

Rates or Charges

January 27, 2017



Oscar Orci, Deputy Director,  
David Khorram, Superintendent of Building & Safety  
City of Long Beach  
Department of Development Services  
333.W. Ocean Boulevard, 4<sup>th</sup> Floor  
Long Beach, CA 90802

**RE: Proposal to Provide Plan Review and Inspection Services for Medical Marijuana Businesses**

Messrs. Orci and Khorram,

Interwest Consulting Group is pleased to submit this proposal to provide Plan Review and Inspection services for Medical Marijuana (MMJ) Businesses in the City of Long Beach. After our discussion, we understand that the City anticipates a large influx of MMJ Business related permits to be issued in the coming year and that dedicated plan review and inspection staff will be required to assist in developing and enforcing regulations and ensuring prompt customer service.

We will provide appropriately qualified staff, ready to lend their expertise to tackle this emerging area of industry. By mid-February, selected individuals will be made available onsite at City Hall for approximately 30 hours per week, following a fixed schedule to be agreed upon by the City. Information on their qualifications and hourly rates can be found on the following pages.

Interwest Consulting Group has been providing comprehensive plan review and inspection services for major construction projects for the last 15 years. Our staff of more than 165 Building and Safety professionals represents diverse specialties and a wealth of relevant knowledge at the City's disposal. We are confident in our ability to support the City in this new area of service and to help you navigate requirements as they develop and evolve.

Y. Henry Huang, PE, CBO will serve as Project Manager and the City Liaison to the City of Long Beach. Ron Beehler, SE, CBO is the Principal in Charge and an authorized representative of Interwest Consulting Group that has the authority to sign all necessary agreements. If you have any questions, please feel free to contact us by any of the methods below:

**Ron Beehler, SE, CBO**  
15140 Transistor Lane  
Huntington Beach, CA 92649  
714. 899.9039 Office  
949.613.5595 Mobile  
rbeehler@interwestgrp.com

**Y. Henry Huang, PE, CBO**  
15140 Transistor Lane  
Huntington Beach, CA 92649  
714.899.9039 Office  
562.544.1110 Mobile  
hhuang@interwestgrp.com

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Beehler".

**RON BEEHLER, SE, CBO**  
Director, Building & Safety Services

## PERSONNEL

Interwest Consulting Group has the understanding, the resources, and a proven track record providing plan check and inspection services to public agencies throughout California. Our staff is composed of highly experienced, customer service-oriented professionals who have successfully served many client jurisdictions. **None of the staff members proposed are CalPERS annuitants.**

We will provide appropriately qualified staff to the City onsite for approximately 32 hours per week in accordance with a fixed schedule to be agreed upon with the City. As discussed, should the Medical Marijuana Business plan review and inspection workload be light, staff will conduct general plan review and inspection services during this time. It is our understanding that selected staff will be dedicated to the City for the full duration of this assignment. Key assigned staff who are not utilized a minimum of 32 hours per week may be reassigned to other clients and become available to the City on an as-available basis.

<b>Terry Vosler, CBO</b>	BUILDING PLAN REVIEWER	<u>FULL TIME</u>	\$100/hr
<b>Hossein Afrouzeh, EE, ME</b>	M.E.P. PLAN REVIEWER	<u>FULL TIME</u>	\$120/hr
<b>R. Marcel McElroy, ICC</b>	BUILDING INSPECTOR	<u>FULL TIME</u>	\$80/hr
<b>Terence Chan, PE</b>	OFFSITE PLAN REVIEW	<u>AS-NEEDED</u>	\$120/hr
<b>Oliver Roan, SE, PE</b>	OFFSITE PLAN REVIEW	<u>AS-NEEDED</u>	\$130/hr

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### **Terry Vosler, CBO** | BUILDING PLAN REVIEWER

Terry is available to provide onsite plan review services **full time**.

Terry has more than 30 years of relevant experience performing building inspection, plan review and issuing permits, including 11 years as a Building Official. As a Building Official his responsibilities included oversight of the enforcement of the International Building and Residential Codes, Fire, Plumbing, Mechanical, Fuel Gas, Energy Conservation and Property Maintenance in addition to the National Electrical Code, and other ordinances and regulations applicable to the project and jurisdiction. Other responsibilities included preparing and managing the Division's annual budget, performing plan reviews, building inspections, amending the codes to fit the jurisdiction's unique character and assisting the public and construction community with issues that arose throughout the design and construction of their projects. As a building inspector and plans examiner, Terry's responsibilities were to thoroughly enforce the construction codes adopted and enforced by the jurisdiction.

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### **Hossein Afrouzeh, EE, ME** | M.E.P. PLAN REVIEWER

Mr. Afrouzeh is uniquely qualified with his expertise and experience in the mechanical, plumbing and electrical engineering aspects of the California Building Standards Code. He is available working at the City Hall **full time**.

Mr. Afrouzeh is a licensed electrical and mechanical engineer with a rich background in the industry, including 10 years of construction experience and 30 years of design and construction management support experience. He is a well-rounded project leader with strong interpersonal and communication skills with ability to lead a design team of Electrical, Mechanical, and Plumbing engineers to adhere to the client and code requirements. He is familiar with the preparation of contract documents for mid-rise multi-residential, commercial, industrial, and educational buildings, and he has been responsible for the electrical system design for many projects from inception to completion including construction administration and commissioning of medium voltage power distribution systems, substations, lighting and power, fire alarm, and security systems.

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**R. Marcel McElroy, ICC** | BUILDING INSPECTOR

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Mr. R. Marcel McElroy is an experienced inspector and he can serve the City **full time**.

Marcel is an ICC certified residential and non-residential plans examiner, commercial inspector, residential inspector, and structural masonry special inspector. With 27 years of industry experience, he has comprehensive knowledge of the building code, as well as the plan submittal and building permit application process. A critical thinker, Marcel is comfortable analyzing complex field situations and devising solutions with sound judgment. His technical skills include: structural analysis, building inspection, field documentation, site assessments and field takeoffs.

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**Terence Chan, PE** | FIRE & LIFE SAFETY & STRUCTURAL PLAN REVIEWER

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Mr. Chan is an experienced plans examiner of fire & life safety, accessibility, energy, in addition to structural. He has over 20 years of industry experience both within municipalities and working as a consultant. This experience has given him a solid understanding of the building code provisions, details of construction and permit processes. He has hands-on expertise reviewing complex residential and non-residential projects for compliance with prevailing codes and regulations.

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**Oliver Roan, SE, PE** | FIRE & LIFE SAFETY & STRUCTURAL PLAN REVIEWER

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Oliver possesses over 30 years of plan review and structural engineering experience bringing a considerable depth and knowledge to all projects. He has provided plan review services for a variety of commercial, industrial, and residential building designs in conformance with the California Building Codes, City of Los Angeles Building Codes, and County of Los Angeles Building Codes. His structural design and project management experience includes various low to mid-rise commercial, industrial, and residential buildings using wood, masonry, steel, and concrete construction. He is a registered Structural and Civil Engineer in the State of California, and is an ICC Certified Building Plans Examiner. His background has provided him with the knowledge of city engineering policies and procedures, which is a proven asset when providing technical assistance to engineers, architects, contractors, city personnel, and the public.

## **SCOPE OF SERVICES**

We propose to work with the City to develop an approach tailored to the unique situations faced by the City of Long Beach. We are dedicated to meeting your specific needs and will be happy to amend and add to our scope of services as required. We plan to focus initially on dispensaries but can expand our services to cultivation, growing and processing as needed

Anticipated tasks include:

- Researching and developing regulations and processing procedures
- Reviewing business license applications to identify eligible entities
- Coordinating with other internal and external agencies on the regulations and procedures under the direction of DSD and BSD
- Performing other Building and Safety related assignments as determined by the City



## **FEE PROPOSAL**

### **PART I – SERVICES BASED ON HOURLY FEE STRUCTURE**

The rates below are based on our Updated Fee Schedule for FY 2016 – 2017 approved by the City in September 2016.

<b><u>Certified Classification</u></b>	<b><u>Hourly Rate (\$)</u></b>
Permit Technician	55 – 65
Plan Check Specialist	100
Plan Check Engineer (PE)	120
Structural Plan Check Engineer (SE)	130
Building Inspector	80 – 95
CASp Specialist	110

Rates are typically reviewed yearly on July 1 and may be subject to revision unless under specific contract obligations.

### **PART II - PLAN CHECK FEES BASED ON CITY FEES (Optional)**

We propose the following fee schedule for plan check services performed off site based on the City's Master Fee Schedule:

- 70% for first time check and any required re-check.
- 90% for expedited plan check.
- There is no charge for courier or shipping services.

### **BILLING PROCESS**

Invoices are typically generated upon the conclusion of the month and will include all services provided during the month. Interwest Consulting Group will work with the City to supply the necessary billing information.