## CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

#### SECOND AMENDMENT TO AGREEMENT NO. 35396

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THIS SECOND AMENDMENT TO AGREEMENT NO. 35396 is made and entered, as of July 14, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 20, 2019, by and between ONWARD ENGINEERING, a California corporation ("Consultant"), with a place of business at 300 S. Harbor Blvd., Suite 814, Anaheim, California 92805, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35396 (the "Agreement") whereby Consultant agreed to provide as-needed, on-call consulting services for street design projects in an amount not to exceed One Million Dollars (\$1,000,000) for a period of three (3) years, with the option to extend for two (2) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add Two Million Dollars (\$2,000,000) for a total not to exceed amount of Three Million Dollars (\$3,000,000); and

WHEREAS, on August 10, 2021, City Council authorized increasing the aggregate agreement amount by Twenty Million Dollars (\$20,000,000) for a revised aggregate agreement amount not to exceed Thirty Million Dollars (\$30,000,000); and

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

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

- 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 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2023, 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 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 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. 35396 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.

	ONWARD ENGINEERING, a California corporation
, 2022	By Maid! Haya Name MAJDI ATAYA Title PRESIDENT
, 2022	Name Muhammad Ataua Title Secretary
	"Consultant"
1	CITY OF LONG BEACH, a municipal corporation
<u>August 10</u> , 2022	By Sinda J. Jahrm
•	City Manager EXECUTED PURSUANT "City" TO SECTION 301 OF
THE CITY CHARTER This Second Amendment to Agreement No. 35396 is approved as to form on	
AUGUST 9, 2022.	
	CHARLES PARKIN, City Attorney
	By Jan Lilea
	Deputy

# **Exhibit B-1**Rates or Charges Update



### Company Name: Onward Engineering

## On Call Consulting Services for Street Design Projects (RFP-RFQ: 18-106) Standard Billing Rate Schedule for As-Needed Engineering Services 2022-2024

Staff Title	Hourly Rate
Director	\$185
Principal/Principal In Charge	\$160
Quality Assurance Manager	\$160
Principal Engineer	\$155
Project Manager	\$150
Senior Project Engineer	\$135
Project Engineer	\$130
Traffic Engineer	\$180
Construction Manager	\$150
Construction Inspector	\$125
Public Outreach	\$125
Administrative	\$70
	\$70

Other Direct Costs: Reimbursement of identifiable non-salary costs that are directly attributable to the project 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 fabrication yards / batch plants, overnight postage / couriers, etc., are billed at actual cost. Non-commuting mileage required for travel on the project and to and from locations other than the project site are billed at the allowable IRS mileage reimbursement rate.

Fees for Subconsultant Services: Billed at actual cost. No mark-up allowed

Rate Changes: Rates may be only increased or changed with contract amendment.

### Exhibit C-1

City's Representative:

Keith Hoey,

Assistant City Engineer

Keith.Hoey@LongBeach.Gov

562/570-6586