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

SECOND AMENDMENT TO AGREEMENT NO. 35392

THIS SECOND AMENDMENT TO AGREEMENT NO. 35392 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 BKF ENGINEERS, a California corporation ("Consultant"), with a place of business at 255 Shoreline Drive, Suite 200, Redwood City, California 94065, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35392 (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.
- 4. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35392 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.

	BKF ENGINEERS, a California corporation
, 2022	Name CHRIS RIDEBUT Title PRINCIPAL VICE PRESIDENT
, 2022	By Chen Name Jean Chen Title CFO
	"Consultant"
	CITY OF LONG BEACH, a municipal corporation
<u>August 10</u> , 2022	By Sindu J. Jahrm City Manager
	"City" EXECUTED PURSUANT TO SECTION 301 OF
This Second Amendment to Ag	preement No. 19539 It's SphARTER as to form on
AUGUST 9, 2022.	
	CHARLES PARKIN, City Attorney

Deputy

Exhibit B-1Rates or Charges Update



BKF ENGINEERS PROFESSIONAL SERVICES RATE SCHEDULE

EFFECTIVE 10/1/2022 - 9/30/2023

CLASSIFICATION	HOURLY RAT
PROJECT MANAGEMENT	
Principal/Vice President	\$272.0
Senior Associate/Vice President	\$244,0
Associate	\$237.0
Senior Project Manager Senior Technical Manager	\$237.0
Project Manager Technical Manager	\$231.0
Engineering Manager Surveying Manager Planning Manager	\$213.0
TECHNICAL STAFF	
Senior Project Engineer Senior Project Surveyor Senior Project Planne	r \$198.0
Project Engineer Project Surveyor Project Planner	\$174.0
Design Engineer Staff Surveyor Staff Planner	\$151.0
BIM Specialist I, II, III	\$151.00 - \$174.00 - \$198.0
Technician I, II, III, IV	\$144.00 - \$153.00 - \$168.00 - \$181.0
Drafter I, II, III, IV	\$113.00 - \$124.00 - \$134.00 - \$149.0
Engineering Assistant Surveying Assistant Planning Assistant	\$94.0
FIELD SURVEYING	
Survey Party Chief	\$198.0
Instrument Person	\$170.0
Survey Chainperson	\$127.0
Utility Locator I, II, III, IV	\$103.00 - \$146.00 - \$175.00 - \$199.0
Apprentice I, II, III, IV	\$78.00 - \$105.00 - \$116.00 - \$123.0
CONSTRUCTION ADMINISTRATION	
Senior Consultant	\$259.0
Senior Construction Administrator	\$225.0
Resident Engineer	\$167.0
Field Engineer I, II, III	\$151.00 - \$174.00 - \$198.0
PROJECT ADMINISTRATION	
Project Coordinator	\$126.0
Senior Project Assistant	\$109.0
Project Assistant	\$105.0
Clerical Administrative Assistant	\$90.0 \$81.0

Expert witness rates are available upon request.

Subject to the terms of a services agreement:

- Charges for outside services, equipment, materials, and facilities not furnished directly by BKF Engineers will
 be billed as reimbursable expenses at cost. Such charges may include, but shall not be limited to: printing
 and reproduction services; shipping, delivery, and courier charges; subconsultant fees and
 expenses; agency fees; insurance; transportation on public carriers; meals and lodging; and consumable
 materials.
- Allowable mileage will be charged at the prevailing IRS rate per mile.
- Monthly invoices are due within 30 days from invoice date.
- Rates can only be updated by contract amendment.

Exhibit C-1

City's Representative:

Keith Hoey,

Assistant City Engineer

Keith.Hoey@LongBeach.Gov

562/570-6586