## FOURTH AMENDMENT TO AGREEMENT NO. 35396

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35396 is made and entered, as of May 17, 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 August 20, 2019, by and between ONWARD ENGINEERING, a California corporation ("Consultant"), with a place of business at 300 South Harbor Boulevard, 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, the Parties entered into a Second Amendment to extend the
term to September 30, 2023, attach an updated rate sheet, and update the City
Representative; and

WHEREAS, the Parties entered into a Third Amendment to add One Million
Dollars (\$1,000,000) to the Agreement for a total not to exceed amount of Four Million
Dollars (\$4,000,000), and attach an updated rate sheet

WHEREAS, the Parties desire to extend the term of the agreement using the
final one-year period option, and attach an updated rate sheet;

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

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OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor

000 Reach CA 90802-4664

1. Section 2 of the Agreement is hereby amended to read as follows:

TERM. The term of this Agreement shall commence at midnight on

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VSI:rj A19-05690 01526865.DOCX "2.

1 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2024, unless sooner 2 terminated as provided in this Agreement, or unless the services or the Project is 3 completed sooner."

2. The Rates in Exhibit "B-2" of the Third Amendment to the Agreement
are hereby amended in accordance with Exhibit "B-3", attached hereto and incorporated
by this reference.

7 3. Except as expressly modified herein, all of the terms and conditions
8 contained in Agreement No. 35396 are ratified and confirmed and shall remain in full force
9 and effect.

10 IN WITNESS WHEREOF, the Parties have caused this document to be duly 11 executed with all formalities required by law as of the date first stated above.

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EXECUTED PURSUANT

TO SECTION 301 OF

THE CITY CHARTER.

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DFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 11 West Ocean Boulevard, 9th Floor

411 West Ocean Boulevard, Long Beach, CA 9080212

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ONWARD ENGINEERING, a California corporation

By M Name MAJDI ATAYA PRESIDEN Title

By Name Ataus

Title Secreter

"Consultant"

CITY OF LONG BEACH, a municipal corporation

By Sinda J. Jakim City Manager

"Citv" This Fourth Amendment to Agreement No. 35396 is approved as to form on 102220 2023. DAWN MCINTOSH, City Attorney By Deputy 2 VSI:rj A19-05690 01526885.DOCX

## Exhibit B-3

**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

2023-2024

Staff Title	Hourly Rate
Traffic Engineer/City Engineer	\$200
Director	\$185
Principal/Principal In Charge	\$200
Quality Assurance Manager	\$200
Principal Engineer	\$175
Project Manager	\$175
Senior Project Engineer	\$145
Project Engineer	\$140
Traffic Engineer	\$200
	\$175
Construction Manager Construction Inspector	\$135
	\$90
Public Outreach	\$70
Administrative	
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**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 mutual consent by contract amendment