

THIRD AMENDMENT TO AGREEMENT NO. 35531

35531

THIS THIRD AMENDMENT TO AGREEMENT NO. 35531 is made and entered, in duplicate, as of January 28, 2022, for reference purposes only, pursuant to Resolution No. RES-20-0061, adopted by the City Council of the City of Long Beach at its meetings on May 12, 2020 and September 7, 2021, by and between ANSER ADVISORY, LLC, dba SIMPLUS MANAGEMENT LLC, a Delaware limited liability company ("Consultant"), with a place of business at 2677 N. Main Street, Suite 400, Santa Ana, California 92705, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35531 (the "Agreement") whereby Consultant agreed to provide construction management services for the Phase II Terminal Area improvements at the Long Beach Airport; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to update the fee schedule; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$3,538,000 for a total not to exceed amount of \$7,485,343 and attach an updated fee schedule; and

WHEREAS, the Parties desire to update the fee schedule;

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

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

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35531 are ratified and confirmed and shall remain in full force and effect.

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

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

3 ANSER ADVISORY, LLC, dba SIMPLUS
4 MANAGEMENT LLC, a Delaware limited
5 liability company

6 February 3, 2022

By Paul J Buckley
7 Name Paul J Buckley
8 Title Vice President

9 February 3, 2022

By Craig Halvorsen
10 Name Craig Halvorsen
11 Title Secretary

12 "Consultant"

13 CITY OF LONG BEACH, a municipal
14 corporation

15 2/16, 2022

By Linda J. Jaram
16 City Manager

17 "City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

18 This Third Amendment to Agreement No. 35531 is approved as to form on

19 February 15, 2022.

20 CHARLES PARKIN, City Attorney

By [Signature]
21 Deputy

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

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6 February 3, 2022

By Paul J Buckley
Name Paul J Buckley
7 Title Vice President

8 February 3, 2022

By Craig Halvorson
Name Craig Halvorson
9 Title Secretary

10 "Consultant"

11 CITY OF LONG BEACH, a municipal
12 corporation

13 By _____
14 City Manager

15 "City"

16 This Third Amendment to Agreement No. 35531 is approved as to form on
17 _____, 2022.

18 CHARLES PARKIN, City Attorney

19 By _____
20 Deputy

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

EXHIBIT "B-3"

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Long Beach Airport Phase II Improvements Project

Anser Advisory Inc.

Construction Management Staffing Plan - Scenario 6

Contract Date Range: May 2020 - April 2023

Staffing Plan for November 2021 - December 2023

January 14, 2022

RATE TABLE

Position	Company	2021		2022		2023	
		Year Effective	Escalation	Year Effective	Escalation	Year Effective	Escalation
		11/01/21 to 12/31/21	0.00%	01/01/22 to 12/31/22	5.00%	01/01/23 to 12/31/23	5.00%
Executive Advisor/Principal-In-Charge	Anser Advisory	\$ 272		\$ 286		\$ 300	
Senior Construction Manager	Anser Advisory	\$ 220		\$ 231		\$ 243	
Field Construction Mgr / IT Specialist	Anser Advisory	\$ 168		\$ 176		\$ 185	
Field Engineer	Anser Advisory	\$ 111		\$ 117		\$ 123	
MP Specialist	Anser Advisory	\$ 157		\$ 165		\$ 173	
Office Engineer/Document Control	Anser Advisory	\$ 110		\$ 116		\$ 122	
Lead/Building Inspector	Anser Advisory	\$ 126		\$ 132		\$ 139	
Building/Elec. Inspector	Anser Advisory	\$ 126		\$ 132		\$ 139	
IT Specialist	Anser Advisory	\$ 168		\$ 176		\$ 185	
Senior Cost Engineer	Faithful & Gould	\$ 188		\$ 197		\$ 207	
Project Manager / Cost Support	Faithful & Gould	\$ 115		\$ 121		\$ 127	
Senior Cost Estimator	Anser Advisory	\$ 155		\$ 163		\$ 171	
Senior Scheduler II	Anser Advisory	\$ 143		\$ 150		\$ 158	
Commissioning Project Manager	3QC	\$ 202		\$ 212		\$ 223	
Commissioning Agent	3QC	\$ 195		\$ 205		\$ 215	
BECx Consultant	3QC	\$ 195		\$ 205		\$ 215	
Commissioning Provider	3QC	\$ 153		\$ 161		\$ 169	

Inspector positions are subject to DIR Wage regulations and the rate escalation will be effective on July 1 of each year.

NOTES:

- Billing rates are shown for Anser's based on our current published multiplier.
- The multiplier and escalation shall be adjusted annually.
- Annual escalation shown is only estimated and represents the maximum possible increase in any one year.
- Actual billing escalation to be used will be as mutually agreed to by the Airport and Anser in December of each year. The rates will take effect on January 1 of each year.
- The basis for the escalation will be as determined by the Consumer Price Index as listed for the So. Cal. Region.
- The billing Rates for Faithful & Gould, HNTB and 3Qc are a carry over from Amendment No. 02.
- Rate increases for Inspectors, highlighted in green above, will be based on the DIR Law that governs all prevailing wage inspection employees. These rate increases are effective on July 1 of each year.
- Rates for the Field Construction Manager, Field Engineer and IT Specialist are adjusted to reflect the change in personnel for these positions and their respective direct salaries.
- Anser applies a 5% markup on subconsultant invoices