

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

1                                    FIRST AMENDMENT TO AGREEMENT NO. 33388

2                                    **33388**

3                                    THIS FIRST AMENDMENT TO AGREEMENT NO. 33388 is made and  
4 entered, in duplicate, as of February 12, 2014, for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 March 4, 2014, by and between HARLEY ELLIS DEVEREAUX CORPORATION, a  
7 Michigan corporation, with a place of business at 601 South Figueroa Street, Suite 500,  
8 Los Angeles, California 90017 ("Consultant"), and the CITY OF LONG BEACH, a  
9 municipal corporation ("City")

10                                   WHEREAS, City requires specialized services requiring unique skills to be  
11 performed in connection with architectural and engineering services for the Belmont  
12 Plaza Pool Facility Rebuild/Revitalization Project; and

13                                   WHEREAS, the parties entered Agreement No. 33388 whereby Consultant  
14 agreed to provide these Services; and

15                                   WHEREAS, the parties desire to amend and include additional services to  
16 the Scope of Work attached to the Agreement and to increase the total Agreement  
17 amount by \$490,850 for the additional services;

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

20                                   1.        Section 1.A. of Agreement No. 33388 is hereby amended to read as  
21 follows:

22                                   "1.        SCOPE OF WORK OR SERVICES.

23                                   A.        Consultant shall furnish specialized services more particularly  
24 described in Exhibit "A", attached to this Agreement and incorporated by this reference,  
25 in accordance with the standards of the profession, and City shall pay for these services  
26 in the manner described below, not to exceed Seven Million Six Hundred Thirty-Five  
27 Thousand One Hundred Fifty-One Dollars (\$7,635,151), at the rates or charges shown in  
28 Exhibit "B".

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2. The Scope of Work in Exhibit "A" to the Agreement is hereby amended to include additional services more particularly described in Exhibit "A-1", attached hereto and incorporated by this reference.

3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33388 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.

HARLEY ELLIS DEVEREAUX CORPORATION, a Michigan corporation

November 17th, 2014

By [Signature]  
Name J. PETER DEVEREAUX  
Title PRESIDENT

November 17th, 2014

By [Signature]  
Name TAMA VAN HERTIE  
Title MANAGING PRINCIPAL

"Consultant"

CITY OF LONG BEACH, a municipal corporation

December 8, 2014

By [Signature]  
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

Assistant City Manager

"City"

This First Amendment to Agreement No. 33388 is approved as to form on

11/20, 2014.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

# EXHIBIT “A-1”

## Scope of Work



HARLEY ELLIS DEVEREAUX

September 16, 2014

601 South Figueroa Street Suite 500  
Los Angeles, California  
90017 | USA

Mr. Dino D'Emilia  
Project Manager  
Anderson Penna Partners  
5106 Steveann Street  
Torrance, CA 90503

t 213.542.4500  
f 213.542.4515  
harleyellisdevereaux.com

Subject: **Belmont Beach and Aquatic Center – Additional Services Proposal**  
HED Project No. 2014-00006-000

Planning  
Architecture  
Engineering  
Interior Architecture  
Landscape Architecture  
Construction Services

Dear Dino:

Per your request, following is our proposal for additional services to update the Conceptual Design documents based on the revised program recommended by the project's Advisory Committee. This proposal outlines the scope, anticipated schedule and cost of professional services to provide additional design and documentation.

### Background

The design team of Harley Ellis Devereaux commenced Concept Design work on March 5, 2014. During the Conceptual Design phase of the project, the team met in almost 20 occasions with City staff and selected stakeholder groups and confirmed the project program, developed a design concept, estimated budget and completed a Conceptual Design package submitted on May 9, 2014 that met the project parameters as defined by City staff through this phase.

Advancing Your World  
by Design

On June 17, 2014, the design team and City staff presented the project program and parameters generated through the Conceptual Design phase to the Long Beach City Council. At this meeting, Council directed staff to set up an Advisory Committee made of community and selected stakeholder members to review the current design concept and project parameters. Between July 24 and August 11, 2014, the design team met three times with this group resulting in revisions to the program. The recommended program revisions will be presented to the community via an open public meeting on September 17, 2014 and to the City Council on a follow up session. At that time, it is anticipated that Council will direct staff to proceed with the revised program revisions and project parameters. Revisions to the Conceptual Design documentation will be necessary to address the revised program.

Los Angeles  
Chicago  
Detroit  
San Diego  
San Francisco

### Scope of Additional Services

#### Conceptual Design Extension (May 10, 2014 – September 17, 2014)

As noted above, subsequent to the submittal of the Conceptual Design package on May 2014, the design team provided additional programming, documentation, concept diagrams



Mr. Dino D'Emilia  
Anderson Penna Partners  
September 16, 2014  
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and presentations to support the Advisory Committee process and address questions from Council, City staff and the general public. This extended process was not scheduled nor anticipated in the original scope and thus resulted in additional effort to the design team.

The following table outlines the number of meetings as outlined in the RFP and agreement, the number of meetings to date as well as the anticipated number of meetings through Concept Design Revisions:

	Included in Agreement (Total Phase 1)	Meetings to Date	Additional for Conceptual Design Revisions
City Staff	6	18	3
Community	3	5	0
City Council	3	2	1
Planning Commission	0	0	0

Conceptual Design Revisions (October 2014 - November 2014)

The attached Conceptual Design deliverables list highlights the sections of the Conceptual Design package that would be affected by the program revisions confirmed by the City (a minimum of 15 sections). This proposal includes services to review/reevaluate the recommendations noted, consider and coordinate revisions to the design concept, revise necessary documentation and assemble new packages for delivery to the City. Additional meetings with City staff are included in this effort. Additional meetings with the Advisory Committee or the general public and/or Council presentations are not anticipated as part of this effort. Further public meetings or presentations are anticipated to be scheduled during Schematic Design and Design Development.

**Schedule**

The original Conceptual Design Phase was scheduled to be completed in approximately eight weeks. Following the submittal of the Conceptual Design package on May 9, 2014, the design team extended its support an additional 18 weeks to date to attend meetings with the Advisory Committee and prepare documentation to address questions from Council, City staff and the general public.

The duration of the additional Conceptual Design revisions is estimated in this proposal to be six to eight weeks from direction to proceed from Council. This period would include development of the revised design concept, meetings with City staff, preparation of the revised documents and submittal of the revised Conceptual Design package.



HARLEY ELLIS DEVEREAUX

Mr. Dino D'Emilia  
Anderson Penna Partners  
September 16, 2014  
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**Fees**

Additional fees and allowances for the professional services outlined above shall be as follows:

Conceptual Design Extension

Project Management	\$ 83,200.00 (addition to allowance)
A/E Services	\$ 88,870.00 (addition to stipulated sum)
<u>Additional Travel Expense*</u>	<u>\$ 11,000.00 (addition to allowance)</u>
Subtotal	\$183,070.00

← \$183,070.00

Conceptual Design Revisions

Project Management	\$ 41,600.00 (addition to allowance)
<u>A/E Services</u>	<u>\$266,180.00 (addition to stipulated sum)</u>
Subtotal	\$307,780.00

+  
\$307,780.00  
←  
\$490,850.00

\*Extended number of meetings noted above was not anticipated in the original travel expense allowance. The increase in the travel expense allowance requested above is equivalent to approximately three additional trips.

**General Conditions**

*Terms and Conditions*

Unless otherwise described in this proposal, terms and conditions of these additional services shall be in accordance to the terms and conditions specified in our Agreement No. 33388.

X Eir Lopez  
Signature only

If this proposal meets with your approval, we expect that a formal addendum to our services will be processed and issued by the City of Long Beach. Please feel free to contact me if you have any questions regarding this proposal for services, or if you wish to discuss any aspect of the project. We look forward to this opportunity to continue to serve the City of Long Beach.

X T.C. Miller  
Signature only

Sincerely,

  
Brent Miller, AIA  
Project Manager

Vendor # V06027401  
BP GM14-08 PO \_\_\_\_\_  
Project 218170 Detail 1810  
Index CM0002 Subject 205016  
Grant \_\_\_\_\_ Detail \_\_\_\_\_

# HARLEY ELLIS DEVEREAUX

## CITY OF LONG BEACH BELMONT PLAZA POOL REVITALIZATION PROJECT

**A/E SERVICE AGREEMENT FEE SUMMARY - MODIFICATION 1**  
September 16, 2014

	<b>MODIFICATION 1</b>	
	<b>Concept Design Extension</b>	<b>Concept Design Revision</b>
<b>GENERAL REQUIREMENTS</b>		
Project Management	\$ 83,200.00	\$ 41,600.00
Travel (Allowance)	\$ 11,000.00	\$ -
<b>SUBTOTAL</b>	<b>\$ 94,200.00</b>	<b>\$ 41,600.00</b>
<b>A/E SERVICES</b>		
Architecture	\$ 78,070.00	\$ 183,420.00
Aquatics	\$ 10,800.00	\$ 15,600.00
Civil	\$ -	\$ 10,000.00
Structural	\$ -	\$ 8,650.00
Mechanical	\$ -	\$ 10,720.00
Electrical	\$ -	\$ 7,850.00
Plumbing	\$ -	\$ 4,380.00
Public Art	\$ -	\$ 4,000.00
Landscape Architecture	\$ -	\$ 7,500.00
Cost Estimating	\$ -	\$ 12,500.00
Schedule	\$ -	\$ 1,560.00
<b>SUBTOTAL</b>	<b>\$ 88,870.00</b>	<b>\$ 266,180.00</b>
<b>CONCEPTUAL DESIGN EXTENSION - TOTAL \$ 183,070.00</b>		
<b>CONCEPTUAL DESIGN REVISIONS - TOTAL \$ 307,780.00</b>		

HARLEY ELLIS DEVEREAUX

**CITY OF LONG BEACH**

**Belmont Plaza Pool Revitalization Project**

Conceptual Design Document Deliverable List  
9/2/2014

Sections to be revised are highlighted in yellow

Section	Document	Type	Size	Prepared by	Remarks
1	Architectural				
	Code analysis	Exhibit	8 1/2 x 11	H+C HED	
	Building program	Exhibit	8 1/2 x 11	H+C	
	LEED Gold scorecard	Exhibit	8 1/2 x 11	HED	
	Site plan	Drawing	11 x 17 color	H+C	
	Floor and roof plans	Drawing	11 x 17 color	H+C	
	Elevations and Sections	Drawing	11 x 17 color	ROTO	
2	Landscape				
	Landscape material list	Exhibit	11 x 17 color	MELENDREZ	
	Landscape site plan	Drawing	11 x 17 color	MELENDREZ	
3	Aquatics				
	Program	Narrative	8 1/2 x 11	CH	
	Analysis and recommendations	Narrative	8 1/2 x 11	CH	
	Myrtha pool recommendations	Narrative	8 1/2 x 11	CH	
	Bodies of water plans and section	Drawing	11 x 17 color	CH	
4	Structural Engineering				
Structural requirements and narrative	Narrative	8 1/2 x 11	SBI		
5	Mechanical Engineering				
Mechanical, plumbing and fire protection	Narrative	8 1/2 x 11	HED		
6	Electrical Engineering				
Electrical and fire alarm	Narrative	8 1/2 x 11	HED		
7	Security				
Security requirements and narrative	Narrative	8 1/2 x 11	SEXTANT		
8	Civil Engineering				
	Existing conditions	Drawing	11 x 17 color	M&N	
	Plan with preliminary pad elevation and street access	Drawing	11 x 17 color	M&N	
9	Interior Design				
Preliminary FF&E narrative and budget	Narrative	8 1/2 x 11	H+C		
10	Furniture, Fixtures and Equipment				
FF&E narrative and budget	Narrative	8 1/2 x 11	H+C		
11	Opinion of Cost				
Opinion of probable cost	Exhibit	8 1/2 x 11	CUMMING		
12	Traffic Safety				
Analysis and recommendations	Exhibit	8 1/2 x 11	ADVANTEC		
13	Geotechnical Investigation				
Preliminary investigation report	Exhibit	8 1/2 x 11	AESCO		
14	Hazardous Materials				
Investigation report	Exhibit	8 1/2 x 11	NINYO & MOORE		
A	Appendix A - EIR Documentation				Under separate package



HARLEY ELLIS DEVEREAUX

**CITY OF LONG BEACH**

**Belmont Plaza Pool Revitalization Project**

**Appendix A - EIR Support Document Deliverable List**

9/2/2014

Sections to be revised are highlighted in yellow

Section	Document	Type	Size	Prepared by	Remarks
A1	Architectural Narrative				
	Approach	Narrative	8 1/2 x 11	ROTO	
	Building materials, colors, architectural style, features	Narrative	8 1/2 x 11	ROTO	
	Perimeter treatment (fencing details, cutsheets)	Narrative	8 1/2 x 11	ROTO	
	Wave Sculpture (current location; to be located off-site)	Narrative	8 1/2 x 11	ROTO	
A2	Site Plan				
	Project boundary	Drawing	11 x 17 color	H+C	Combined into single plan
	Coastal line	Drawing	11 x 17 color	H+C	Combined into single plan
	Building footprint	Drawing	11 x 17 color	H+C	Combined into single plan
	Pedestrian and bicycle access	Drawing	11 x 17 color	H+C	Combined into single plan
	Construction staging area	Drawing	11 x 17 color	H+C	Combined into single plan
A3	Landscape Plan				
	Hardscape and landscape approach	Narrative	8 1/2 x 11	MELENDREZ	
	Landscape palette	Narrative	8 1/2 x 11	MELENDREZ	
A4	Tree Removal/Replacement				
	Proposed removal/replacement approach	Narrative	8 1/2 x 11	MELENDREZ	
A5	Elevations				
	N, E, S, W elevations	Drawing	11 x 17 color	ROTO	
A6	Utilities Plan				
	Utility availability	Narrative	8 1/2 x 11	M&N	Electrical narrative by HED
	Proposed connections	Narrative	8 1/2 x 11	M&N	
A7	Grading Plan				
	Preliminary export/import analysis	Narrative	8 1/2 x 11	M&N	
	Existing and new impervious area	Narrative	8 1/2 x 11	M&N	
	Excavation depth	Narrative	8 1/2 x 11	M&N	
	Dewatering determination	Narrative	8 1/2 x 11	M&N	
A8	Sea Level Rise				
	Wave up-rush analysis			M&N	
	Sea level elevation drawing			M&N	
A9	Water Quality Measures				
	Existing and proposed storm drain outlets	Narrative	8 1/2 x 11	M&N	
	Best Management Practices	Narrative	8 1/2 x 11	M&N	
A10	Pool Maintenance Program				
	Quantity and disposal method of pool wastewater	Narrative	8 1/2 x 11	CH	
A11	Demolition and Construction				
	Phasing	Narrative	8 1/2 x 11	HED	
	Construction schedule	Gantt Chart	8 1/2 x 11	HED	
	Manpower analysis	Narrative	8 1/2 x 11	CUMMING	
	Construction equipment	Narrative	8 1/2 x 11	CUMMING	