

1 SECOND AMENDMENT TO AGREEMENT NO. 34173

2 **34173**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 34173 is made and  
4 entered, in duplicate, as of November 11, 2019, for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting on April  
6 23, 2019, by and between PADILLA & ASSOCIATES, INC., a California corporation  
7 (“Consultant”), with a place of business at 211 East City Place Drive, Santa Ana, California  
8 92705, and the CITY OF LONG BEACH, a municipal corporation (“City”).

9 WHEREAS, City and Consultant (the “Parties”) entered into Agreement No.  
10 34173 (the “Agreement”) whereby Consultant agreed to provide as-needed professional  
11 compliance monitoring services; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
13 add \$70,000 for a total not to exceed amount of \$270,000; and

14 WHEREAS, the Parties informally added \$158,075 to the Agreement; and

15 WHEREAS, the Parties desire to add \$20,000 for a total not to exceed  
16 amount of \$448,075, inclusive of all amounts referenced above, extend the term to  
17 November 14, 2020 and attach an updated rate sheet;

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 the Agreement is hereby amended to read as follows:

21 “A. Consultant shall furnish specialized services more particularly  
22 described in Exhibit “A”, attached to this Agreement and incorporated by this  
23 reference, in accordance with the standards of the profession, and City shall pay for  
24 these services in the manner described below, not to exceed Four Hundred Forty-  
25 Eight Thousand Seventy-Five Dollars (\$448,075), at the rates or charges shown in  
26 Exhibit “B”. ”

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

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

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

1 October 15, 2015, and shall terminate at 11:59 p.m. on November 14, 2020, unless sooner  
2 terminated as provided in this Agreement, or unless the services or the Project is  
3 completed sooner.”

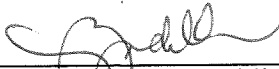
4 3. The Rates in Exhibit “B” to the Agreement are hereby amended in  
5 accordance with Exhibit “B-1”, attached hereto and incorporated by this reference.

6 4. Except as expressly modified herein, all of the terms and conditions  
7 contained in Agreement No. 34173 are ratified and confirmed and shall remain in full force  
8 and effect.

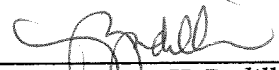
9 IN WITNESS WHEREOF, the Parties have caused this document to be duly  
10 executed with all formalities required by law as of the date first stated above.

PADILLA & ASSOCIATES, INC., a  
California corporation

11  
12  
13 \_\_\_\_\_ November 11, 2019

By   
Name Patricia K. Padilla  
Title President

14  
15 \_\_\_\_\_ November 11, 2019

By   
Name Patricia K. Padilla  
Title Secretary

“Consultant”

CITY OF LONG BEACH, a municipal  
corporation


16  
17  
18  
19  
20 \_\_\_\_\_ 12/23, 2019

By   
City Manager

21  
22  
23  
24  
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26  
27  
28  
“City”  
**EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER**

This Second Amendment to Agreement No. 34173 is approved as to form on  
\_\_\_\_\_ 12-12, 2019.

CHARLES PARKIN, City Attorney

By   
Deputy

# EXHIBIT "B-1"

## Rates or Charges

**Padilla Associates, Inc.**

Updated Rate Sheet for Contract Number 34173 - Period 11/14/19 to 11/14/20			
	2019	2020	
Principal/ Project Administrator	\$ 175.00	\$ 175.00	
Project Manager	\$ 143.36	\$ 146.95	
Deputy Project Manager / Sr. Compliance Officer	\$ 125.46	\$ 128.59	
Deputy Project Manager / Compliance Officer	\$ 102.61	\$ 105.18	
Technical Advisor	\$ 183.12	\$ 187.70	
Compliance Analyst I - III	\$ 104.87	\$ 107.49	
Administrative Assistant	\$ 75.06	\$ 76.93	
Antonio Dupre - Project Manager	143.36	146.95	
Michael Phu - Deputy Project Manager / Sr. Compliance Officer	111.22	111.22	
Sharron Dearborn - Compliance Analyst I	55.39	91.96	
<p>1) Overhead of 138.86% and 10% profit;</p> <p>2) Please note that both Michael Phu and Sharron Dearborn will be underfilling their positions; and</p> <p>3) Also note that Sharron Dearborn's 2019 rate is calculated with the OH of 43.88%, on January 1, 2020 her employment status is changing and her basic hourly rate will be calculated utilizing the Overhead of 138.86 and 10% profit.</p> <p>4) Sharon Dearborn's employment status is changing effective January 1, 2020 from independent contractor to regular staff employee.</p>			