

1 FIFTH AMENDMENT TO AGREEMENT NO. 34109

2 **34109**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34109 is made and
4 entered, in duplicate, as of October 25, 2019, 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 April
6 23, 2019, by and between PACIFICA SERVICES, INC., a California corporation
7 ("Consultant"), with a place of business at 106 South Mentor Avenue, Pasadena, California
8 91106, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34109 (the "Agreement") whereby Consultant agreement to provide as-needed
11 professional compliance monitoring services; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to
13 revise the rate schedule and update the name of the City Representative; and

14 WHEREAS, the Parties entered into a Second Amendment to the Agreement
15 to revise the rate schedule; and

16 WHEREAS, the Parties entered into a Third Amendment to the Agreement
17 to add \$200,000, revise the rate schedule and extend the term to November 14, 2019; and

18 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement
19 to add \$1,348,161 for a total not to exceed amount of 1,788,161; and

20 WHEREAS, the Parties desire to add \$1,260,000, extend the term one (1)
21 additional one-year period, and attach an updated rate sheet;

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

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

25 "A. Consultant shall furnish specialized services more particularly
26 described in Exhibit "A", attached to this Agreement and incorporated by this
27 reference, in accordance with the standards of the profession, and City shall pay for
28 these services in the manner described below, not to exceed Three Million Forty-

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

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Lond Beach, CA 90802

1 Eight Thousand One Hundred Sixty-One Dollars (\$3,048,161), at the rates or
2 charges shown in Exhibit "B".

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

4 "2. TERM. The term of this Agreement shall commence at midnight on
5 November 15, 2015, and shall terminate at 11:59 p.m. on November 14, 2020, unless
6 sooner terminated as provided in this Agreement, or unless the services or the Project is
7 completed sooner."

8 3. The Rates in Exhibit "B" to the Agreement are hereby amended in
9 accordance with Exhibit "B-4", attached hereto and incorporated by this reference.

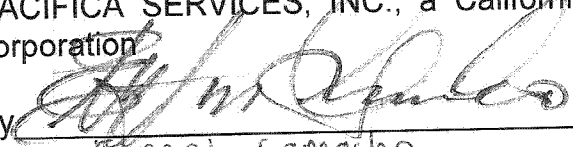
10 4. Except as expressly modified herein, all of the terms and conditions
11 contained in Agreement No. 34109 are ratified and confirmed and shall remain in full force
12 and effect.

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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 PACIFICA SERVICES, INC., a California
4 corporation

5 November 7, 2019

By 
6 Name Ernest Camacho
7 Title President

8 November 7, 2019

By 
9 Name Ian Erhardt
10 Title Vice President

11 "Consultant"

12 CITY OF LONG BEACH, a municipal
13 corporation

14 Nov-20, 2019

By 
15 Name Rebecca G. Garner

16 EXECUTED BY _____
17 TO SECTION 301 OF
18 "City" THE CITY CHARTER

19 This Fifth Amendment to Agreement No. 34109 is approved as to form on

20 11-14, 2019.

21 CHARLES PARKIN, City Attorney

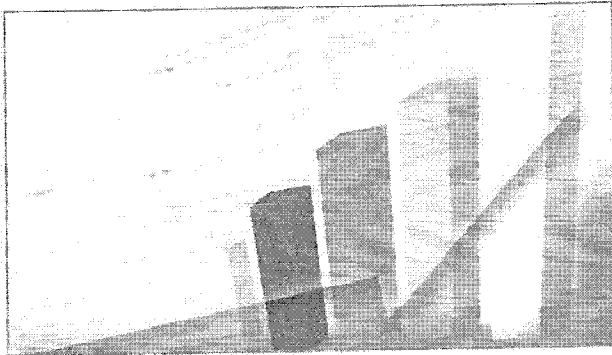
22 By 
23 Deputy

24 OFFICE OF THE CITY ATTORNEY
25 CHARLES PARKIN, City Attorney
26 411 West Ocean Boulevard, 9th Floor
27 Lona Beach, CA 90802

EXHIBIT "B-4"

Rates or Charges

FEE SCHEDULE



Effective **November 1, 2019** the schedule of hourly fees below includes rates for proposed personnel. These rates are expected to remain fixed through **October 31, 2020**.

All Cost Proposal submitted to the City of Long Beach during the period of November 1, 2019 through October 31, 2020 will include the hourly rates below.

All Not-To-Exceed Amounts listed in Cost Proposals submitted prior to November 1, 2019 will not be affected.

Pacifica Services, Inc.

Proposed Position	Hourly Rate
Labor Compliance Officer	\$101.77
Deputy Labor Compliance Officer	\$96.41
Business Development Manager	\$101.77
Sr. Labor Compliance Analyst	\$91.06
Labor Compliance Analyst	\$85.70
Labor Compliance Admin	\$56.93
Senior Labor Compliance Auditor	\$96.41

Note: Hourly Rates are subject to 3.5% increase annually.

Reimbursable Costs: As needed and approved by City of Long Beach staff, direct expenses attributed to incidental materials and services, such as report reproductions, plan set printing, parking fees, specific software, etc., will be billed at cost plus 10% mark-up. Does not include materials provided for Section 3, LCPTracker and Prevailing Wage Compliance Training Workshops. Mileage is from Pacifica Corporate office to work site or to City Facilities such as City Hall, Long Beach Airport, Facilities Maintenance Yards, Parks & Recs Facilities, and Fleet Services Bureau, etc. As of October 15, 2019 the current Mileage Rate is \$0.58 per mile and is subject to change based on the Standard Mileage Rates established by the IRS (<https://www.irs.gov/tax-professionals/standard-mileage-rates>).

Overtime Rates: In the event of overtime hours or worker field interviews conducted for construction work performed after 5:00 pm, the rate charged will be 1.5 times the Hourly Rate specified above.

Additional Services

Service	Description	NTE Annual Cost
Materials & Printing	Resource materials (i.e. folders & packets) provided at Section 3, LCPTracker, and Prevailing Wage Compliance Training Workshops for Contractors (Annual Cost).	\$5,000