

**AMENDMENT NUMBER ONE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
STANTEC CONSULTING SERVICES INC.**

This Amendment Number One ("Amendment") is made and entered into this 20th day of September, 2019 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and STANTEC CONSULTING SERVICES INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on May 22, 2019 for Consultant to conduct a peer review of the environmental site assessment report prepared for the property located at 585 Anton Boulevard (the "Agreement"); and

WHEREAS, City and Consultant desire to amend the Scope of Services to include the additional services set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly to Five Thousand Dollars (\$5,000.00).

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Five Thousand Dollars (\$5,000.00). Consultant shall be paid according to the fee schedule set forth in the Agreement and Exhibit A of this Amendment.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Kari Ann D. H.
City Manager

Date: 10-22-19

CONSULTANT

[Signature]
Signature
MONICA C. ARAGON - GUZMAN - SR GEOLOGIST
Name and Title

Date: SEPTEMBER 25, 2019

ATTEST:

Brenda Green 10/23/19
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 10/15/19

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 10/11/19

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 10-2-19

DEPARTMENTAL APPROVAL:



Economic and Development Services
Director

Date: 10.9.17

APPROVED AS TO PURCHASING:



Finance Director

Date: 9/20/19

EXHIBIT A
ADDITIONAL SERVICES



Stantec Consulting Services Inc.
3777 Worsham Avenue Suite 200, Long Beach CA 90808-1774

July 29, 2019
File: 185804486

Attention: Mino Ashabi, AIA
Principal Planner
City of Costa Mesa
77 Fair Drive
Costa Mesa CA, 92626

Reference: Proposal and Opinion of Probable Costs for Additional Peer Review of the Advantage Environmental Consultants Phase I and II Environmental Site Assessment Report Revisions, Report Addendum Document and Additional Client Liaison Services for the Property located at 585 Anton Boulevard Costa Mesa, California

Dear Ms. Ashabi,

Stantec Consulting Services Inc (Stantec) appreciates the opportunity to submit the following proposal and Opinion of Probable Costs (OPC) to the City of Costa Mesa (the City) for the continued peer review of the above-referenced report and additional documentation for the property located at 585 Anton Boulevard, in the City of Costa Mesa, California. The proposed scope of work, schedule, OPC, and project assumptions are provided for your review and approval below.

SCOPE OF WORK

In May 2019, the City of Costa Mesa requested Stantec to conduct a peer review of the Advantage Environmental Consultants, LLC (AEC) August 17, 2017 Phase I and II Environmental Site Assessment Report prepared for the referenced property, as part of the application activities for site redevelopment currently in process by LMC (the Applicant). Stantec issued a letter report documenting the review of AEC's report on July 2, 2019. Following Stantec's review and recommendations, AEC revised their report and issued a report addendum (*Phase I and II Environmental Site Assessment Addendum*) dated July 24, 2019. The City requested that Stantec peer review the revised document and additional documentation provided by AEC. Additionally, the City also requested additional liaison services involving attendance to conference calls to discuss the results of the peer review and communications with AEC and the Applicant.

The revised Phase I Environmental Site Assessment (ESA) portions of the report will be reviewed to determine if the gaps identified during the initial review of the Phase I ESA portion of the report have been closed. Additionally, Stantec will review the documentation provided in the Addendum to determine if it fulfills the methodology and protocol of the All Appropriate Inquiries (AAI) Final Rule CFR Part 312, and with the ASTM Practice E1527-13 Standard Practice for Environmental Site Assessments, to evaluate if the documentation provided in the addendum leads to additional recognized environmental conditions (RECs) at the property, and to determine if any unidentified data gaps apply to the documentation provided in the Addendum. Stantec

Design with community in mind



July 29, 2019
Minoo Ashabi, AIA
Page 2 of 3

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will also conduct a review of the revised Phase II ESA portion of the report to determine if the information provided in the revisions is in general accordance with applicable standards and regulations.

Stantec will prepare a draft peer review letter documenting our findings of the reviews, potential data gaps (if present), and conclusions.

Stantec will also provide liaison services which will include communications with the Applicant and AEC, as well as attend any required meetings to discuss the results of the review and any issues identified by Stantec during its review of the documents provided by AEC.

SCHEDULE

Stantec is prepared to initiate the scope of work upon receipt of this signed proposal and attached Terms and Conditions. Stantec will issue a draft peer review in approximately 1 to 2 weeks from written authorization, and a final peer review letter within three days of receipt of comments on the draft peer review letter from the City.

FEES

Stantec proposes to perform the peer review services described herein on a Time and Materials Not to Exceed basis of **\$2,175.00**.

ASSUMPTIONS

The cost estimate is based on the following assumptions:

- A site reconnaissance will not be performed.
- The costs include labor for project management, project setup, limited review of the initial report to and a complete review of the addendum report, and preparation of the letter report.
- Costs also include limited labor for liaison services currently incurred by Stantec between the City, the Applicant and AEC to discuss the reports, including email communications and phone calls with the City. Meetings, and conference calls will be attended by the project manager.
- An active soil, soil vapor, and/or groundwater investigation will not be performed.



July 29, 2019
Mino Ashabi, AIA
Page 3 of 3

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- The conditions of this proposal will remain in effect for a period of 30 days.

LIMITATIONS

The peer review to be delivered by Stantec, if this proposal is accepted, will be for the sole use of the City. The report may not be relied upon by any other party without the express written consent of Stantec, which may be withheld at Stantec's discretion.

CLOSURE

Stantec appreciates the opportunity to submit a proposal for this project and looks forward to working with you on this and other projects. If you have any questions, please contact Mr. Kelly C Brown at your convenience.

Regards,

STANTEC CONSULTING SERVICES INC.

Monica Aragon-Guzman, P.G.
Senior Geologist
Phone: (562) 354-2643
Fax: (562) 354-2669
Monica.Aragon-Guzman@stantec.com

Kelly C. Brown, P.G.
Principal Geologist
Phone: (562) 354-2638
Fax: (562) 354-2669
Kelly.Brown@stantec.com

Attachments: Stantec's Rate Table 2

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2019 MASTER ENVIRONMENTAL SERVICES



Charges for all professional, technical, and administrative staff directly charging time to the project will be calculated and billed on the basis of the following schedule.

Billing Level	Staff Member Title		Rate Per Hour	
Level 3	Administrative I		\$92	
Level 4	Administrative II	CADD Technician I	Research Technician	\$102
Level 5	Administrative III	CADD Technician I	Permitting Technician	\$116
Level 6	Administrative IV	CADD Technician I, II	Assistant Eng./Scientist	\$121
Level 7		CADD Technician II	Staff Engineer/Scientist I	\$126
Level 8	Design Engineer	CADD Technician II, III	Staff Engineer/Scientist II	\$137
Level 9	Design Engineer	CADD Technician III	Civil Designer	\$142
Level 10	Project Engineer I	CADD/GIS Tech IV	Civil Designer	\$147
Level 11	Project Engineer II	Civil Designer	Project Civil Designer	\$158
Level 12	Associate Engineer	Project Manager I	Senior Civil Designer	\$166
Level 13	Associate Engineer II	Project Manager II	Principal I	\$175
Level 14	Senior Engineer	Sr. Project Manager	Principal II	\$185
Level 15	Senior Engineer II	Sr. Project Manager	Senior Principal I	\$196
Level 16	Principal Engineer	Sr. Project Manager	Senior Principal II	\$216
Level 17	Sr. Principal Engineer	Sr. Project Manager	Managing Principal	\$224

Expert Witness Services carry a 50% premium on labor. Overtime will be charged at 1.5 times the standard billing rate. All labor rates will be subject to annual increase.

Other Direct Disbursements:

Disbursement	Rate
Vehicle Mileage	Prevailing IRS Rate
Subcontract Services	Actual Cost +10%
Travel/Per Diem	Actual Cost +10%
Capital Purchases and Expendable Materials	Actual Cost +10%
Postage and Shipping	Actual Cost +10%