

**AMENDMENT NUMBER TWO
TO PROFESSIONAL SERVICES AGREEMENT
WITH MICHELLE RUDAITIS**

This Amendment is made and entered into this 30th day of June, 2014 (“Effective Date”) by and between the CITY OF COSTA MESA, a municipal corporation (“City”) and Michelle Rudaitis, a sole proprietor (“Consultant”).

WHEREAS, Consultant and City entered into an agreement on JULY 1, 2014, for Consultant to provide hazardous materials disclosure program coordination (the “Agreement”); and

WHEREAS, Consultant and City also desire to extend the term of the Agreement through the 2014-2015 fiscal year.

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

1. The term of the Agreement shall be extended through June 30, 2015.
2. Compensation for services rendered from July 1, 2014 through June 30, 2015, shall be in accordance with the Fee Schedule attached hereto as Exhibit “A” and incorporated herein by this reference.
3. Section 2.1 of the Agreement is hereby amended to state that Consultant’s total compensation shall not exceed Two Hundred And Forty Thousand Dollars (\$240,000.00). This new total reflects the compensation for the original term (\$80,000.00) plus the additional compensation for the first extended term of the Agreement (\$80,000.00) plus the additional compensation for the second extended term of the Agreement.
4. Except as set forth herein, the terms of the Agreement shall remain in full force and effect.

[Signatures on the Following Page.]

IN WITNESS WHEREOF, the Parties hereto have set their hand by their duly authorized representatives as of the day and year first above written.

CITY OF COSTA MESA,
A municipal corporation

[Redacted signature]

Date: 7/15/14

Chief Executive Officer



MICHELLE RUDAITIS,
A sole proprietor

[Redacted signature]

Date: 7/7/14

Signature

APPROVED AS TO FORM:

[Redacted signature]

City Attorney

[Redacted signature]



City Clerk

Exhibit A Fee Schedule

June 24, 2014

Michelle Rudaitis


Dan Stefano
Fire Chief
Costa Mesa Fire Department
77 Fair Drive
Costa Mesa, CA 92626

Proposal for Hazardous Materials Coordinator

Scope of work

This proposal includes the following:

- Collect and maintain Hazardous Materials Disclosure Program
- Ensure compliance with existing laws and regulations concerning HMBP* requirements
- Review business emergency plans for compliance and accuracy. This information is provided to the first responders
- Make disclosure records available to the public under the “right to know act” laws
- Respond to requests for hazardous materials information from the public conducting site assessments
- Coordinate hazardous materials programs with the County Health Care Agency
- Coordinate billing with the County Health Care Agency
- Participate in hazardous materials committees at the county level
- Conduct *mandated* inventory inspections for regulated facilities in program
- Identify existing safety hazards that could cause or contribute to an accidental spill or release.
- Suggest preventive measures designed to minimize the risk of a spill or release of hazardous materials
- Advise on cost recovery actions of hazardous materials related incidents
- Develop and conduct hazardous materials training sessions for firefighters
- Participation in monthly strike-force meetings through the District Attorney’s office
- Provide technical expertise to Fire Department personnel concerning hazardous materials that they encounter in the City

June 24, 2014

Fee

The fee for the above described work shall not exceed \$80,000.00 and shall be billed as follows: \$75.00 per hour to be billed monthly.

Extra Work

Extra work beyond the scope of this proposal will be billed at the hourly rate of \$75.00. All extra work must be authorized in advance and in writing by the Fire Chief. All extra work will be charged to appropriate account outside of Hazardous Materials.

Schedule

Review of annual hazardous material submittals and/or recertification's will be reviewed and approved within 40 business days of the March 1st submittal deadline. Additional filings by new businesses and changes to existing filings will be reviewed and approved within 40 business days after the receipt of the new or revised document. All additional work will be diligently pursued and completed in accordance with Section 3.1 of the City of Costa Mesa Professional Services Agreement.

Deliverables

Hazardous materials disclosures will be submitted, reviewed and approved through the Orange County Healthcare Agency, Environmental Healthcare Division's E-Submit business portal. All other documents shall be prepared and delivered and stored electronically using City of Costa Mesa provided software or by using software that is compatible with the City of Costa Mesa's computer systems.

By:


Michelle Rudaitis

Date: 6/30/14