

**AMENDMENT NUMBER ONE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
MICHAEL BAKER INTERNATIONAL, INC.**

This Amendment Number One ("Amendment") is made and entered into this 3rd day of June, 2020 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and MICHAEL BAKER INTERNATIONAL, INC., a Pennsylvania corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on March 18, 2019 for Consultant to provide environmental consulting services in connection with a proposed automobile storage facility at 975 W. 18th Street (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 Twenty-Nine Thousand Eight Hundred Fifteen Dollars (\$29,815.00).

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 Twenty-Nine Thousand Eight Hundred Fifteen Dollars (\$29,815.00). Consultant shall be paid according to the fee schedule set forth in Exhibit A.
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.
5. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement. Counterpart written signatures may be transmitted by facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

[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

[Signature]
City Manager

Date: 6/30/20

CONSULTANT

[Signature]
Signature
Eddie Torres, Associate Vice President
Name and Title

Date: 6/17/20

ATTEST:

Brenda Green 7/1/2020
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 6/23/20

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 6/10/2020

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 6/16/20

DEPARTMENTAL APPROVAL:



Economic and Development Services
Director

Date: 6/16/20

APPROVED AS TO PURCHASING:



Acting Finance Director

Date: June 10, 2020

EXHIBIT A
ADDITIONAL SERVICES

Michael Baker

I N T E R N A T I O N A L

We Make a Difference

April 3, 2020

Justin Arios
Assistant Planner
CITY OF COSTA MESA
77 Fair Drive
Costa Mesa, CA 92626

SUBJECT: Additional Work Request No. 1: Update Technical Reports Supporting the Categorical Exemption for the proposed Chen Mini Warehouse Auto Storage Facility Project in Costa Mesa, CA.

Dear Mr. Arios:

Michael Baker International (Michael Baker) is pleased to submit this scope of work for Professional Services associated with the proposed Chen Mini Warehouse Auto Storage Facility Project located in Costa Mesa, California. This additional work request is based on revisions to the site plan for the project, as resubmitted by the Applicant Team. These revisions change assumptions made in the Class 32 Exemption Memorandum and associated Technical Reports, dated May 2019. Please refer to Exhibit A for our detailed scope of work and fee.

Should you have any questions or require additional information after reviewing the attached scope of work, please do not hesitate to contact me at 949/855-5747 or e-mail at kbogue@mbakerintl.com. We look forward to our continued work on this project.

Sincerely,



Kristen Bogue
Senior Associate/Project Manager
Planning/Environmental Sciences

EXHIBIT A SCOPE OF WORK AND FEE

TASK 1: TRAFFIC IMPACT ASSESSMENT UPDATE

\$2,985

Michael Baker International (Michael Baker) will retain Linscott, Law & Greenspan, Engineers (LLG) to complete the following tasks:

- LLG will update the project trip generation forecast for the revised project for a typical weekday over a 24-hour period, as well as for the commuter AM and PM peak hours. The forecasts will be based on the trip generation rates/equations reflected in the *10th Edition of Trip Generation*, published by the Institute of Transportation Engineers (ITE) or operational characteristics of the proposed project. LLG will also update the net project trip generation, considering the removal of the existing trip generation for the project site.
- Based on the updated net traffic generation, LLG will update the traffic assessment of the potential traffic impacts associated with the proposed project based on the City of Costa Mesa traffic impact analysis guidelines.
- LLG will update the letter report that details all of the above-mentioned items including their analysis, findings and conclusions. The draft letter report will document the tabular, graphic, and appendix materials. The draft letter report will be submitted for City review and comment.
- Upon receiving City comment, if provided, LLG will update the letter report accordingly (assuming these comments are minor in nature and do not require any new or modified modeling). The final letter report will be electronically submitted to the City of Costa Mesa.

TASK 2: AIR QUALITY AND NOISE UPDATE MEMORANDUMS

\$5,844

Michael Baker will update the Air Quality and Noise Memorandums to be consistent with the revised site plan. The technical analyses will be updated to be consistent with the updated Trip Generation (Task 1) and, if applicable, the VMT analysis (Optional Task 3). These updates will include revising the CalEEMod air quality run and reexamining stationary, parking, and mobile noise.

The draft memorandums will be submitted for City review and comment. Upon receiving City comment, if provided, Michael Baker will update the memorandums accordingly (assuming these comments are minor in nature and do not require any new or modified modeling). The final memorandums will be electronically submitted to the City of Costa Mesa.

OPTIONAL TASK 3: VMT ANALYSIS

\$845

Michael Baker International (Michael Baker) will retain Linscott, Law & Greenspan, Engineers (LLG) to prepare a Vehicle Miles Traveled (VMT) analysis to support the Class 32 Exemption for the proposed project:

- Conduct a qualitative VMT assessment based on current OPR Guidelines.
- Prepare a memorandum that details VMT Assessment for the proposed project. The draft memorandum will be submitted for City review and comment.
- Upon receiving City comment, if provided, LLG will update the memorandum accordingly (assuming these comments are minor in nature and do not require any modeling). The final memorandum will be electronically submitted to the City of Costa Mesa.

OPTIONAL TASK 4: UPDATE CLASS 32 EXEMPTION MEMORANDUM

\$2,416

Michael Baker International (Michael Baker) will update the Class 32 Exemption Memorandum. This task includes the following:

- Update the Memorandum to reflect the current proposed project, including appropriate exhibits;
- Update the Memorandum to reflect the updated transportation appendix, air quality appendix, and noise appendix;
- The draft Memorandum will be submitted for City review and comment. Upon receiving City comment, if provided, Michael Baker will update the Memorandum accordingly. The final Memorandum will be electronically submitted to the City of Costa Mesa.

Billing – Client shall be billed on a monthly basis. These Tasks are fixed fee, not to exceed (please check which applies), in addition to the existing contract value:

- _____ - \$8,829 (Tasks 1 and 2)
- _____ - \$9,674 (Tasks 1, 2, and Optional Task 3)
- _____ - \$11,245 (Tasks 1, 2, and Optional Task 4)
- _____ - \$12,090 (Tasks 1, 2, Optional Task 3, and Optional Task 4)

TASK	Eddie Torres	Kristen Bogue	Frances Yau	Danielle Regimbel	Admin/ Graphics	MB Total Hours	ODC	LLG	Total Cost
1.0 TRAFFIC IMPACT ASSESSMENT UPDATE	278	195	128	120	105	4	\$ 20	\$ 2,185	\$2,985
2.0 AIR QUALITY AND NOISE UPDATE MEMORANDUMS	8	4		20	4	36	\$ 20		\$5,844
TOTAL HOURS	8	8	0	20	4	40			
*Percent of Total Labor (Hours)	20.0%	20.0%	0.0%	50.0%	10.0%	100.0%			
TOTAL COSTS	\$2,224	\$1,560	\$0	\$2,400	\$420		\$40	\$2,185	\$8,829
OPTIONAL TASKS									
3.0 VMT ANALYSIS						0	\$ 845		\$845
4.0 UPDATE CLASS 32 EXEMPTION MEMORANDUM		4	12			16	\$ 100		\$2,416
Total Costs With Options (Tasks 1, 2, and 3)	\$2,224	\$1,560	\$0	\$2,400	\$420		\$885	\$2,185	\$9,674
Total Costs With Options (Tasks 1, 2, and 4)	\$2,224	\$1,564	\$12	\$2,400	\$420		\$140	\$2,185	\$11,245
Total Costs With Options (Tasks 1, 2, 3, and 4)	\$2,224	\$1,564	\$12	\$2,400	\$420		\$985	\$2,185	\$12,090

Note: All work will be performed at a "Not to exceed" contract price, which will become the firm fixed price upon completion of negotiations with the Client. The total budget includes all miscellaneous costs for travel/mileage, reproduction, reimburseables, telephone, postal, delivery, reference materials and incidental expenses. Michael Baker will receive payment on a percentage basis by monthly billing. The Michael Baker project manager reserves the right to make adjustments to staff allocations as necessary within the overall budget.

Should additional budget, or additional services be required, the Client shall be contacted and work would continue upon a Client-approved contract augmentation.

Authorization for AWR No. 1:

MICHAEL BAKER INTERNATIONAL, INC.

CITY OF COSTA MESA

By:

By:

Title:

Title:

Date:

Date:
