

**AMENDMENT NO. 2 TO AGREEMENT
FOR PROFESSIONAL SERVICES WITH ADVANTEC**

This Amendment No. 2 to the Professional Services Agreement is made and entered into as of April 22, 2024 ("Effective Date") by and between the City of Upland, a municipal corporation ("City") and ADVANTEC Consulting Engineers, INC. ("Consultant"). City and Consultant are sometimes referred to herein individually as a "Party" and collectively as "Parties."

RECITALS

A. WHEREAS, the City and the Consultant have entered into an agreement, dated January 1, 2022, for the purpose of providing traffic engineering services (the "Original Agreement").

B. WHEREAS, the City and the Consultant have executed Amendment No. 1, dated August 14, 2023 the Original Agreement and Amendment No. 1 are collectively referred to as the "Amended Agreement" for the purpose of providing additional traffic engineering services for an additional compensation of \$50,000 for City fiscal year 2022/23 and the future fiscal years.

C. WHEREAS, the Parties now desire to amend the Amended Agreement in order to include for City fiscal year 2023/24 only additional traffic engineering services including the design of the signal modification for Campus and the 210 Freeway signals and to include for City fiscal year 2023/24 only additional funds of \$24,000 for the performance of the additional traffic engineering services in accordance with the compensation provisions of the Amended Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 2 and the Original Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Compensation Commencing July 1, 2023. Notwithstanding any provisions in Section 2 of the Amended Agreement to the contrary, commencing July 1, 2023 for City fiscal year 2023/24 only, and for services rendered to City, (a) the fiscal year compensation shall not exceed \$174,000, (b) the Schedule of Charges shall be as set forth in Exhibit "A-1" attached hereto and incorporated herein by reference, and (c) the total fiscal year compensation for City fiscal year 2023/24 only, including Additional Work, shall not exceed \$200,000 without approval by the City Council


3. Electronic Transmission. A manually signed copy of this Amendment No. 2 which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 2 for all purposes. This Amendment No. 2 may be signed using an electronic signature.

4. Counterparts. This Amendment No. 2 may be signed in counterparts, each of which shall constitute an original.


IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 on the Effective Date first herein above written.

CITY OF UPLAND

CONSULTANT

DocuSigned by:

ED26F9DCC3FF48A...
Michael Blay,
City Manager

ADVANTEC Consulting Engineers, Inc.


DocuSigned by:

4635FBF11CDD478...
Leo Lee, PE
President

APPROVED AS TO FORM:

ADVANTEC Consulting Engineers, Inc.

DocuSigned by:

9326570F6DB648E...
Stephen Deitsch
Best Best & Krieger LLP
City Attorney

DocuSigned by:

ADBE05A4980A4C0...
Pauline YIP
Board Secretary

ATTEST:

DocuSigned by:

F421A8F85BE347A...
Keri Johnson
City Clerk

EXHIBIT A-1

ADDITIONAL TRAFFIC ENGINEERING SERVICES

[RATE SHEET ATTACHED]



ADVANTEC Consulting Engineers

Hourly Rates

Effective January 2021

<u>Classification</u>	<u>Rate</u>
Project Director III	\$320 / hour
Project Director II	\$300 / hour
Project Director I	\$280 / hour
Project Manager/Senior Engineer VIII	\$250 / hour
Project Manager/Senior Engineer VII	\$230 / hour
Project Manager/Senior Engineer VI	\$200 / hour
Project Manager/Senior Engineer V	\$180 / hour
Project Engineer/ Planner IV	\$160 / hour
Project Engineer/ Planner III	\$140 / hour
Project Engineer / Planner II	\$130 / hour
Associate Engineer / Planner I	\$120 / hour
Assistant Engineer	\$110 / hour
Design Technician V	\$140 / hour
Design Technician IV	\$120 / hour
Design Technician III	\$100 / hour
Administrative II	\$110 / hour
Administrative I	\$ 95 / hour

Direct Costs

Effective January 2021

Mileage	\$0.56/mile
In House Plotting (Mylar)	\$20.00 per D-size sheet
In House Plotting (Bond)	\$10.00 per D-size sheet
Other Direct Costs	At Cost + 10% admin