

**AMENDMENT NO. 1 TO AGREEMENT
FOR PROFESSIONAL SERVICES WITH ADVANTEC**

This Amendment No. 1 to the Professional Services Agreement is made and entered into as of August 14, 2023 ("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 Parties now desire to amend the Original Agreement in order to include additional traffic engineering services and to include additional funds for the performance of the additional traffic engineering services in accordance with the compensation provisions of the Original Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 1 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 Original Agreement to the contrary, commencing July 1, 2023, and for services rendered to City thereafter, (a) the fiscal year compensation shall not exceed \$150,000, (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, 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. 1 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. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

4. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.

CITY OF UPLAND



Michael Blay,
City Manager


CONSULTANT

ADVANTEC Consulting Engineers, Inc.



Leo Lee, PE
Chairman

APPROVED AS TO FORM:



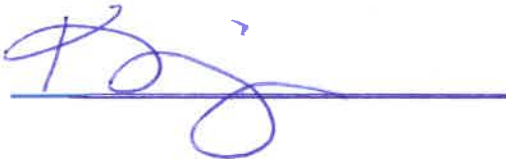
Stephen Deitsch
BestBet&KriegerLLP
City Attorney

ADVANTEC Consulting Engineers, Inc.



Pauline Yip
Board Secretary

ATTEST:



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 II	\$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 II	\$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 II	\$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