

**FIRST AMENDMENT TO PROFESSIONAL SERVICES
AGREEMENT BETWEEN THE CITY OF UPLAND AND
WATERWORKFORCE ENGINEERING**

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "First Amendment") is made as of the 23rd day of September, 2024, by and between the City of Upland, a public agency organized and operating under the laws of the State of California ("City"), and WaterWorkforce, a California corporation (the "Consultant"). Collectively, City and Consultant are referred to herein as the "Parties".

RECITALS

WHEREAS, City and Consultant previously entered into a Professional Services Agreement dated August 12, 2024 (the "Agreement"), to provide staff augmentation services in support of the City's Engineering Administration within the Public Works Department, as set forth in Attachment "A" attached to the Agreement and incorporated therein by reference; and

WHEREAS, the Agreement inadvertently included an incorrect Exhibit "A" which does not accurately reflect staffing summary, essential functions, and certification requirements; and

WHEREAS, "Exhibit "B" of the Agreement does not accurately reflect the intended schedule of charges/payments agreed upon by the Parties.; and

WHEREAS, the Parties desire to: (1) continue services subject to the terms and conditions as stated in the Agreement; (2) replace the incorrect Exhibit "A" with a corrected and updated Exhibit "A" to accurately reflect their mutual understanding and agreement; (3) replace the incorrect Exhibit "B" with a corrected and updated Exhibit "B" to accurately reflect their mutual understanding and agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual undertakings herein, the Parties amend the Agreement, as follows:

1. The Agreement is hereby amended by deleting Exhibit "A" and by substituting therefor Amended Exhibit "A" attached hereto and incorporated herein by reference."
2. The Agreement is hereby amended by deleting Exhibit "B" and by substituting therefor Amended Exhibit "B" attached hereto and incorporated herein by reference."
3. All remaining provisions of the Agreement shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, City and Consultant have approved this First Amendment effective the day and year first above written.

CITY:

City of Upland

CONSULTANT:

WaterWorkforce

DocuSigned by:
By: Michael Blay
ED26F9DCC3FE48A...
Michael Blay,
City Manager

DocuSigned by:
By: Bret Kadel
B8CEE6E6360F4D9...
Its: CEO
Printed Name: Bret Kadel

ATTEST:

DocuSigned by:
By: Keri Johnson
F421A8F85BE347A...
Keri Johnson,
City Clerk

DocuSigned by:
By: Myranda Kelly
8C36FEDEF3F946F...
Its: Administrative Coordinator
Printed Name: Myranda Kelly

APPROVED AS TO FORM:

Signed by:
By: Stephen Deitsch
9326570F6DB648E...
Stephen Deitsch,
City Attorney

AMENDED EXHIBIT A

STAFFING SUMMARY:

This role, operating under the guidance of allocated management, is responsible for carrying out assigned task orders to support the operational needs of the City of Upland Utility Division. These responsibilities encompass Acting Utility Manager staff augmentation, On-call Services and Water Staff Augmentation as specified in the "Temporary Staffing Rates."

The task and responsibilities of the Acting Utility Manager and Water Staff Augmentation shall be the same as the City's job description for Utility Manager and the corresponding positions as shown in the "Temporary Staffing Rates".

ESSENTIAL FUNCTIONS and CERTIFICATIONS REQUIRED:

The essential functions and necessary certifications are all detailed in City of Upland job descriptions. These encompass a wide range of roles, including Water Production, Water Treatment, Water Distribution, Sewer Collections, and Electrical/Technical positions within the City of Upland Utility Division. All on-call services and staff augmentation will require compliance with these essential functions and certifications, ensuring the proper coverage and expertise for the designated roles.

(continued - see attachments)



Exhibit A

Task Order

Task Order# 2024-8-07

Client Information

Name: City of Upland **Contact:** Liz Rodriguez
Address: 460 N Euclid. **Phone:** (909) 291-2965
Upland, Ca 91786 **Email:** LRodriguez@uplandca.gov

Assignment

Position Job Name: Utilities Manager
Department: Public Works **Reports To:** Chris Alanis
Location: 460 N Euclid Avenue Upland, CA 91786
Assigned Facility (s): Public Works Utilities
Duration of Placement: August 2024 to June 2027
Work Schedule: Start Time: TBD **End Time:** TBD **Days of the week:** TBD
Scope of placement: Please see job descriptions attached.

WaterWorkforce Fee Schedule		
Position	Local Regular Hourly Scale	Travel Rate
Utilities Manager	\$135.00	\$156.50

City of Upland

 Signature

 Printed Name

 Title

Date

WaterWorkforce INC

Bret Kadel

 Signature
 Bret Kadel

 Printed Name
 CEO

 Title
 8/7/2024

Date





CITY OF UPLAND
CALIFORNIA
INCORPORATED IN 1906

GENERAL PURPOSE

Under general direction, plans, organizes, oversees, coordinates, and manages the staff and operations of the Public Works Utilities Division, including water production, treatment, system maintenance, conservation; recycled water system maintenance; sewer system maintenance; field customer service; utility engineering; water resources planning and management; regulatory compliance; reviews water, recycled water, and wastewater land development; oversees the Utility capital improvement project planning, contract management, and implementation functions; oversees environmental review and Geographic Information Systems (GIS) mapping; manages the effective use of division resources to improve organizational productivity and customer service; provides complex and responsible support to the Director of Public Works in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Director of Public Works. Exercises direct supervision over supervisory, professional, and technical support staff.

CLASS CHARACTERISTICS

This is a management classification responsible for planning, organizing, and managing the staff, operations, and activities of the Utilities Division, including water and sewer operations, engineering and customer service, and water resources planning and management. Incumbents are responsible for performing diverse, specialized, and complex work involving significant accountability and decision-making responsibilities, which include division budget administration, program evaluation, and recommendation and implementation of policies, procedures, goals, objectives, priorities, and standards related to the City's water, wastewater, and storm drain utility systems. Incumbents serve as a professional-level resource for organizational, managerial, and operational analyses and studies. Performance of the work requires the use of considerable independence, initiative, and discretion within broad guidelines.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so qualified employees can perform the essential functions of the job.

- Plans, manages, and oversees the daily functions, operations, and activities of the City's water, recycled water, sewer and storm drain operations which includes treatment plants, reservoirs, pumping stations, pressure regulating stations, well pumps, remotely operated valves, and both water and recycled water distribution mains to ensure the delivery of safe drinking water in compliance with federal, state, and local regulations; monitors sewer collection mains and other sewage facilities; properly manages water supply resources, operating efficiencies, and proper operation and maintenance of water system facilities; maintains cleaning schedules of sewer pipelines; and maintenance of the storm drain collection system.
- Participates in the development and implementation of goals, objectives, policies, and priorities for assigned functions; recommends within department policy, appropriate service and staffing levels; recommends and administers policies and procedures.
- Participates in the development, administration, and oversight of division and department budgets; determines funding needed for staffing, equipment, materials, and supplies; ensures compliance with budgeted funding; monitors department budgets and expenditures.
- Develops and standardizes procedures and methods to improve and continuously monitor the efficiency and effectiveness of assigned programs, service delivery methods, and procedures; assesses and monitors workload, administrative and support systems, and internal reporting relationships; identifies opportunities and makes recommendations for improvement.
- Participates in the selection of, trains, motivates, and evaluates assigned personnel; works with employees to correct deficiencies; recommends and implements discipline and termination procedures.
- Develops and manages requests for proposals for professional and/or contracted services; prepares scope of work and any technical specifications; evaluates proposals and recommends award; negotiates contracts; administers contracts to ensure compliance with City specifications and service quality.
- Acts as liaison and discusses issues related to municipal utility systems with other City departments as well as developers, contractors, subcontractors, financial institutions, businesses, and their representatives.
- Directs, coordinates, reviews, and updates the Water Systems Operations Plan; oversees and coordinates water meter services; reviews meter testing to ensure accuracy and compliance.
- Participates in the planning of new utilities facilities and systems; participates in the development of specifications for the purchase of equipment; implements and complies with and monitors hazardous material procedures and local, county, state,

and local regulations.

- Prepares and presents staff and agenda reports and other necessary correspondence related to assigned activities and services; attends City Council, Planning Commission, and other board meetings; conducts presentations and provides technical advice regarding assigned functions; prepares and conducts public meetings and presentations for community groups.
- Conducts a variety of organizational and operational studies and investigations; recommends modifications to assigned programs, policies, and procedures, as appropriate.
- Serves as a liaison and provides technical guidance and assistance for assigned functions with other City departments, divisions, businesses, outside agencies, and other interested parties; provides staff support to commissions, committees, and task forces, as necessary.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in municipal utility systems; researches emerging products and enhancements and their applicability to City needs.
- Monitors changes in regulations and technology that may affect operations; implements policy and procedural changes after approval.
- Receives, investigates, and responds to difficult and sensitive problems and complaints in a professional manner; identifies and reports findings and takes necessary corrective action.
- Directs the establishment and maintenance of working and official division files.
- Ensures staff compliance with City and mandated safety rules, regulations, and protocols.
- Performs other duties as assigned.

QUALIFICATION GUIDELINES

Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and project management.
- Principles and practices of budget development and administration.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of contract administration and management.
- Civil, hydraulic, mechanical, and sanitary engineering theory, principles, and practices, including their application to a wide variety of water production and distribution applications.
- Principles, procedures, standards, practices, information sources, and trends in the fields of municipal water production and distribution facility operations.
- Principles and practices of engineering and construction, including project and construction management as applied to municipal water production and distribution facility operations.
- Environmental engineering principles, practices, and methods.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Recent and on-going developments, current literature, and sources of information related to the operations of the assigned division.
- Methods and techniques of preparing technical and administrative reports, and general business correspondence.
- City and mandated safety rules, regulations, and protocols.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.
- The structure and content of the English language, including the meaning and spelling of words, rules of composition, and grammar.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Plan, organize, oversee, and manage the Utilities division staff and operations.
- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Prepare and administer large and complex budgets; allocate limited resources in a cost-effective manner.
- Provide administrative, management, and professional leadership for the division.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies, procedures, and standards relevant to work performed.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Perform and coordinate utility studies and other assigned programs and projects.
- Make persuasive oral and written presentations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Analyze, interpret, summarize, and present technical information and data in an effective manner.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Effectively represent the division and the City in meetings with governmental agencies, community groups, and various businesses, professional, and regulatory organizations, the media, and in meetings with individuals.
- Direct the establishment and maintenance of a variety of filing, record-keeping, and tracking systems.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing, using appropriate English grammar and syntax.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Any combination of training and experience that would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in civil engineering, business administration, public administration, or a related field.
 - (Substitution: An associate degree plus three (3) additional years of related experience may substitute for the required bachelor's degree.)

Experience:

- Seven (7) years of increasingly responsible experience in water production and distribution system operations, or a related field, of which two (2) years should be in a lead or supervisory capacity.

Licenses and Certifications:

- Possession of a valid California Driver's License, to be maintained throughout employment.
- Possession of a valid registration as a Professional Engineer (PE) issued by the California State Board of Registration for Civil and Professional Engineers, to be maintained throughout employment.

OR

- Possession of a valid California Driver's License, to be maintained throughout employment.
- Possession of a valid Grade IV (D-4) Water Distribution Certificate from the State of California, to be maintained throughout employment,
- Possession of, or successful acquisition within twelve (12) months of employment, a valid Grade V (D-5) Water Distribution Certificate from the State of California, to be maintained throughout employment and
- Possession of a valid Grade III (T-3) Water Treatment Certificate from the State of California, to be maintained throughout employment.

AMENDED EXHIBIT B

Schedule of Charges/Payments Consultant will invoice City on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform City regarding any out-of-scope work being performed by Consultant. This is a time-and-materials contract.

(See attached fee schedule)



Cost Summary Sheet

DATE: August 7, 2024

CLIENT: City of Upland
060 N. Euclid Avenue
Upland CA 91786

CONTRACTOR: WATERWORKFORCE Inc.
1618 Couples Court
Upland CA 91784

SUBJECT: City of Upland – Temporary Staffing Rates

1. Contact/Project Manager for WaterWorkforce

Bret Kadel
951-202-6604
bretk@Waterworkforce.com

2. Scope of Services:

STAFFING SUMMARY:

This role, operating under the guidance of allocated management, is responsible for carrying out assigned task orders to support the operational needs of the City of Upland Utility Division. These responsibilities encompass on-call services and staff augmentation positions as specified in the "Temporary Staffing Rates."

ESSENTIAL FUNCTIONS and CERTIFICATIONS REQUIRED:

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EQUIPMENT USE:

Equipment for all job duties and/or task orders will be provided by the "client". Any additional equipment needed will be billed as follows:

Standard Size Truck or Vehicle	\$20/hr will be added to hourly rate
Heavy Equipment	Will be billed based on vehicle and daily rates





3. Temporary Staffing Rates:

Positions	Local Regular Rate Per Hour	Travel Regular Rate Per Hour
Utility Systems Worker - Water Trainee	\$61.00	\$82.50
Utility Systems Worker - Sewer Trainee	\$61.00	\$82.50
Utility Worker I/II - Sewer	\$70.00	\$91.50
Lead Utility Worker - Sewer	\$80.00	\$101.50
Water Meter Technician	\$68.00	\$89.50
Lead Water Meter Technician	\$78.00	\$105.44
Utility System Worker Water	\$70.00	\$91.50
Senior Utility System Worker	\$80.00	\$101.50
Cross Connection Control Technician	\$95.00	\$116.50
Water Treatment Operator I/II	\$85.00	\$106.50
Lead Water Treatment Operator	\$95.00	\$110.96
Chief Water Treatment Operator	\$105.00	\$116.50
Utility System Worker Supervisor	\$115.00	\$136.50
Utilities Manager	\$135.00	\$156.50
Apprentices for Water and Sewer (WaterWorkforce Apprenticeship)	\$48.00	NA

On-Call Support:

If an Operator is expected to provide On-Call support, they shall be compensated in the following manner:

- **Standby On-Call:** if WaterWorkforce Operator is expected to remain in the vicinity of the Client system and in a ready-to-respond status during off hours on a day where they have already worked a shift, this time will be compensated as one (1) regular hour of time. On days where they have not worked a shift and are expected to remain in a ready-to-respond status (off days), time will be compensated as two (2) regular hours of time.
- **Activated On-Call:** if WaterWorkforce Operator is called to respond to a system alarm or emergency after hours to Client system, then this time will be charged at a minimum of two (2.5) hours or for the total duration of time from departure from domicile to return to domicile, whichever is greater. Standard labor laws shall apply if Operator happens to have accrued the appropriate number of hours to constitute overtime.

