

CITY OF FULLERTON
AMENDMENT NUMBER ONE TO AGREEMENT
WITH
LG2WB ENGINEERS, INC.

THIS AMENDMENT NUMBER ONE ("Amendment") to the Agreement is made and entered on this 23rd day of December, 2021, by and between the CITY OF FULLERTON ("City"), and LG2WB ENGINEERS, INC. ("Consultant").

RECITALS

A. On July 1, 2020, the City and the Consultant entered into an Agreement ("Agreement") for the Consultant to provide on call traffic engineering services for the City of Fullerton.

B. City and Consultant desire to amend the Agreement to include additional services, related to increased development and City's staff augmentation needs, as set forth herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

1. Section 1.1 of the Agreement "Scope of Services", is amended to include additional on-call professional traffic engineering services outlined within the scope of work attached hereto as Exhibit "A."

2. Section 2.1 of the Agreement, "Compensation," is amended to remove the "not to exceed cap of Two Hundred Forty Thousand One Hundred Fifteen Dollars" and include compensation in the anticipated amount of \$424,220 at the hourly rates established in the fee schedule set forth in Exhibit A for the remaining initial term of the agreement, including any optional extensions.

3. Except as set forth in this Amendment, all terms and provisions of the original Agreement shall remain in full force and in effect.

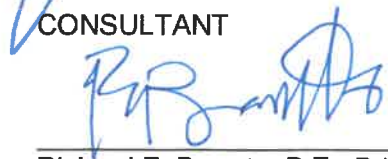
IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers.

CITY OF FULLERTON



Jeff Collier, Acting City Manager

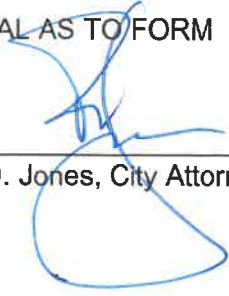
Date: 1-3-22

CONSULTANT


Richard E. Barreto, P.E., Principal

Date: 12.22.2021

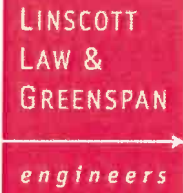
APPROVAL AS TO FORM

A handwritten signature in blue ink, appearing to be 'R. D. Jones', is written over a horizontal line. The signature is stylized and somewhat abstract.

Richard D. Jones, City Attorney

EXHIBIT A

LG2WB ENGINEERS, INC.– Scope of Services



Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers

600 S. Lake Avenue
Suite 500
Pasadena, CA 91106
626.796.2322 T
626.792.0941 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

October 27, 2021

Mr. Derek Wieske
Interim City Engineer/Assistant Public Works Director
City of Fullerton
303 W. Commonwealth Avenue
Fullerton, California 92832-1775

LLG Reference: 1-21-0091

Subject: **Proposal to Provide Additional On-Call Professional Traffic Engineering Services**
Fullerton, California

Dear Mr. Wieske:

Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this revised Fee Proposal letter based on our experience providing traffic engineering services to the City since July of 2020, and discussions with yourself and other City staff regarding the impending retirement of a key City staff person and anticipated demand for traffic engineering services related to development activity and funded capital improvement projects. Attached to this letter are the following two elements:

- 1) Revised Fee Proposal – This document outlines an anticipated monthly and annual cost of services based on the on the Scope of Services outlined in the January 17, 2020 RFP issued by the City and discussions with City staff on the level of effort needed in the remaining eighteen months of the contract period.
- 2) Revised City of Fullerton Fee Schedule – This new fee schedule is based on the previously negotiated June 1, 2020, fee schedule with a \$198 billing rate for the City Traffic Engineer and a 15% reduction in all regular hourly staff billing rates. LLG is not proposing to increase its billing rates for the three-year term of the agreement; however, we are adding three additional billing rates under the Transportation Analyst title to provide the City with additional staff augmentation options at a lower cost point.

By contract, currently LLG’s compensation is limited to \$240,115 annually. With the anticipated additional traffic engineering work effort anticipated by the City, it is proposed that the existing annual contract limit be raised to \$424,220. It is unlikely that the full amount of the new limit will be needed every year; however, the higher limit allows the City the flexibility to provide professional staff augmentation during periods of staffing shortages due to loss of employees or retirements. The higher contract limit also provides the City the flexibility to be responsive to an influx of development activity at no additional cost to the City and to complete important funded infrastructure projects on time and within budget.

With my signature below, I do hereby attest that the rate information contained herein will be honored during the contract’s first term (period), which is for a period of three (3) years. We understand that the City has the option to extend under the same terms and conditions for a

Philip M. Linscott, PE (1924-2000)
William A. Law, PE (1921-2018)
Jack M. Greenspan, PE (Ret.)
Paul W. Wilkinson, PE (Ret.)
John P. Keating, PE
David S. Shender, PE
John A. Bearman, PE
Clare M. Look-Jaege, PE
Richard E. Barretto, PE
Keil D. Maberry, PE
Walter B. Musial, PE
An LG2WB Company Founded 1956

Mr. Derek Wieske
October 27, 2021
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maximum of three (3) one (1) year options. Additionally, with my signature below LLG agrees to not enter into any private contracts for development projects with the City.

Please feel free to call me if you have any questions or require any clarifications on this fee proposal submittal. We at LLG appreciate the City's consideration and are looking forward to our team becoming the City's traffic engineering service provider!

Sincerely,
Linscott, Law & Greenspan, Engineers



Richard E. Barretto, P.E.
Principal
California Registration: TR 2006

TRAFFIC ENGINEERING SERVICES ***Revised Fee Proposal***

Traffic Engineering Services:

Based on the Scope of Services outlined in the January 17, 2020, Request For Proposals issued by the City, it is proposed that LLG provides a City Traffic Engineer (CTE) for approximately 12 hours per week. It is anticipated that hours may fluctuate by day and by week based on workload and meeting schedules and some work may be conducted virtually. This deployment model provides flexibility, responsiveness, and efficiency in the delivery of services by allowing the CTE to be present on-site for meetings with staff and the conduct of field investigations and inspections as necessary yet be available to staff throughout the week virtually. It is envisioned that the CTE would flex his hours and days to attend Transportation & Circulation Commission, Planning Commission, and City Council meetings when key traffic matters are being considered. The CTE will also be available by phone, email, or virtual meetings at other times with no additional charge for incidental discussions, questions, or coordination. To support the CTE, LLG will also provide experienced engineering and senior level professional personnel for approximately 20 hours per week primarily onsite at City Hall to respond to public inquiries, conduct traffic and parking investigations, perform engineering design, review development proposals and plan checks, administer traffic and parking programs and improvement projects, oversight of traffic signal operations, draft correspondence and agenda reports, and other duties as directed by the CTE or requested by the City Engineer. It is anticipated that the engineering and planning support staff would be present at City Hall two days a week and that some work could be performed virtually to improve efficiency and responsiveness.

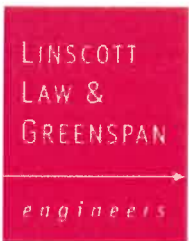
City Traffic Engineer all-inclusive negotiated hourly billing rate:	\$198
Estimated Monthly CTE Billing (48 hours):	\$9,500
Transportation Engineering & Planning Support rates:	\$120 - \$142
Estimated Maximum Monthly Billing (80 hours):	\$10,000
Estimated Maximum Monthly Billing:	\$19,500

Annual Fee Not to Exceed: \$234,000

Traffic Signal System Support:

In order to provide the City with dedicated traffic signal system support services at a predictable and fixed cost, LLG proposes a flat fee billing rate based on the total number of traffic signals in the City. Services provided under the flat fee service include the monitoring of traffic signal operations, minor traffic signal timing modifications, investigation of and response to public inquiries, troubleshooting and reporting of equipment, system, and communications failures, and generation of system reports.

Fee per traffic signal per month:	\$27.00
Total number of traffic signals:	155
Total Annual Fixed Fee:	\$50,220



TRAFFIC ENGINEERING SERVICES

Revised Fee Proposal

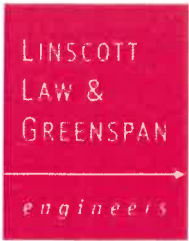
Development Review and Capital Improvement Program Support:

LLG will provide a variety of on-call engineering and planning support services related to development review including but not limited to: review and comment on development proposals, conduct/review transportation assessments outlined in the City's Transportation Assessment Policies and Procedures (TAPP), attend development team meetings, perform plan checks related to private development, and conduct field investigations and inspections. It is anticipated that all such development related work conducted would either be billed to developers or such charges to the City would be reimbursed by developers. Based on development activity over the past year and anticipated future development activity in the foreseeable future, it is anticipated that such development related work would amount to approximately 35 hours per month.

LLG will provide on-call traffic engineering support services related to Capital Improvement Projects (CIP) including but not limited to traffic signal and mobility projects, street resurfacing projects, bicycle and pedestrian improvement projects, safety projects, and grant funded projects. All such work will be conducted under direction of the City Engineer and no such work will be conducted without prior authorization. LLG will provide the City Engineer with an estimate of anticipated fees/costs prior to the start of work to ensure that sufficient funds are available in the project budget to complete the work. All costs for engineering work on CIP projects will be independently invoiced by City Project number. Based on the anticipated transportation engineering work for funded CIP projects and the anticipation of future grant funded projects, it is anticipated that such CIP related work would amount to approximately 30 hours per month.

Work conducted in this category of services can include any and all traffic and transportation engineering and planning service services and tasks as outlined in the January 17, 2020, RFP issued by the City. The services provided in this category will only be undertaken at the direction, and prior approval, of the City Engineer and will be billed on a time and material basis at a 15% discount off of LLG's regular hourly rates. The City of Fullerton fee schedule reflecting the discount is provided here within.

Estimated Monthly Person Hours:	65
Estimated Annual Person Hours:	800
Annual Cost Not to Exceed:	\$140,000



TRAFFIC ENGINEERING SERVICES
Revised City of Fullerton Fee Schedule

Effective November 1, 2021

<u>TITLE</u>	<u>PER HOUR</u>
<i>Principals</i>	
Principal	\$ 198.00
Associate Principal.....	\$ 198.00
Planning/Design Managers	\$ 198.00
<i>Transportation Engineers</i>	
Senior Transportation Engineer	\$ 161.00
Transportation Engineer III.....	\$ 142.00
Transportation Engineer II	\$ 120.00
Transportation Engineer I	\$ 103.00
<i>Transportation Planners</i>	
Senior Transportation Planner	\$ 142.00
Transportation Planner III.....	\$ 120.00
Transportation Planner II	\$ 103.00
Transportation Planner I	\$ 92.00
<i>Technical Support</i>	
Senior Transportation Analyst	\$ 135.00
Transportation Analyst II.....	\$ 130.00
Transportation Analyst I	\$ 125.00
Engineering Associate II.....	\$ 102.00
Engineering Associate I	\$ 99.00
Engineering Computer Analyst II.....	\$ 97.00
Engineering Computer Analyst I	\$ 76.00
Senior CADD Drafter	\$ 99.00
CADD Drafter III.....	\$ 92.00
CADD Drafter II	\$ 81.00
CADD Drafter I	\$ 70.00
Senior Engineering Technician.....	\$ 99.00
Engineering Technician II.....	\$ 92.00
Engineering Technician I.....	\$ 70.00
Word Processor/Secretary.....	\$ 65.00
Engineering Aide I.....	\$ 49.00

Labor rates provided above are all-inclusive. There will be no additional charges for engineering supplies, printing, travel, parking, or incidentals. Litigation support, depositions, and court appearances may be charged at 125% of the base rates as agreed before such services are provided. All subcontractor, equipment, and other project-related expenses will be billed at cost with no escalation.