

AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MANHATTAN BEACH AND CWE

This Second Amendment ("Amendment No. 2") to that certain agreement by and between the City of Manhattan Beach, a California municipal corporation ("City") and CWE, a California corporation ("Consultant") (collectively, the "Parties") is hereby entered into as of _____ ("Effective Date").

RECITALS

A. On December 7, 2021, the City and Consultant entered into an agreement for the Consultant to provide professional design services for the Santa Monica Bay TMDL High Flow Capacity Trash Treatment Control Devices Project ("Original Agreement") as approved by City Council.

B. On February 20, 2024, the City and Consultant entered into Amendment No. 1 ("Amendment No. 1") to increase the Maximum Compensation by \$14,392.00 for a new Maximum Compensation of \$344,996, extend the term through December 31, 2025, and amended the Scope of Services and Approved Fee Schedule.

C. The Original Agreement as amended by Amendment No. 1 is hereinafter referred to as the "Agreement."

D. The Parties now desire to amend the Agreement to increase the Maximum Compensation, extend the term, and modify the Scope of Services and Approved Fee Schedule to add additional services.

NOW, THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereby agree as follows:

Section 1. Section 2 of the Agreement is hereby amended to extend the term of the Agreement through June 30, 2026, unless sooner terminated as provided in Section 12 of the Agreement.

Section 2. Section 3.A of the Agreement is hereby amended to increase the Maximum Compensation amount by \$123,754.00, for a new Maximum Compensation of \$ 468,750.00.

Section 3. Exhibit A "Scope of Services" of the Agreement is hereby supplemented by this Exhibit A (Amendment No. 2), attached to this Amendment.

Section 4. Exhibit B "Approved Fee Schedule" of the Agreement is hereby supplemented by this Exhibit B (Amendment No. 2), and attached to this Amendment.

Section 5. Except as specifically amended by this Amendment No. 2, all other provisions of the Agreement shall remain in full force and effect.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 2 on the day and year first shown above.

City:

Consultant:

City of Manhattan Beach,
a California municipal corporation

CWE,
a California corporation

By: _____
Name: Talyn Mirzakhanian
Title: City Manager
Date: _____

By: _____
DocuSigned by:
Vik Bapna, Principal/CEO
Name: Vik Bapna
Title: Principal/CEO
Date: 8/5/2025

ATTEST:

By: _____
Name: Liza Tamura
Title: City Clerk
Date: _____

By: _____
DocuSigned by:
[Signature]
Name: Jason Pereira
Title: Principal/Secretary
Date: 8/11/2025

APPROVED AS TO FORM:

By: _____
Name: Quinn M. Barrow
Title: City Attorney
Date: _____

APPROVED AS TO FISCAL IMPACT:

By: _____
Name: Libby Bretthauer
Title: Finance Director
Date: _____

APPROVED AS TO CONTENT:

By: _____
Name: Ted Semaan
Title: Interim Public Works Director
Date: _____

EXHIBIT A

ADDITIONAL SCOPE OF SERVICES

The City requests additional services for reporting Proposition 1 Integrated Regional Water Management (IRWM) funding. Included in the additional services are the relocation of capture systems at 1st Street, miscellaneous design changes, additional permit submittals, and extended project management and coordination. The following tasks are in addition to those included in the original Santa Monica Bay Total Maximum Daily Load High Flow Capacity Trash Treatment Control Devices Project (Project).

TASK A – Proposition 1 IRWM Monitoring Plan

The Proposition 1 IRWM funding program will require the development of a Monitoring Plan, as project monitoring is typically required. The Department of Water Resources (DWR) typically provides a template to be used or a list of items to include. CWE has prepared several monitoring plans and understands the associated requirements. CWE has prepared monitoring plans to meet funding requirements along with regional programs to meet permit requirements. CWE will follow the required format and identify representative monitoring that may be performed to demonstrate Project effectiveness. CWE anticipates one or more representative sites would be monitored rather than all locations. CWE will work with the City to establish the monitoring approach, frequency, and locations per funding requirements. Constituent monitoring will not be required, as the Project targets trash removal rather than other water quality improvements. A draft Monitoring Plan will be submitted to the City and DWR for initial review. The report will be finalized based on the comments received. A Project-specific Quality Assurance Project Plan (QAPP) will not be required and the general QAPP for the selected laboratory (if constituent monitoring is performed) would be sufficient to meet funding requirements.

Deliverables: Draft and Final Monitoring Plan in electronic (PDF) format.

TASK B – Proposition 1 IRWM Reporting

The Proposition 1 IRWM funding program requires a wide variety of reporting once the grant agreement is signed and effective. The reporting requirements are documented in the Grant Agreement Template. The table below summarizes the different types of reports required and the assumptions related to each reporting type. CWE understands that the City is partnering with the Bay Foundation for the Project. CWE will aid the City in coordinating with the Bay Foundation, such that related information is incorporated throughout the Project duration.

Required Reporting	Description and Assumptions
Quarterly Progress Reports	Quarterly reports are to be submitted using the online reporting system (GRanTS) and include a description of the work performed, milestones achieved, accomplishments, and problems faced. Based on past experience, these reports are submitted to LACFCD for compilation (they submit to DWR). Up to four quarterly reports will be prepared.
Accountability Report	Quarterly reports are required if advanced payments are requested. The City will not be requesting advanced payments and will prepare Accountability Reports as needed.
Project Completion Report	A Project Completion Report must be prepared for the project within 90 days of Project completion. The report must include an executive summary, a discussion of applicable reports/documents developed as part of the Project, and a breakdown of funds, and benefits provided by the Project. CWE will prepare this report and up to one (1) revision. The City will provide the breakdown of funds.
Grant Completion Report	The Grant Completion Report will be prepared by LACFCD to summarize all projects funded in the Greater Los Angeles County (GLAC) IRWM region. It is anticipated that the general information will be requested for the Project, in which CWE will develop. LACFCD may request an executive summary (up to 10 pages). CWE will provide up to one (1) revision.
Post-Performance Report (A template will be provided for the PPR from DWR or LACFCD. As required by the funding program, CWE will prepare a PPR at the end of each monitoring year for up to three (3) years. CWE will provide up to one (1) revision of each PPR. Associated data will be provided by the City for CWE to summarize in the PPRs.

Deliverables: Up to four (4) Quarterly Progress Reports, one (1) Project Completion Report, one (1) Grant Completion Report Executive Summary, and three (3) PPRs in electronic (Word/PDF) in accordance with grant funding requirements/templates.

TASK C – Additional Submittals of Permitting Sets

The original scope called for submittals of the 60% set and 100% set for permitting. Stantec (subconsultant of CWE) has been requested to generate and transmit multiple revisions of permitting drawing sets. Stantec acted on CWE's direction for the generation of these additional drawing sets, which was a direct result of feedback and comments received from LACPW. Additional budget is being requested to cover the overrun caused by the additional permitting submittals.

TASK D – Extended Project Management and Coordination

Stantec was notified the Project schedule would be extended due to public outreach, permitting, and funding. Stantec has requested an additional four (4) hours per month for coordinating invoices and Project controls.

TASK E – Redesign of 1st Street (included in Amendment No.1)

TASK F – High Flow Capture System Relocation at 1st Street

CWE performed a preliminary review of opportunities to implement full capture systems along the storm drain system that outlets at 1st Street. The latest recommendation is to relocate the originally designed system further downstream on 1st Street closer to The Strand. CWE has topography and utility data for this area, which will streamline the design modifications. The Project is currently under construction and will be negotiated with the Contractor. Design revisions will be issued as an addendum. The following is included as part of this task:

- LACFCD permitting (connection permit):
 - Connection permit will be required for the 1st Street high flow capture system
 - CWE will submit the updated design plans to LACFCD through the EPIC portal
 - Two (2) rounds of comments
 - CWE will update the hydraulic modeling for the proposed high flow capture system and prepare a Technical Memorandum to support permitting
 - City will pay permitting fees
 - The City will need to have the Use and Maintenance Agreement (UMA) signed before the permit can be issued
- Updated Plans, Specifications, and Estimates (PS&Es):
 - Draft plans will be prepared for City/Contractor review
 - Plans will be finalized based on comments received (anticipate one [1] sheet)
 - Contractor will provide a quote for the new design (engineer's estimate not required)
 - Specifications will be incorporated into the plans if possible, while minor edits may be necessary to the Technical Specifications for the specific trash capture devices
 - City will continue to lead utility coordination efforts
- Construction Engineering Support:
 - CWE will continue to provide construction engineering support
 - This task includes up to 76 hours for support (support may include weekly meeting attendance, submittal review/response, response to Requests for Information (RFIs), change order review, etc.)

TASK G – Miscellaneous Design Changes

Miscellaneous design modifications and associated construction engineering have been supported in excess of the original Scope of Services. These changes include the initial assessment of high-flow capture system alternatives to replace the system proposed initially on 1st Street near The Strand, as well as the implementation of additional catch basins to replace the proposed high-flow capture systems. CWE will perform field visits, update plans, coordinate with the City/LACFCD/stakeholders, and submit updated plans to LACFCD for permitting. CWE will provide construction engineering support in association with design changes.

TASK H – Additional Work as Directed by the City

CWE will provide additional design services and construction support for the Project, if deemed necessary by the City for the project's remaining duration. For this task, CWE will prepare a Task Proposal for City's approval in writing before any work is initiated. Each Task Proposal shall also contain an estimated cost for the task and a not-to-exceed amount, which shall include all labor costs and expenses.

EXHIBIT B APPROVED FEE SCHEDULE

TASK			Project	Project	Staff	Assistant	Env	Project	Adim	Total
		Principal	Manager	Engineer	Engineer	Engineer	Scientist	Coordinator	Assistant	
		\$283	\$237		\$139	\$112	\$135	\$130	\$90	
A	Proposition 1 IRWM Monitoring Plan	4	8	0	0	0	32	0	4	\$7,708
B	Proposition 1 IRWM Reporting	2	24	0	40	24	24	2	6	\$18,542
Task		CWE Markup	Stantec Fee							Total
C	Additional Submittals of Permitting Sets	\$ 528	\$ 5,280							\$ 5,808
D	Extended Project Management and Coordination	\$ 264	\$ 2,640							\$ 2,904
TASK			Project	Project	Staff	Assistant	Env	Project	Adim	Total
		Principal	Manager	Engineer	Engineer	Engineer	Scientist	Coordinator	Assistant	
		\$320	\$278	\$190	\$146					
F	High Flow Capture System Downstream on 1st Street	20	72	32	88	0	0	0	0	\$45,344
G	Miscellaneous Design Changes	16	16	16	40	0	0	0	0	\$18,448
H	Additional Work as Directed by the City									\$25,000
Amendment No. 2 Total										\$123,754