

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

This Second Amendment (“Amendment No. 2”) to that certain agreement by and between the City of Manhattan Beach, a California municipal corporation (“City”) and DKS Associates, a California corporation (“Consultant”) (collectively, the “Parties”) is hereby made effective as of the date of the last authorized representative signature below (“Effective Date”).

RECITALS

A. On April 6, 2021, the City and Consultant entered into an agreement for professional services for the Consultant to provide design services for the Manhattan Beach Advanced Traffic Signal System Project (“Original Agreement”).

B. On May 2, 2023, the City and Consultant entered into Amendment No. 1 (“Amendment No. 1”) to extend the term from June 30, 2023, to 6/30/2026.

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 and modify the Scope of Services and Approved Fee Schedule.

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 3.A of the Agreement is hereby amended to increase the Maximum Compensation amount by \$279,615, for a new Maximum Compensation of \$1,563,032.

Section 2. Exhibit A “Scope of Services” of the Agreement is hereby supplemented by the Scope of Services attached to this Amendment.

Section 3. Exhibit B “Approved Fee Schedule” of the Agreement is hereby supplemented by the Approved Fee Schedule attached to this Amendment.

Section 4. 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

DKS Associates,
a California corporation

By: _____

Name: Talyn Mirzakhanian
Title: City Manager
Date:

By: _____

Signed by:

Chris Maciejewski

Name: Chris Maciejewski
Title: Executive Vice President/COO
Date: 10/24/2024

ATTEST:

By: _____

Name: Liza Tamura
Title: City Clerk
Date:

APPROVED AS TO FORM:

By: _____

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

APPROVED AS TO FISCAL IMPACT:

By: _____

Name: Onyx Jones
Title: Interim Finance Director
Date:

APPROVED AS TO CONTENT:

By: _____

Name: Erick Lee
Title: Public Works Director
Date:

AMENDMENT NO. 2 – EXHIBIT A-2 SCOPE OF SERVICES

TASK 1- PROJECT MANAGEMENT

The additional budget request covers:

- Additional meetings with the City of Manhattan Beach (City).
- Additional stakeholder meetings and outreach, including meetings with LA County and neighboring cities that share intersection jurisdiction with the City of Manhattan Beach.
- Preparation and presentation to South Bay Cities Council of Governments (SBCCOG) Infrastructure Working Group.
- Additional project coordination by the DKS project management team (PM and project control specialist) with the City of Manhattan Beach and the consultant team members for the work under Tasks 8 and 10 described in the following sections- this includes additional invoices, progress reports, and schedule updates beyond the original contract expiration date.

TASK 8- FINAL DESIGN PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E) DOCUMENT PREPARATION

The final PS&E was submitted in August 2022. For the final PS&E design task, the additional budget request covers:

- Revised PS&E based on an additional round of LA County comments.
- Revised PS&E based on an additional round of City comments.
- Revised specs to address new information on testing and integration.
- Provided fiber mapping in Geographic Information System (GIS) for SBCCOG.
- Surveying to stake the pothole locations.
- Revised notes on plans due to changes in the City's in-roadway warning light locations.
- Revised traffic signal plans based on new LA County requirements for intersection design and construction.
- Additional 2024 quality control/quality assurance QC/QA of full PS&E before stamping the Issue for Bid set to review for any changes that may have happened since the original final PS&E was developed in 2022.

Approved for use 5/1/24

TASK 10- CONSTRUCTION PHASE

The City received an additional \$5M in funding for this project. The construction bid package includes add-alternates for the contractor to bid on a number of improvements that would not have been covered by the City's original funding agreement. The additional budget request covers additional upcoming efforts for:

- Bid support, including review of the contractor bids received
- Attendance at the pre-construction meeting to explain the design intent of the project and answer questions.
- Responses to Requests for Information (RFIs)
- Submittal reviews of shop drawings and materials- often two rounds of reviews are needed for each submittal.
- Field reviews/meetings to support RFIs and design questions that come up during construction
- Technical assistance for integration of the transportation fiber optic communications network and intelligent transportation system infrastructure with the City's Information Technology (IT) network.
- Documentation compilation of all applicable Operations & Maintenance (O&M) Manuals for easy access by the City and LA County staff.
- Start-up and commissioning support.
- Development of a close-out punch list of revisions needed by the contractor.
- As-built drawings reflecting the final field construction.
- Submittal of all electronic files associated with the construction.

AMENDMENT NO. 2 – EXHIBIT B-2 APPROVED FEE SCHEDULE

MANHATTAN BEACH ADVANCED TRAFFIC SIGNAL (MBATS) SYSTEM PROJECT: Additional Budget Request												DKS	
Task Description	DKS Associates						Kimley-Horn & Associates (KHA)				10/03/2024		
	Project Manager	QA/QC	Sr. Engineer	Engineer	Asst. Engineer	Analyst	Sr. Professional	Professional	Jr. Professional	Analyst II	Total Hours by Task	Total \$ by Task	
Work completed from 03/01/2024 to 06/30/2024											\$ 143,580.00		
1	Project Management												
	85	40									125	\$ 38,100.00	
8	Final Design PS&E												
	80	20	90	100	100	20					410	\$ 85,650.00	
10	Construction Phase I												
	4	2	40	56							102	\$ 19,830.00	
Work from 07/01/2024 to End of Construction											\$ 136,035.00		
10	Construction Phase II												
	4	2	16	6	5		4	16	16		69	\$ 14,050.00	
	4		4				4	4			16	\$ 4,000.00	
	4	2	8	8	8		4	12	12	6	64	\$ 12,680.00	
	4	2	8	10	8		16	12	12	6	78	\$ 16,630.00	
	8		8	10	8		20	12	12	6	84	\$ 18,400.00	
	4	1	6	6	4		4	12	12	6	55	\$ 10,925.00	
	8		8	8	4		8	12	12	8	68	\$ 14,060.00	
	4		8	8	6		8	12	12	6	64	\$ 12,910.00	
	4	2	8	8	6		4	12	12	6	62	\$ 12,340.00	
	4	6	8	16	16		8	16	20	6	100	\$ 20,040.00	
Total # of Hours	217	77	212	236	165	20	80	120	120	50	1297	\$ 279,615.00	
Labor	\$ 65,100.00	\$ 24,255.00	\$ 43,460.00	\$ 41,300.00	\$ 28,050.00	\$ 2,400.00	\$ 24,000.00	\$ 23,400.00	\$ 20,400.00	\$ 7,250.00		\$ 279,615.00	
TOTAL LABOR AND EXPENSE NOT TO EXCEED \$ 279,615.00													