

AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF MANHATTAN BEACH AND DAVID VOLZ DESIGN
LANDSCAPE ARCHITECTS, INC.

This Third Amendment ("Amendment No. 3") to that certain agreement by and between the City of Manhattan Beach, a California municipal corporation ("City") and David Volz Design Landscape Architects, Inc., a California corporation ("Consultant") (collectively, the "Parties") is hereby entered into as of July ___, 2018 ("Effective Date").

RECITALS

A. On August 26, 2015, the City and Consultant entered into an agreement for professional services for the Consultant to provide landscape architecture and design services for Veteran's Parkway ("Original Agreement");

B. On or about December 30, 2016, the Parties entered into Amendment No. 1 to the Original Agreement, extending the term, adding additional services and increasing the compensation.

C. On or about August 24, 2017, the Parties entered into Amendment No. 2 to the Original Agreement, which further extended the term, added additional services and increased the compensation. The Original Agreement, as amended by Amendment No. 1 and Amendment No. 2 is referred to herein as the Agreement.

D. The Parties now desire to amend the Agreement to extend the term, provide additional specified services to the City, and to allow the City to provide compensation for the services provided.

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

Section 1. Consultant shall perform the services described in the fee proposal from Consultant dated May 15, 2018, attached hereto as Exhibit A and incorporated herein by reference, to the full satisfaction of City and pursuant to a timeline directed by the City Manager.


Section 2. The term of the Agreement is hereby extended to December 31, 2019, unless sooner terminated as provided in Section 12 of the Agreement.

Section 3. Section 3 of the Agreement is hereby revised to increase the Maximum Compensation amount by \$15,500, for a new Maximum Compensation of \$65,462. For the services provided pursuant to this Amendment No. 3, compensation shall be provided in accordance with the fee proposal attached hereto as Exhibit A.

Section 4. Except as specifically amended by this Amendment No. 3, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 3 on the day and year first shown above.

CITY OF MANHATTAN BEACH

 (CONSULTANT)

By: _____
Bruce Moe, City Manager

By: David Volz
Its: President

ATTEST:

Liza Tamura, City Clerk

APPROVED AS TO FORM:

Quinn M. Barrow, City Attorney

EXHIBIT A
FEE PROPOSAL

[Attach Additional Fee Request prepared by David Volz Design Landscape Architects, Inc. dated May 15, 2018.]

Revised May 15, 2018

www.dvolzdesign.com

Prem Kumar
City Engineer
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**RE: Proposal to provide landscape architectural design services for Veterans Parkway
Construction Period Services**

Dear Mr. Kumar,

Construction of the Veterans Parkway improvements will include continued involvement of the community in this final implementation phase of the project. DVD proposes to provide our standard design team construction support services during construction as well as on site community assisted design direction where the community input will influence installation and juxtaposition of the construction elements.

- | | |
|---|---------------------|
| A. Community assisted construction reviews | \$ 5,000 |
| 1) Correspond with community representatives | |
| 2) Coordinate field review during construction (4 on-site meetings anticipated concurrent with construction meetings) | |
| 3) Provide field directives to city project staff for contractor implementation | |
|
B. Construction Period Services |
\$ 8,500 |
| 1) Respond to RFIs | |
| 2) Review contractor submittals | |
| 3) Attend and participate in construction progress meetings (5 on-site construction meetings anticipated) | |
| 4) Prepare field notes and meeting summaries | |
| 5) Attend final walk through and provide punch list | |
|
C. As-Built Plans |
\$ 2,000 |
| 1) Provided as-built plans based upon contractor mark-ups | |

Total proposed Construction Period Services \$ 15,500



The city will be billed monthly for the portions of the task that is completed. All remaining fees will be billed at the conclusion of the anticipated 5 month bid and construction period.

The construction of the contemplated improvements to Veterans Parkway will be a great betterment of this important community facility. We look forward to working with you the City, the contractor and the community to implement the projects construction. Should you have any questions, please do not hesitate to call.

Very truly yours,

DAVID VOLZ DESIGN



David J. Volz, L.A. # 2375

LEED Accredited Professional, QSD/QSP

DVD

