

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF TEMECULA AND MTGL, INC.**

GEOTECHNICAL AND MATERIALS TESTING SERVICES

THIS FIRST AMENDMENT is made and entered into as of **May 24, 2022** by and between the City of Temecula , a municipal corporation (hereinafter referred to as "City"), and **MTGL, Inc., a Corporation**, (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On **July 23, 2019**, the City and Consultant entered into that certain Agreement entitled "Agreement for **Geotechnical and Materials Testing Services**, in the amount of **\$200,000.00** each fiscal year, for a total Agreement amount of **\$1,000,000.00**.

b. The parties now desire to amend the Agreement as set forth in this Amendment.

2. Section **6** of the Agreement entitled "**PAYMENT**" at paragraph "a" is hereby amended to read as follows:

The City agrees to pay Consultant monthly, in accordance with the payment rates and terms and the schedule of payment as set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. This amount shall not exceed **One Million Dollars and Zero Cents (\$1,000,000.00)** for the total term of this agreement, unless additional payment is approved as provided in this agreement.

3. The Exhibit "B" to the Agreement is hereby amended by adding thereto the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.

4. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF TEMECULA

By: _____
Matt Rahn, Mayor

MTGL, Inc.

(Two Signatures of corporate officers required unless corporate documents authorize only one person to sign the agreement on behalf of the corporation.)

By:  _____
Michelle Elliott, CEO

ATTEST:

By: _____
Randi Johl, City Clerk

By:  _____
Steven Koch, Senior Vice President

APPROVED AS TO FORM:

By: _____
Peter M. Thorson, City Attorney

CONSULTANT

MTGL, Inc.

Attn: Steven Koch

14467 Meridian Parkway, Bldg. 2A

Riverside, CA 92806

(951) 653-4999 ext. 2114

skoch@mtglinc.com

City Purchasing Mgr. Initials and Date:  5/9/22
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Attachment "A"

Exhibit "B"

MTGL Fee Schedule for Prevailing Wages

PROFESSIONAL SERVICES	UNIT	RATE
Staff Engineer / Geologist	HR	\$ 115.00
Project Manager/Engineer/Geologist	HR	\$ 130.00
Principal Engineer/Geologist	HR	\$ 175.00
Draftsperson	HR	\$ 70.00
Administrative (Per Monthly Invoice)		5%
Certified Payroll (Per Pay Period)		\$ 95.00
FIELD INSPECTION PERSONNEL	UNIT	RATE
ICC Special Inspector	HR	\$ 105.00
Soils/Asphalt Technician	HR	\$ 105.00
AWS/CWI Welding Inspector	HR	\$ 105.00
NDT Technician	HR	\$ 145.00
Field/Lab Supervisor	HR	\$ 115.00
DSA Masonry/Shotcrete Inspector	HR	\$ 125.00
L.A. Deputy Grading Inspector	HR	\$ 125.00
L.A. City Special Inspector	HR	\$ 115.00
Multi-Certified Inspector	HR	\$ 115.00
Pull I Torque Testing Technician	HR	\$ 105.00
Batch Plant (Concrete or Asphalt) Technician	HR	\$ 105.00
Floor Flatness / Levelness (Inc. Equipment)	DAY	\$ 1,500.00
Prestressed/Post Tensioned Inspector	HR	\$ 105.00
Concrete, Masonry, Asphalt Coring or Sawing		QUOTE
Travel Time	HR	Tech Rate
Mileage	MILE	\$ 0.58
LAB TESTING - SOIL	UNIT	RATE
D422 Hydrometer Analysis	EACH	\$ 175.00
D422 Sieve Analysis of Soil	EACH	\$ 200.00
D558 Soil Cement - Maximum Density	EACH	\$ 300.00
D559 Soil Cement - Sample Preparation	EACH	\$ 100.00
D854 Specific Gravity of Soils	EACH	\$ 125.00
D1140 Materials Finer than #200 (Sieve)	EACH	\$ 60.00
D1557 Maximum Density	EACH	\$ 290.00
D1883 California Bearing Ratio (CBR)	EACH	QUOTE
D2216 Soil Moisture Content by Mass	EACH	\$ 25.00
D2419 Sand Equivalent	EACH	\$ 110.00
D2434 Permeability	EACH	QUOTE
D2435 Consolidation	EACH	\$ 225.00
D2435 Consolidation with Time Rate	EACH	\$ 275.00
D2844 R-Value & Expansive Pressures	3 Points	\$ 250.00
D2937 Moisture & Density (Ring Samples)	EACH	\$ 30.00
D3080 Direct Shear	EACH	\$ 200.00
D4318 Plasticity Index of Soils	EACH	\$ 145.00
D4829 Expansion Index of Soils	EACH	\$ 135.00
CT 216 CA Impact Max Density	EACH	\$ 225.00
CT 216 CA Impact Rock Correction	EACH	\$ 95.00
LAB TESTING - AGGREGATES	UNIT	RATE
C40 Organic Impurities in Fine Agg	EACH	\$ 95.00
C88 Soundness by Sodium Sulfate	EACH	\$ 315.00
C123 Percent Lightweight Particles	EACH	\$ 215.00
C127 Specific Gravity (Coarse Agg)	EACH	\$ 130.00
C128 Specific Gravity (Fine Agg)	EACH	\$ 150.00
C131 Abrasion - Los Angeles Rattler	EACH	\$ 235.00
C136 Sieve Analysis (Combined Agg)	EACH	\$ 130.00
C136 Sieve Analysis (Fine or Coarse Agg)	EACH	\$ 110.00
C142 Clay Lumps & Friable Particles	EACH	\$ 135.00
C535 Abrasion (Large Agg) - Los Angeles Rattler	EACH	\$ 235.00
C566 Moisture Content by Drying	EACH	\$ 25.00
CT 227 Cleanness Value	EACH	\$ 230.00
D3744 Durability Index	EACH	\$ 180.00
D5821 Flat & Elongated Particles	EACH	\$ 200.00
T335 Crushed Particles	EACH	\$ 170.00
LAB TESTING - Misc.	UNIT	RATE
C67 Roofing Tile Absorption	EACH	\$ 60.00
C67 Roofing Tile Strength Test	EACH	\$ 60.00
Sample Pickup Charges	UNIT	RATE
Pick up Sample Trip Charge (2hr Minimum)	HR	\$ 50.00
Weekend Sample Pick Up Charge (2hr Minimum)	HR	\$ 80.00

LAB TESTING - CONCRETE	UNIT	RATE
C39 Compressive Strength - Concrete Cylinders (6" x 12")	EACH	\$ 35.00
C39 Compressive Strength - Cores (6" Max. Diameter)	EACH	\$ 55.00
C78 Flexural Strength - Beams (6" x 6")	EACH	\$ 60.00
C157 Concrete Shrinkage (Set of 3)	SET	\$ 350.00
C174 Handling Charge - Cylinders Not Broken/Hold	EACH	\$ 10.00
C192 Concrete Trial Batch w/ Lab Testing	EACH	\$ 1,100.00
C469 Modulus of Elasticity	EACH	\$ 150.00
C495 Comp. Strength - Lightweight Concrete Fill	EACH	\$ 45.00
Handling Charge - Beams Not Broken/Hold	EACH	\$ 50.00
C496 Tensile Strength, Splitting	EACH	\$ 75.00
C567 Unit Weight (Hardened Lightweight Concrete)	EACH	\$ 50.00
C1140 Shotcrete Panel Test	EACH	\$ 300.00
Core Trimming (In Laboratory)	EACH	\$ 55.00
LAB TESTING - ASPHALT	UNIT	RATE
D1188 Core Density Parafilm Coated	EACH	\$ 85.00
D1560 Stabilometer - HVEEM	EACH	\$ 290.00
D1561 Max Density - HVEEM	EACH	\$ 195.00
D2172 Asphalt Content by Solvents	EACH	\$ 250.00
D3910 Wet Track Abrasion	EACH	\$ 195.00
D5444 Gradation of Extracted Agg	EACH	\$ 275.00
D6307 Asphalt Content by Ignition	EACH	\$ 245.00
D6926 Max Density - Marshall	EACH	\$ 295.00
D6927 Stability and Flow - Marshall	EACH	\$ 375.00
T209/D2041 Theoretical Maximum Density	EACH	\$ 150.00
T324 Hamburg Wheel	EACH	\$ 1,000.00
CT 370 Moisture Content	EACH	\$ 70.00
LAB TESTING - MASONRY	UNIT	RATE
C109 Mortar - 2" Cube Compressive Strength	EACH	\$ 40.00
C140 Block - Compressive Strength	EACH	\$ 75.00
C140 Block - Moisture & Absorption	EACH	\$ 80.00
C140 Block - Unit Weight & Measurements	EACH	\$ 275.00
C426 Block - Linear Shrinkage	EACH	\$ 180.00
C780 Mortar - (2" x 4") Cylinders Comp. Strength	EACH	\$ 35.00
C1019 Grout Prisms - Compressive Strength	EACH	\$ 35.00
Handling Charge (Cylinders/Cubes/Prisms) Not Broken/Holds	EACH	\$ 75.00
C1314 CMU Grouted Prisms - Comp. Strength (< 8" x 8" x 16")	EACH	\$ 180.00
C1314 CMU Grouted Prisms - Comp. Strength (> 8" x 8" x 16")	EACH	\$ 245.00
C67 Brick - Boil	EACH	\$ 90.00
C67 Brick - Compressive Strength	EACH	\$ 50.00
C67 Brick - Moisture & Absorption	EACH	\$ 85.00
LAB TESTING - STEEL	UNIT	RATE
Steel Chemical Analysis/AWS Weld:Macroetch/Fracture/Bend Test	EACH	QUOTE
A325 High Strength Bolt, Nut & Washer Conformance (Per Assembly)	EACH	\$ 180.00
A370 Brinell & Rockwell Hardness Test	EACH	\$ 80.00
A370 Nelson Stud Tensile	EACH	\$ 195.00
A370 Rebar Bend & Tensile Test No. 11 Bar & Smaller	EACH	\$ 45.00
A615/706 Bend Test No. 11 Bar and Smaller	EACH	\$ 60.00
A615/706 Tensile No. 11 Bar and Smaller	EACH	\$ 65.00
A615/706 Tensile No. 14 Bar and Larger	EACH	QUOTE
A416 Prestressing Wire, Tension	EACH	\$ 170.00
Sample Preparation (Cutting)	EACH	\$ 80.00
A416 Prestressing Cable (7 Wire) - Yield & Tensile	EACH	\$ 170.00
E605 Fireproofing Unit Weight	EACH	\$ 60.00
EQUIPMENT CHARGES	UNIT	RATE
Air Meter	DAY	\$ 30.00
Dye Penetrant Equipment	DAY	\$ 50.00
Emissivity Test Kit	EACH	\$ 50.00
Ground Rod Equipment	DAY	\$ 50.00
Jacking Assembly	DAY	\$ 65.00
Magnetic Particle Equipment	DAY	\$ 50.00
Nuclear Density Gauge	DAY	\$ 70.00
Pachometer	DAY	\$ 55.00
Sand Cone Kit	DAY	\$ 50.00
Schmidt Hammer	DAY	\$ 45.00
Skidmore-Wilhelm Bolt Cell	DAY	\$ 65.00
Torque Wrench	DAY	\$ 50.00
Ultrasonic Equipment	DAY	\$ 45.00
Outside Services		Cost +20%