

**FIRST AMENDMENT TO AGREEMENT BETWEEN  
CITY OF TEMECULA AND PARAGON PARTNERS CONSULTANTS, INC.**

**PROPERTY ACQUISITION 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 **Paragon Partners Consultants, 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 **Property Acquisition Services**, in the amount of **\$60,000.00** each fiscal year for a total Agreement amount not to exceed **\$300,000.00**.
  - b. The parties now desire to amend the Agreement as set forth in this Amendment.
2. All sections of the Agreement that refer to the Consultant as "Paragon Partners, Ltd." shall be changed to "Paragon Partners Consultants, Inc.", pursuant to the name and ownership change of said company on January 25, 2022.
3. The Consultant shall furnish certificates of insurance and an IRS W-9 form pursuant to the terms and conditions set forth in the Agreement pursuant to the name and ownership change of said company. Letter informing Company Name Change and Ownership is set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.
4. 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 **Three Hundred Thousand Dollars and Zero Cents (\$300,000.00)** for the total term of this agreement, unless additional payment is approved as provided in this agreement.
5. The Exhibit "B" to the Agreement is hereby amended by adding thereto the items set forth on Attachment "B" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.
6. 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**

**Paragon Partners Consultants, Inc.**

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

By: \_\_\_\_\_  
Matt Rahn, Mayor

By: \_\_\_\_\_  
Neilia A. LaValle, President

**ATTEST:**

By: \_\_\_\_\_  
Randi Johl, City Clerk

By: \_\_\_\_\_  
Kevin Romito, Secretary

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Peter M. Thorson, City Attorney

**CONSULTANT**

**Paragon Partners Consultants, Inc.**


**Attn: Neilia LaValle**

**5660 Katella Ave., Suite 100**

**Cypress, CA 90630**

**(714) 379-3376**

**neilia@paragon-partners.com**

|  |
|--|
| City Purchasing Mgr.<br>Initials and<br>Date:  8/9/22 |
|--|

**FILED**Secretary of State  
State of California

4841382

Filing Number

01/25/2022

Filing Date

**This Space For Office Use Only****Secretary of State**  
**Statement and Designation by**  
**Foreign Corporation****S&DC-S/N****IMPORTANT** — [Read Instructions](#) before completing this form.Must be submitted with a current **Certificate of Good Standing** issued by the government agency where the corporation was formed. [See Instructions.](#)**Filing Fee** — \$100.00 (for a foreign stock corporation) or  
\$30.00 (for a foreign nonprofit corporation)**Copy Fees** — First page \$1.00; each attachment page \$0.50;  
Certification Fee - \$5.00Note: Corporations may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to [ftb.ca.gov](http://ftb.ca.gov).**1. Corporate Name** (Go to [www.sos.ca.gov/business/be/name-reservations](http://www.sos.ca.gov/business/be/name-reservations) for general corporate name requirements and restrictions.)**2. Jurisdiction** (State, foreign country or place where this corporation is formed - **must match** the Certificate of Good Standing provided.)

Paragon Partners Consultants, Inc.

Delaware

**3. Business Addresses** (Enter the **complete** business addresses. Items 3a and 3b cannot be a P.O. Box or "in care of" an individual or entity.)

|   |                         |       |          |
|---|-------------------------|-------|----------|
| a. Initial Street Address of Principal Executive Office - <b>Do not enter a P.O. Box</b>            | City (no abbreviations) | State | Zip Code |
| 2245 Texas Drive, Suite 200   | Sugar Land              | TX    | 77479    |
| b. Street Address of Principal Office in California, <b>if any</b> - <b>Do not enter a P.O. Box</b> | City (no abbreviations) | State | Zip Code |
| 5660 Katella Ave., Suite 100  | Cypress                 | CA    | 90630    |
| c. Mailing Address of Principal Executive Office, <b>if different than item 3a</b>                  | City (no abbreviations) | State | Zip Code |

**4. Service of Process** (Must provide either Individual **OR** Corporation.)**INDIVIDUAL** — Complete Items 4a and 4b only. Must include agent's full name and California street address.

|   |                         |           |          |
|---|-------------------------|-----------|----------|
| a. California Agent's First Name (if agent is <b>not</b> a corporation)                   | Middle Name             | Last Name | Suffix   |
| b. Street Address (if agent is <b>not</b> a corporation) - <b>Do not enter a P.O. Box</b> | City (no abbreviations) | State     | Zip Code |
|   |                         | CA        |          |

**CORPORATION** — Complete Item 4c. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 4a or 4b

C T CORPORATION SYSTEM (C0168406)

**5. Read and Sign Below** ([See instructions](#). Office or title not required.)

I am a corporate officer and am authorized to sign on behalf of the foreign corporation.

Signature

Kevin Romito

Type or Print Name

# Delaware

The First State

*I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "PARAGON PARTNERS CONSULTANTS, INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-FIFTH DAY OF JANUARY, A.D. 2022.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.*



A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

6048329 8300

SR# 20220240861

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 202479909

Date: 01-25-22

**State of California**  
**Secretary of State**  
**Certificate of Qualification**

I, SHIRLEY N. WEBER, Ph.D., Secretary of State of the State of California, hereby certify:

Entity Name: PARAGON PARTNERS CONSULTANTS, INC.

File Number: 4841382

Registration Date: 01/25/2022

Entity Type: FOREIGN CORPORATION

Jurisdiction: DELAWARE

The above referenced entity complied with the requirements of California law in effect on the Registration Date for the purpose of qualifying to transact intrastate business in the State of California, and that as of the Registration Date, said entity became and now is qualified and authorized to transact intrastate business in the State of California, subject however, to any licensing requirements otherwise imposed by the laws of this State and that the entity shall transact all intrastate business within California under the Entity Name as set forth above.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of February 2, 2022.

A handwritten signature in black ink, appearing to read "Shirley N. Weber", is written over a faint, larger signature that appears to be "Shirley N. Weber".

**SHIRLEY N. WEBER, Ph.D.**  
**Secretary of State**

Attachment "B"  
Exhibit "B"



**City of Temecula**

Paragon Partners | Pricing Schedule

**ACQUISITION & RELOCATION FEES**

| TASK   | QUANTITY        | FEE RANGE   |
|--|-----------------|---|
| <b>ACQUISITION</b>                               | <b>QUANTITY</b> | <b>FEE RANGE</b>  |
| Residential                                      | ea              | \$2,500.00 - \$3,500.00                                   |
| Commercial                                       | ea              | \$3,500.00 - \$6,000.00                                   |
| Difficult Commercial/Industrial                  | ea              | \$6,000.00 - \$12,000.00                                  |
| Tenant Acquisition                               | ea              | \$1,850.00 - \$2,500.00                                   |
| Land Only Acquisitions                           | ea              | \$2,000.00 - \$3,000.00                                   |
| Part-take Acquisitions                           | ea              | \$2,500.00 - \$3,500.00                                   |
| Part-take Acquisitions (severance damage issues) | ea              | \$3,500.00 - \$4,500.00                                   |
| <b>RELOCATION</b>                                | <b>QUANTITY</b> | <b>FEE RANGE</b>  |
| Replacement Housing Plan                         | ea              | \$1,000.00 - \$2,500.00                                   |
| Relocation Plan                                  | ea              | \$1200 + \$95 per interview - \$2000 + \$95 per interview |
| Residential Relocations                          | ea              | \$2,500.00 - \$3,500.00                                   |
| Temporary Residential Relocations                | ea              | \$2,200.00 - \$2,800.00                                   |
| Common Commercial/Industrial Relocations         | ea              | \$5,000.00 - \$7,500.00                                   |
| Industrial Relocations                           | ea              | \$10,000.00 - TBD by level of complexity                  |

**SUB-CONSULTANT FEES**

| TASK   | QUANTITY        | FEE RANGE               |
|--|-----------------|-------------------------|
| <b>SURVEY</b>  |                 |                         |
| * Please see attached hourly rates from our sub-consultant survey team |                 |                         |
| <b>PRELIMINARY TITLE REPORTS</b>                                       | <b>QUANTITY</b> | <b>FEE RANGE</b>        |
| Single Family Residential  | ea              | \$450.00 - \$550.00     |
| Commercial/Industrial  | ea              | \$550.00 - \$750.00     |
| Utility Owned  | ea              | \$750.00 - \$1,000.00   |
| Municipal: City, County, State, Federal                                | ea              | \$700.00 - \$1,500.00   |
| Railroad   | ea              | \$1,500.00 - \$2,000.00 |
| <b>REAL PROPERTY APPRAISALS</b>  | <b>QUANTITY</b> | <b>FEE RANGE</b>        |
| Vacant Land  | ea              | \$1,500.00 - \$2,750.00 |
| Noncomplex residential   | ea              | \$750.00 - \$1,500.00   |
| Part-take Acquisitions (non-complex)                                   | ea              | \$1,500.00 - \$2,500.00 |
| Noncomplex commercial  | ea              | \$2,000.00 - \$3,500.00 |
| Complex commercial   | ea              | \$3,500.00 - \$6,000.00 |
| Noncomplex industrial  | ea              | \$4,000.00 - \$5,000.00 |
| Complex industrial   | ea              | \$5,000.00 - \$7,500.00 |
| Review Appraisals  | ea              | \$500.00 - \$2,500.00   |
| Furniture, Fixtures and Equipment Appraisal                            | ea              | \$1,250.00 - \$5,000.00 |
| Goodwill appraisal (windshield valuation)                              | ea              | \$1,000.00 - \$1,500.00 |
| Goodwill appraisal   | ea              | \$5,000.00 - \$9,500.00 |

**ASSUMPTIONS**

\* Pricing may vary depending on the complexity of each project.

\* Additional services to be provided on an hourly basis according to the attached Schedule of Professional Fees.

\* Paragon will invoice monthly for its services at a time and materials basis in accordance with the attached Schedule of Professional Fees.

# SCHEDULE OF PROFESSIONAL FEES

## HOURLY RATE SHEET

| CLASSIFICATION                                 |             | HOURLY RATE    |                  |
|--|-------------|----------------|------------------|
| PROJECT DIRECTOR/CORPORATE BROKER              |             | \$225.00       |                  |
| SENIOR PROJECT MANAGER                         |             | \$185.00       |                  |
| PROJECT MANAGER                                |             | \$150.00       |                  |
| SENIOR ACQUISITION AGENT                       |             | \$95.00        |                  |
| ACQUISITION AGENT                              |             | \$85.00        |                  |
| PRINCIPAL RELOCATION AGENT                     |             | \$115.00       |                  |
| SENIOR RELOCATION AGENT                        |             | \$95.00        |                  |
| RELOCATION AGENT                               |             | \$85.00        |                  |
| TITLE MANAGER                                  |             | \$135.00       |                  |
| TITLE SUPERVISOR                               |             | \$120.00       |                  |
| SENIOR TITLE AGENT                             |             | \$95.00        |                  |
| TITLE AGENT                                    |             | \$85.00        |                  |
| PROJECT CONTROLS SPECIALIST                    |             | \$95.00        |                  |
| PROJECT / ESCROW COORDINATOR                   |             | \$75.00        |                  |
| RIGHT OF WAY ENGINEER P.E.                     |             | \$150.00       |                  |
| SENIOR RIGHT OF WAY ENGINEER/GIS SPECIALIST    |             | \$125.00       |                  |
| ASSOCIATE RIGHT OF WAY ENGINEER/GIS SPECIALIST |             | \$95.00        |                  |
| RIGHT OF WAY ENGINEERING TECHNICIAN            |             | \$75.00        |                  |
| ADMINISTRATIVE SUPPORT                         |             | \$65.00        |                  |
| OFFICE CLERK                                   |             | \$50.00        |                  |
| IT SUPPORT                                     |             | \$135.00       |                  |
| DEPOSITIONS AND COURT TESTIMONY                |             | \$250.00       |                  |
| DIRECT CHARGES                                 |             |                |                  |
| COPIES   | \$0.15 each | MILEAGE        | IRS reimbursable |
| POSTAGE/FEDEX                                  | Cost        | SUBCONSULTANTS | Cost + 10%       |
| REAL ESTATE DATA SERVICES                      | Cost + 10%  | OTHER EXPENSES | Cost + 10%       |

### Terms of Payment

Net 30 days. Invoices will be submitted monthly. All rates are effective as of July 1, 2021. Rates may be revised annually on July 1 to reflect increases in the cost of living and current business conditions. Overtime for applicable labor classifications will be charged at 1.5 times the hourly rate in accordance with California law.

## EXHIBIT A

**Mark Thomas & Company, Inc. Rate Schedule**

Expires June 30, 2022\*

**HOURLY CHARGE RATE RANGES**
**Engineering Services**

|                         |               |
|-------------------------|---------------|
| Intern                  | \$52 - \$90   |
| Technician              | \$72 - \$137  |
| Planner I               | \$85 - \$115  |
| Design Engineer I       | \$101 - \$144 |
| Planner II              | \$111 - \$137 |
| Sr. Technician          | \$124 - \$180 |
| Design Engineer II      | \$131 - \$169 |
| Project Engineer        | \$154 - \$191 |
| Sr. Project Engineer    | \$167 - \$227 |
| Sr. Technical Engineer  | \$167 - \$227 |
| Project Manager         | \$200 - \$256 |
| Technical Lead          | \$200 - \$256 |
| Sr. Project Manager     | \$232 - \$328 |
| Sr. Technical Lead      | \$222 - \$328 |
| Engineering Manager     | \$294 - \$378 |
| Practice Area Leader    | \$294 - \$378 |
| Sr. Engineering Manager | \$327 - \$450 |
| Principal               | \$422 - \$500 |

**Construction Management Services**

|                              |               |
|------------------------------|---------------|
| Office Technician            | \$65 - \$108  |
| Office Engineer              | \$115 - \$216 |
| ** Asst. Resident Engineer   | \$164 - \$297 |
| ** Inspector - CM            | \$164 - \$297 |
| RE/Structural Representative | \$213 - \$360 |
| Project Manager - CM         | \$213 - \$324 |
| Sr. Project Manager - CM     | \$229 - \$360 |
| Area Manager - CM            | \$321 - \$468 |
| Division Manager - CM        | \$294 - \$360 |

**District Management Services**

|                               |               |
|-------------------------------|---------------|
| ** Inspector - Apprentice     | \$69 - \$104  |
| ** Inspector                  | \$101 - \$140 |
| ** Sr. Inspector              | \$128 - \$166 |
| Assistant Sanitary Engineer   | \$144 - \$184 |
| Associate Sanitary Engineer   | \$160 - \$216 |
| Sanitary Project Engineer     | \$160 - \$248 |
| Sr. Sanitary Project Engineer | \$203 - \$295 |
| Operations Manager            | \$232 - \$328 |
| Deputy District Manager       | \$288 - \$353 |
| District Manager-Engineer     | \$321 - \$374 |

**Grant Writing Services**

|                        |       |
|------------------------|-------|
| Funding Specialist     | \$158 |
| Sr. Funding Specialist | \$263 |

**Survey Services**

|                         |               |
|-------------------------|---------------|
| Survey Intern           | \$65 - \$112  |
| Survey Technician       | \$85 - \$151  |
| Sr. Survey Technician   | \$98 - \$186  |
| Surveyor                | \$118 - \$171 |
| Sr. Surveyor            | \$134 - \$198 |
| Lead Survey Technician  | \$131 - \$218 |
| Project Surveyor        | \$164 - \$216 |
| Sr. Project Surveyor    | \$180 - \$238 |
| Survey Manager          | \$191 - \$263 |
| Sr. Survey Manager      | \$238 - \$311 |
| Survey Division Manager | \$284 - \$396 |
| ** Single Chief         | \$157 - \$216 |
| ** Single Instrumentman | \$150 - \$191 |
| ** Single Chainman      | \$132 - \$187 |
| ** Apprentice           | \$71 - \$176  |
| ** 1 Person Field Crew  | \$157 - \$216 |
| ** 2 Person Field Crew  | \$290 - \$403 |
| ** 3 Person Field Crew  | \$361 - \$580 |
| Drone Pilot             | \$220         |

**Project Support/Coordination Services**

|                         |               |
|-------------------------|---------------|
| Project Assistant       | \$72 - \$108  |
| Technical Writer        | \$69 - \$115  |
| Sr. Project Assistant   | \$101 - \$137 |
| Project Coordinator     | \$98 - \$144  |
| Graphic Designer        | \$105 - \$162 |
| Sr. Technical Writer    | \$105 - \$176 |
| Project Accountant      | \$105 - \$162 |
| Sr. Project Coordinator | \$131 - \$173 |
| Sr. Graphic Designer    | \$118 - \$198 |
| Sr. Project Accountant  | \$164 - \$223 |
| Sr. Graphic Manager     | \$147 - \$216 |

**Urban Planning/Landscape Architecture Services**

|                           |               |
|---------------------------|---------------|
| Landscape Intern          | \$49 - \$90   |
| Landscape Designer I      | \$85 - \$115  |
| Landscape Designer II     | \$111 - \$137 |
| Landscape Architect       | \$115 - \$198 |
| LAUD Division Manager     | \$255 - \$284 |
| LAUD Project Manager      | \$193 - \$248 |
| Sr. LAUD Project Manager  | \$229 - \$281 |
| Sr. LAUD Division Manager | \$268 - \$317 |

**Special Services**

|                      |       |
|----------------------|-------|
| Expert Witness       | \$440 |
| Strategic Consulting | \$440 |

**Note: Additional Promotional Steps Exist within Various Rate Categories**
**OTHER DIRECT COSTS**
**Reimbursables including, but not limited to:**

|   |              |                         |              |
|---|--------------|-------------------------|--------------|
| Reproductions, Delivery and Filing Fees | Cost Plus 5% | Outside Consultant Fees | Cost Plus 5% |
| Mileage                                 | Per IRS Rate | Survey Field Expenses   | Cost Plus 5% |

\* Rates subject to escalation with new hourly rate schedule as of July 1, 2022

\*\* These charge rates are subject to Prevailing Wage laws and Union contract.