

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF TEMECULA AND GEOCON WEST, 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 **Geocon West, 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

Geocon West, 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: _____
Joseph Vettel, CEO

ATTEST:

By: _____
Randi Johl, City Clerk

By: _____
William Lydon, CFO

APPROVED AS TO FORM:

By: _____
Peter M. Thorson, City Attorney

CONSULTANT

Geocon West, Inc.

Attn: Lisa Battiato

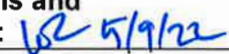
41571 Corning Place, Suite 101

Murrieta, CA 92562

(951) 304-2300

battiato@geoconinc.com

miranda@geoconinc.com

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

2022 Schedule of Fees – RV22

PROFESSIONAL SERVICES

Word Processor/Non-Technical Assistant/Draftsman	\$83/hr.
Engineering Assistant/Lab Technician	\$93/hr.
Engineering Field Technician	*75/hr.
Senior Field Technician	*75/hr.
Special Inspector (Concrete, Rebar, Masonry, Welding, etc.)	*85/hr.
Field Technician Supervisor	*120/hr.
Staff Engineer/Geologist	*120/hr.
Sr. Staff Engineer/Geologist	*125/hr.
Project Engineer/Geologist	*135/hr.
Senior Project Engineer/Geologist	*145/hr.
Senior Engineer/Geologist	*155/hr.
Associate Engineer/Geologist	*165/hr.
Principal Engineer/Geologist/Litigation Support	250/hr.
Attorney Fees (General)	*350/hr.
Deposition or Court Appearance	\$400/hr.
Overtime/Saturday Rate/Night Rate (10pm – 6am w/ 8 Hr minimum per call out)	1.5 X Regular Hourly Rate
Sunday and Holiday Rate	2 X Regular Hourly Rate
Minimum Field Services Fee (per day or per call-out)	4 Hours
Short-Notice Cancellation (after 4 pm of the day prior to the scheduled inspection time)	4 Hours
Short-Notice Cancellation (upon or after arrival at jobsite)	4 Hours

*Prevailing Wage (PW) California Labor Code §1720, et. Seq. add \$40/hr.

TRAVEL

Personnel	Regular Hourly Rate
Subsistence (Per Diem)	Quote
Vehicle Mileage	0.75/mile

EQUIPMENT & MATERIALS

*Nuclear Density Gauge/Sand Cone Testing Equipment	\$10/hr.	Water Buffalo	\$75/ea.
*Vehicle	\$10/hr.	Battery-Powered Pump	\$100/day
*Special Inspection Equipment	\$5/hr.	Water Level Indicator	\$50/day
Coring Machine (concrete, asphalt, masonry)	\$285/day	Perforated 3" PVC Pipe	\$25/10ft.
Generator	\$105/day	Gravel	\$30/bag
Double Ring Infiltrometer	\$135/day	Sand	\$30/bag
GPS Unit	\$175/day	AC Cold Patch	\$30/bag
Pick-up Truck	\$150/day	Quick Set PCC Patch	\$30/bag
Mobile Laboratory with Lab Technician	\$1,650/day	Temp Marking Paint	\$15/can
Drive-Tube Sampler	\$60/day	Lath	\$10/ea.
Hand-Auger	\$50/day	Air Compressor	\$150/day
Dynamic Cone Penetrometer	\$250/day	Soil Sample Tube	\$15/ea.
Double Ring Infiltrometer	\$200/day	Percussion Hammer Drill	\$125/day
Manometer	\$100/day		
Schmidt Hammer	\$100/day		

LABORATORY TESTS
COMPACTION CURVES

(D698/D1557/T99/T108) 4-inch mold	\$220
(D698/D1557/T99/T108) 6-inch mold	\$230
(CT 216) California Impact.....	\$230
Check Point	\$100
(D1632/CT312) Soil Cement Cyl. Fabrication (Set of 3)	\$150
(D1632/CT312) Soil Cement Cyl. Fabrication (Addtl. Spec.)	\$50
(D1633/CT312) Soil Cement Comp. Strength (Set of 3)	\$300
(D1633/CT312) Soil Cement Comp. Strength (Addtl. Spec.)	\$100

SOIL AND AGGREGATE STABILITY

(D2844/CT301) Resistance Value	\$290
(D2844/CT301) Resistance Value, Treated.....	\$295
(D1883) California Bearing Ratio	\$530
(C977) Stabilization Ability of Lime.....	\$185
(D1883) Calif. Bearing Ratio (Army Corp of Engineers)	\$105

CHEMICAL ANALYSIS

(G187/CT643/T288) pH and Resistivity	\$135
(D4972/T289) pH Only.....	\$30
(CT417) Sulfate Content.....	\$100
(CT422) Chloride Content.....	\$55
(D2974) Organic Content.....	\$50

PERMEABILITY, CONSOLIDATION AND EXPANSION

(D5084) Permeability, Flexible Wall	\$270
(D5856) Permeability, Rigid Wall	\$260
(D2434) Permeability, Constant Head	\$280
(D2434) Permeability, FHA Slab-on-Grade	\$110
(D2434) Permeability, Hourly	\$55
(D2435/T216) Consolidation (6 pts. w/ Unload)	\$350
(D2435/T216) Consolidation Additional Point w/ Unload	\$65
(D4546) Swell/Compression Testing & Density.....	\$120
(D4546) Swell/Settlement Testing & Density (ea. addtl. pt.)	\$85
(D4546) Swell/Settlement Testing & Density (County)	\$100
(D4546) Swell/Settlement Testing & Density (FHA)	\$90
(D4829) Expansion Index of Soils	\$160

STEEL TESTING
Reinforcing Steel Tests:

(A370) Tensile Strength & Elongation	
• #11 Bar & Smaller.....	\$100
• #14 Bar	\$125
• #18 Bar (Proof Test)	\$125
.....	
.....	
.....	

SOIL AND AGGREGATE PROPERTIES

(D422/T88) Particle Size, Hydrometer w/out Sieve	\$165
(C136/D6913/T27) Sieve, Coarse to Fine w/ #200 Wash	\$150
(C136/D6913/T27) Sieve, Coarse or Fine w/ #200 Wash.....	\$115
(C136/D6913/T27) Sieve, Coarse or Fine No #200 Wash.....	\$100
(C117/D1140/T11) Materials Finer than #200	\$90
(D2216/T265/CT226) Moisture Content.....	\$30
(D2487/D2488) Visual Soil Classification	\$30
(D2937) Density of In-Place Soil, Drive-Cyl. Method	\$45
(D4943) Shrinkage Factors of Soils, Wax Method.....	\$55
(C131/C535/CT211) L.A. Abrasion Resistance	\$200
(C142/T112) Clay Lumps and Friable Particles	\$170
(C123/T113) Light Weight Particles.....	\$245
(D3744/CT229/T210) Durability Index Fine	\$190
(D3744/CT229/T210) Durability Index Coarse	\$225
(CT227) Cleanliness Value.....	\$170
(D4791) Flat & Elongated Particles	\$165
(D693/CT205) Percent Crushed Particles.....	\$145
(D5821) Percent. of Fractured Particles, Coarse Aggregate.....	\$140
(C40/CT213/T21) Organic Impurities	\$75
(C235) Soft Hardness (Scratch Hardness)	\$100
(C88/CT214/T104) Sulfate Soundness	\$410
(C1252/T304) Uncompact. Void Content, Fine Aggregate	\$150
(C127/CT206/T85) Coarse Specific Gravity.....	\$125
(C128/CT207/T84) Fine Specific Gravity	\$150
(D854/CT209/T100) Specific Gravity of Soil	\$150
(C29/CT212/T19) Unit Weight & Percent Voids.....	\$90
(D2419/CT217/T176) Sand Equivalent	\$110
(D4318/CT204/T89/T90) Plastic Index (Plastic/Liq. Limit)	\$165
(D4318/CT204/T89) Liquid Limit.....	\$95
(D4318/CT204/T90) Plastic Limit.....	\$95
(C330) Spec. for Lightweight Aggregates, Struc. Concrete	Quote

SHEAR STRENGTH

(D2166) Unconfined Compression	\$100
(D3080/T236) Direct Shear (3 points)	\$295
(D3080/T236) Remolded Direct Shear (3 points)	\$300
(D3080/T236) Direct Shear Addtl. Points/ea. residual pass	\$115
(D2850) Unconsolidated-Undrained Triaxial Shear	\$160
(D2580) Unconsolidated-Undrained Triaxial Staged	\$160
(D4767) Consolidated-Undrained Triaxial Shear	\$265
(D4767) Consolidated-Undrained Triaxial Staged	\$340
(EM1110) Consolidated-Drained Triaxial Shear	\$375
(EM1110) Consolidated-Drained Triaxial Staged	\$480

LABORATORY TESTS (CONTINUED)
(A370) Bend Test

- #11 Bar & Smaller..... \$50
- #14 & #18 Bar \$70

(A370) Tensile - Mechanically Spliced Bar

- #11 Bar & Smaller..... \$150
- #14 Bar & Larger..... \$190

(A370) Tensile – Electric Resist. Butt Splice w/ Control \$150

(A370) Straightening of bar (if required)..... \$25

Structural Steel Tests:

- (A370) Machining & Prep of Test Specimen Cost + 20%
- (A370) Tensile Strength & Elongation
 - Up to 200,000 lbs..... \$100
 - 200,000 – 300,000 lbs..... \$125
 - 300,000 – 400,000 lbs..... \$150

Pre-stressing Wire & Tendon Tests:

- (A421) Tensile Strength, Single Wire..... \$150
- (A416) Tensile Strength, 7-Wire Strand..... \$175

High Strength Bolt, Nut, & Washer Tests:

- (A325/A490) Tensile Test on Bolts \$100
- (A563) Proof Load Test on Nuts \$100
- (A325/A490) Hardness Test on Bolts \$50
- (A536) Hardness Test on Nuts..... \$50
- (F436) Hardness Test on Washers..... \$50

Weld Specimen Tests:

- (E164) Ultrasonic Examination..... Quote
- Machining & Prep of Test Specimen Cost + 20%
- (E381) Macrotech Test (3 Faces) \$355

ASPHALT TESTING
Asphalt Properties:

- (D2726/CT308/T166) Bulk Spec. Grav., Compacted HMA \$100
- (D1560/CT366) Stabilometer Value (HVEEM) \$145
- (D2041) Theoretical Max Specific Gravity \$145
- (D5444) Sieve Analysis of Extracted Asphalt..... \$150
- (D6307/CT382) Percent Asphalt, Ignition Method \$150
- (D1188) Unit Weight of Asphalt Core \$65

MISCELLANEOUS TESTING SERVICES

- Emulsion..... \$300
- Wet Track Abrasion \$175

Calibration of Hydraulic Ram:

- 100 Ton & Under..... \$200
- 101 Tons – 200 Tons..... \$300

Use of Universal Testing Machine:

- UTM with One Operator \$320
- Additional Technician..... Regular Tech Rate

Spray Applied Fireproofing:

- (E605/E736) Fireproofing Oven Dry Density/Thickness..... \$90

MASONRY**
Concrete Block Test (Sets of 3 Required):

- (C140) Unit Weight Moisture Content & Absorption \$195
- (C140) Moisture Content/Absorption (ea. addtl. specimen) \$65
- (C140) Compression Test..... \$195
- (C140) Compression Test (ea. addtl. specimen) \$65
- (C426) Linear Drying Shrinkage \$285
- (C109/UBC 21-16) Mortar Cylinder (2"x4") \$30
- (C942) Grout Prism (3"x3"x6"), trimming included..... \$35

Masonry Prism (Assemblage):

- (C1314) 8"x8"x16" – 8"x12"x16" \$200
- (C1314) 8"x16"x16" – 10"x12"x16" \$225
- (C1314) 12"x12"x16" – 12"x16"x16" \$250
- (C1314) Larger than 12"x16"x16" Quote

Brick Test (Set of 5 Specimens):

- (C67) 24-Hour Absorption, Cold Water \$225
- (C67) 5-Hour Absorption, Boiling Water..... \$225
- (C67) Compression Test or Modulus of Rupture..... \$255
- (C67) Each Additional Specimen \$45

CONCRETE**
Mix Designs:

- (ACI211/ACI214) Concrete Mix Design \$350
- (ACI211/ACI214) Review of Concrete Mix Design..... \$350
- (C192) Concrete Trial Mix (includes equipment & labor) \$495

Concrete Properties:

- (C39/CT521/T22) Comp. Strength, Concrete Cyl..... \$30
- (C42/CT521/T22) Comp. Strength, Concrete/Gunite Core..... \$60
- (C78/CT523) Flex. Strength of 6"x6"x21" Concrete Beam..... \$165
- (C174) Length Measuring of Drilled Cores \$75
- (C1140) Shotcrete Panel-Coring & Testing (Set of 3) \$290
- (C1140) Shotcrete Panel (each addtl. specimen)..... \$90
- (C496) Static Modulus of Elasticity..... \$200
- (C496) Drying Shrinkage (Set of 3, up to 28 days)..... \$395
- (C642) Spec. Gravity, Absorp., Voids in Hardened Concrete \$95
- (F1869) Moisture Vapor Emission Rate, Concrete Subfloor..... \$50

***2X Surcharge on rush turn-around for laboratory testing.**

****Fee applies for sample storage, testing, or disposal.**

1. *Listed are typical charges for the services most frequently performed by Geocon. Prices for unlisted services as well as special quotations for programs involving volume work will be provided upon request. Laboratory test prices shown are for laboratory work only and include reporting of routine results not calling for comments, recommendations or conclusions.*
2. *Sampling and testing are conducted in substantial conformance with the latest applicable or designated specifications of the American Society for Testing and Materials, Caltrans, American Association of State Highway and Transportation Officials, or other pertinent agencies.*
3. *Saturday, night work, and overtime hours are charged at time and one-half; Sundays and holidays at double time. Per diem is based on the local costs per day when location of work dictates.*
4. *Equipment and materials will be billed at cost plus 15%. Outside services including subcontractors and rental of special equipment are billed at cost plus 15%. Hourly services are billed portal to portal from closest office in accordance with the stated hourly rates herein.*
5. *Invoices will be submitted at four-week intervals. Terms of payment are met upon presentation of invoice. Invoices become delinquent thirty (30) days from invoice date and subject to one and one-half percent (1-1/2%) service charge per month, or the maximum rate allowed by law, whichever is lower. If Client objects to all or any portion of any invoice, Client will so notify Geocon in writing within fourteen (14) calendar days of the invoice date, identify the cause of disagreement, and pay that portion of the invoice not in dispute. The parties will immediately make every effort to settle the disputed portion of the invoice. Payment on delinquent invoices will first be applied to accrued interest and then to the principal amount. All time spent, and expenses incurred (including any attorney's fees and costs) in connection with collection of any delinquent amount will be paid by Client to Geocon per Geocon's current fee schedule.*