

Master Consultant Agreement

Amendment to Approved Service Order No. 58 – Cover Page

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1. CPMS Contract No.: 7353
 2. First Second Third Fourth Amendment to Approved Service Order No. 58
 3. Consultant's Name: Stantec Consulting Services, Inc.
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Project Name: San José-Santa Clara Regional Wastewater Facility FY 2022-23 Program Management Services ("Project")

Amendment Description: This second amendment to Service Order No. 58 reallocates budget from Task 4 (Deputy Principal Construction Manager) to Task 6 (Program SME Support) to cover additional travel reimbursables.

4. The above-referenced Approved Service Order is amended as follows:

- Budget/Fiscal:** The original Budget/Fiscal information in Section 7 of the Approved Service Order First Revised Second Revised Budget/Fiscal Attachment is amended to read as set forth in the attached First Second Third Revised Budget/Fiscal Attachment.
- Tasks – Attachment A:** The original First Revised Second Revised Attachment A is amended to read as set forth in the attached First Second Third Revised Attachment A.
- Terms and Conditions – Attachment B:** The original First Revised Second Revised Attachment B is amended to read as set forth in the attached First Second Third Revised Attachment B.
- Compensation Table – Attachment C:** The original First Revised Second Revised Attachment C is amended to read as set forth in the attached First Second Third Revised Attachment C.

5. Each of the attachments to this amendment is incorporated herein by reference.

6. Consultant Approval:

Simon Alder
Email: simon.alder@stantec.com
Date: 02/23/2023 GMT

Date: 02/23/2023

7. Approval as to Form (City Attorney):

- Approved Service Order Amendment Form Approved by the Office of the City Attorney**
(There are no material changes to the provisions of the Approved Service Order Form.)

Approved as to Form:

Date: _____

(Sr.) Dept. City Attorney: _____

8. City Director Approval:

Mariana Chavez Vasquez
Email: mariana.chavez-vasquez@sanjoseca.gov
Date: 02/24/2023 GMT

Date: 02/24/2023

First Second Third **Revised Attachment B: Terms and Conditions**

This Revised Attachment B is attached to the First Second Third amendment to Approved Service Order No. 58 issued pursuant to the Master Agreement having the above-referenced CPMS Contract No. The original Attachment B, including any exhibits thereto, is deleted in its entirety and replaced by the following:

1. **City's Project Manager:** The City's project manager for this Approved Service Order is:

Name: Napp Fukuda	Phone No.: 408-793-5353
Department: Environmental Services Department	E-mail: napp.fukuda@sanjoseca.gov
Address: 700 Los Esteros Road, San Jose, CA 95134	

2. **Consultant's Project Manager and Assigned Staff:** Identified below are the following: (a) the Consultant's project manager for this Approved Service Order, and (b) the Consultant(s) and/or employee(s) of the Consultant who will be principally responsible for providing the services and deliverables. ***If an individual identified below does not have a current Form 700 on file with the City Clerk for a separate agreement with the City, and is required to file a Form 700, the Consultant must comply with the requirements of Subsection 17.5 of the Master Agreement, entitled "Filing Form 700."***

		<u>Required to File Form 700?</u>		
		Yes Already Filed (Date Filed)	Yes Need to File	No
<u>Consultant's Project Manager</u>				
Name: Simon Alder	Phone No.: (917) 882-9259	3/9/22		
Address: 75 E. Santa Clara St., Suite 1225 San Jose, CA 95113	E-mail: simon.alder@stantec.com			
<u>Consultant and Major Subconsultant's Assigned Staff</u>				
Name:	Assignment:			
1. Parthina Donson	Task 1			
2. Geoff Carthew	Task 3	2/14/23		
3. Jose Armesto (Carollo Engineers)	Task 5	2/2/23		

4. Scott Daniels (Carollo Engineers)	Task 5	10/23/22		
5. Craig Wilcox	Task 6			X
6. Bruce Petrik	Task 6			X
7. David Wilcoxson	Task 6			X
8. Daniel Cheng	Task 7			X

3. **Subconsultants:** Whichever of the following is marked applies to this Approved Service Order:

- The Consultant can **not** use any subconsultants.
- The Consultant can use the following subconsultants to assist in providing the required services and deliverables:

<u>Subconsultant Firm's Name</u>	<u>Area of Work</u>
1. Leland Saylor	Task 2 (Cost Estimating)
2. Qlik	Task 2 (Data Input and Database Support)
3. Hildebrand Consulting	Task 6 (Subject Matter Expert)

<u>Subconsultant Assigned Staff</u>		<u>Required to File Form 700?</u>		
		<u>Yes Already Filed (Date Filed)</u>	<u>Yes Need to File</u>	<u>No</u>
<u>Name:</u>	<u>Assignment:</u>			
1.				
2.				
3.				

4. **Contract Personnel:** Whichever of the following is marked applies to this Approved Service Order:

- The Consultant can **not** use any Contract Personnel.
- The Consultant can use the following Contract Personnel to assist in providing the required services and deliverables:

<u>Personnel/Agency Name</u>	<u>Area of Work</u>
1.	
2.	

5. Additional Reimbursable Expenses: Whichever of the following is marked applies to this Approved Service Order:

- The City will **not** reimburse the Consultant for additional reimbursable expenses.
- The City will reimburse the Consultant for additional reimbursable expenses pursuant to the following:

<u>Additional Reimbursable Expense</u>	<u>Markup</u>
1. Mobilization and Relocation	0%
2. Systems and Tools	0%

1. Mobilization and Relocation

Per Exhibit B, Section 3.4, the following Consultant or Major Subconsultant staff are eligible to be reimbursed for mobilization and relocation costs:

Relocated Personnel	Position

Maximum compensation for Mobilization and Relocation under this SO: \$0

2. Systems & Tools Costs

The PROGRAM requires the use of modelling software and software system services in order to support the PROGRAM for its duration. During the term of this SO, CITY and CONSULTANT staff shall determine which software system services are required for the PROGRAM. CITY may separately procure commercially available software systems, such as modelling software, Primavera P6 or equivalent, and common business software such as Microsoft Office. CITY shall reimburse CONSULTANT for agreed upon software services provided to the CITY, which shall include software set-up, licensing, and monthly hosting (maintenance, data storage, and user access) fees, in accordance with all applicable CITY policies and procedures, as approved in writing by the Director and CITY's Director of Information Technology prior to expenses being incurred.

Maximum compensation for Systems & Tools Costs under this SO: \$298,500

6. Travel Expenses

CONSULTANT and Major Subconsultant shall be reimbursed for travel expenses pursuant to Exhibit B, Section 3 of the AGREEMENT and in accordance with the budget set forth below:

Travel Expense	Budgeted Amount
Airfare	\$ 54,444
Rental Car / Parking / Taxi / Uber/Lyft	\$ 38,845
Lodging	\$ 172,666
Meals & Incidentals	\$ 5,169
Subtotal	\$ 271,124
5% markup	\$ 8,428
Travel Expense Total	\$ 279,552

7. CONSULTANT Staff Designation

Pursuant to Exhibit B, of the AGREEMENT, the following CONSULTANT and Major Subconsultant Staff are designated as Onsite Staff or Offsite Staff for the purpose of determining the applicable Multiplier and APC under this SO.

The following CONSULTANT and Major Subconsultant, as defined in Section 7.4 of the AGREEMENT, staff are designated as Onsite Staff for this SO. In the event that any of the designated Onsite Staff become Offsite Staff during the term of this SO, their designations shall be changed to Offsite Staff for the remainder of the SO term. All staff not listed below are Offsite Staff for this SO.

Name	Designation
Simon Alder (Stantec)	Onsite
Jose Armesto (Carollo)	Onsite
Scott Daniels (Carollo)	Onsite
Geoff Carthew (Stantec)	Onsite
Parthina Donson (Stantec)	Onsite
Bill Van Wagenen (Stantec)	Onsite

8. Geographic Pay

Pursuant to Exhibit B, Section 1.4, of the AGREEMENT, the following CONSULTANT or Major Subconsultant staff are eligible for geographic pay:

Name	Geographic Pay Hourly Rate
Simon Alder (Stantec)	\$17.71

9. Leased Apartments

Under this SO, the maximum allowable compensation for a corporate apartment is \$4,250 per month. The following Consultant or Major Subconsultant staff are eligible for leased apartments:

Name
Simon Alder (Stantec)
Bill Van Wagenen (Stantec)

First **Second** **Third** **Revised Attachment C: Compensation Table**

This Revised Attachment C is attached to the First Second Third amendment to Approved Service Order No. 58 issued pursuant to the Master Agreement having the above-referenced CPMS Contract No. The original Attachment C, including any exhibits thereto, is deleted in its entirety and replaced by the following:

The City will compensate the Consultant for providing the services and deliverables set forth in **Attachment A** in accordance with this Compensation Table. This Compensation Table is subject to the terms and conditions set forth in the Master Agreement, including without limitation Section 10 of the Master Agreement and **Exhibit B, Basis of Compensation.**

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Task No. and Task Title from Attachment A	Invoice Period	Multiplier Compensation (Consultant and Major Subconsultant (including markup))	Contract Personnel	Reimbursable Expenses (Consultant and Major Subconsultant (including applicable markup))	Other Subconsultant Costs (Including markup)	Total Compensation
1 Program Management & Administration	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$845,068	\$0	\$56,070	\$0	\$901,138
2 Program Controls	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$132,354	\$0	\$301,222	\$136,944	\$570,520
3 Program Engineering Management	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$649,182	\$0	\$91,865	\$0	\$741,047
4 Program Construction Management	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$106,947	\$0	\$8,929	\$0	\$115,876
5 Health & Safety Management	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$677,975	\$0	\$88,800	\$0	\$766,775

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Task No. and Task Title from Attachment A	Invoice Period	Multiplier Compensation (Consultant and Major Subconsultant (including markup))	Contract Personnel	Reimbursable Expenses (Consultant and Major Subconsultant (including applicable markup))	Other Subconsultant Costs (Including markup)	Total Compensation
6 Program Subject Matter Expert Support	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$1,261,944	\$0	\$28,472	\$189,000	\$1,479,416
7 Program Technical Support	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$76,880	\$0	\$2,694	\$0	\$79,574
Maximum Compensation		\$3,750,350	\$0	\$578,052	\$325,944	\$4,654,346

Attachment D: Level of Effort - SECOND AMENDMENT Service Order 58 - Program Management Office Services

Company	Job Classification	Role	Staff Name	Onsite / Offsite	Actual Hourly Salary Rate	Multiplier	APC	Geographic Pay	Estimated Billing Rate (07/01/22 to 12/31/22)	Estimated Billing Rate (01/01/23 to 06/30/23)	Not-to-Exceed Billing Rate	Estimated Labor Hours ²							Total	
												Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7		
Stantec	Executive Consultant	Program Manager	Alder, Simon	Onsite	110.30	2.81	5.35	17.71	327.65	337.48	-	1,872	-	-	-	-	-	-	-	1,872
Stantec	Senior Administrator	Program Sr. Administrator	Donson, Parthina	Onsite	37.92	2.81	5.35	-	106.56	109.76	-	1,872	-	-	-	-	-	-	-	1,872
Stantec	Consultant	CI/Portal Administrator ¹	TBD	Offsite	58.82	3.06	9.50	-	180.00	185.40	240.00	-	-	-	-	-	-	-	-	200
Stantec	Senior Consultant	Data Input & Database Support ¹	TBD	Offsite	83.33	3.06	9.50	-	255.00	262.65	340.00	-	-	-	-	-	-	-	-	350
Stantec	Principal Consultant	Program Sr. Engineering Manager	Carthow, Geoff	Onsite	119.71	2.81	5.35	-	336.39	346.48	-	1,872	-	-	-	-	-	-	-	1,872
Stantec	Principal Consultant	Deputy Principal Construction Manager	Van Wageningen, William	Onsite	124.96	2.81	5.35	-	351.14	361.67	-	300	-	-	-	-	-	-	-	300
Carollo	Consultant	Program Health & Safety Officer	Armesto, Jose M.	Onsite	64.50	2.67	5.35	-	172.22	177.39	240.00	-	-	-	-	-	-	-	-	1,872
Stantec	Principal Consultant	Program Health & Safety Assistant	TBD	Onsite	58.82	2.67	5.35	-	161.77	167.17	240.00	-	-	-	-	-	-	-	-	1,872
Stantec	Principal Consultant	Subject Matter Expert II ¹	TBD	Offsite	109.80	3.06	9.50	-	336.00	346.08	420.00	-	-	-	-	-	-	-	-	3,600
Stantec	Consultant	Project Engineer I ¹	TBD	Offsite	58.82	3.06	9.50	-	180.00	185.40	240.00	-	-	-	-	-	-	-	-	400
Task Totals												3,744	550	1,872	300	3,744	3,600	400	14,210	
Stantec Labor												\$ 825,037	\$ 127,129	\$ 639,166	\$ 105,342	\$ -	\$ 1,227,744	\$ 73,080	\$ 2,997,498	
Stantec APC												\$ 20,030	\$ 5,225	\$ 10,015	\$ 1,605	\$ -	\$ 34,200	\$ 3,800	\$ 74,876	
TOTAL Stantec												\$ 845,068	\$ 132,354	\$ 649,182	\$ 106,947	\$ -	\$ 1,261,944	\$ 76,880	\$ 3,072,374	
Major Subconsultant Labor												\$ -	\$ -	\$ -	\$ -	\$ 625,660	\$ -	\$ -	\$ 625,660	
Major Subconsultant APC												\$ -	\$ -	\$ -	\$ -	\$ 20,030	\$ -	\$ -	\$ 20,030	
Major Subconsultant Labor & APC Markup (5%)												\$ -	\$ -	\$ -	\$ -	\$ 32,285	\$ -	\$ -	\$ 32,285	
TOTAL SUBCONSULTANT												\$ -	\$ -	\$ -	\$ -	\$ 677,975	\$ -	\$ -	\$ 677,975	
Total Labor - By Task												\$ 845,068	\$ 132,354	\$ 649,182	\$ 106,947	\$ 677,975	\$ 1,261,944	\$ 76,880	\$ 3,750,350	
Leland Saylor & Associates												\$ -	\$ 120,423	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 120,423	
Qlik												\$ -	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000	
Hildebrand Consulting												\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000	\$ -	\$ 180,000	
Subconsultant Markup (5%)												\$ -	\$ 6,521	\$ -	\$ -	\$ -	\$ 9,000	\$ -	\$ 15,521	
OTHER SUBCONSULTANTS												\$ -	\$ 136,944	\$ -	\$ -	\$ -	\$ 189,000	\$ -	\$ 325,944	
Major Subconsultant Expenses												\$ 53,400	\$ 2,592	\$ 87,490	\$ 8,504	\$ -	\$ 14,000	\$ 2,566	\$ 168,552	
SUB-TOTAL Reimbursables												\$ 53,400	\$ 2,592	\$ 87,490	\$ 8,504	\$ 88,800	\$ 13,772	\$ 2,566	\$ 168,552	
ODC Markup on Stantec Expenses Only (5%)												\$ 2,670	\$ 130	\$ 4,375	\$ 425	\$ -	\$ 700	\$ 128	\$ 8,428	
Relocation												\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Systems & Tools												\$ -	\$ 298,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 298,500	
Total Reimbursables												\$ 56,070	\$ 301,222	\$ 91,865	\$ 8,929	\$ 88,800	\$ 28,472	\$ 2,694	\$ 578,052	
TOTAL												\$ 901,138	\$ 570,520	\$ 741,047	\$ 115,876	\$ 766,775	\$ 1,479,416	\$ 79,574	\$ 4,654,346	

Task 1	Program Management & Program Administration
Task 2	Program Controls
Task 3	Program Engineering Management
Task 4	Deputy Principal Construction Manager
Task 5	Health and Safety Management
Task 6	Program SME Support
Task 7	Program Technical Support

Notes:
 1. For estimating purposes, the Estimated Billing Rate for pooled resources is 75% of the Not-to-Exceed Billing Range.
 2. Hours shown in this Attachment D are for estimating purposes only. Actual hours billed will be in accordance with the terms and conditions set forth in the Master Agreement, including without limitation Section 10 of the Master Agreement and Exhibit B, Basis of Compensation.