

ATTACHMENT 1

Amendment No. 6 to the Kitchell/CEM, Inc. Agreement for Services of Independent Contractor

**AMENDMENT No. 6 to the AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR
For
PROFESSIONAL SERVICES**

This is Amendment No. 6 to the Agreement between THE COUNTY OF SANTA BARBARA (hereinafter "County") and Kitchell/CEM, Inc., (hereafter CONTRACTOR).

WHEREAS, on July 2, 2019, the parties hereto entered into an Agreement for Services of Independent Contractor BC19320 (hereinafter "Agreement"); and

WHEREAS, the parties hereto amended the Agreement pursuant to Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4 and Amendment No. 5 in accordance with the provisions of the Agreement, to add additional services and compensation and to extend the contract term for said services; and

WHEREAS, County now wishes to extend the term of the Agreement by 24 months from June 30, 2022 to June 30, 2024, increase the maximum contract amount, and update the Hourly Rate schedule; and

WHEREAS, the parties hereto desire to amend the Agreement ("Sixth Amendment"), in accordance with the provisions of the Agreement, to add compensation for said services. NOW,

THEREFORE, Owner and Contractor agree as follows:

1. Part 4 - Term of the Agreement shall be modified so that the Term ends on June 30, 2024, unless otherwise directed by County or unless earlier terminated.
2. This Amendment No. 6 increases the maximum compensation limit of \$2,250,000 by \$1,355,000 for a Maximum Compensation Limit (MCL) of \$3,605,000 and updates the Hourly Rate schedule. Accordingly, Exhibit B - Payment Arrangements, paragraph A is hereby amended to read:

"... CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed \$3,605,000. The hourly rates for the project management and other services shall be based on the following Hourly Rate Schedule.

Hourly Rates

Position	Hourly Rate Effective for services provided June 1, 2022 through June 30, 2024
Project Executive	\$242
Project Director	\$204
Sr. Project Manager ¹	\$193
Project Manager II ¹	\$182
Project Manager ¹	\$165
Sr. Project Engineer	\$143
Project Engineer	\$132
Document Control Manager	\$99
Engineering/Architecture Department Manager	\$215
Sr. Architect	\$182

Registered Architect/Licensed Engineer	\$176
Commissioning Engineer	\$176
BIM Manager	\$182
BIM Engineer	\$143
CAD Technician	\$110
Engineering/Architecture Department Admin Support	\$99
Estimating Department Manager	\$209
Estimator	\$165
Scheduling Department Manager	\$187
Scheduler	\$165

¹ The rates set forth in this schedule shall be effective June 1, 2022 through June 30, 2024. The maximum hourly rate for Project Management Services shall not exceed \$175 per hour for all levels of Project Manager Classifications (Project Manager, Project Manager II and Senior Project Manager). Services other than Project Management Services requested by the COUNTY shall be provided at rates per the above Hourly Rate Schedule. Services provided prior to June 1, 2022 shall be billed at the rates set forth in the Amendment No. 5 to the Agreement.

3. Except as otherwise amended by this Sixth Amendment, and previously amended by the Fifth, Fourth, Third, Second, and First Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect.
4. The signatories to this Sixth Amendment have the authority to bind the parties. This Sixth Amendment may be executed in counterparts, each of which shall be deemed to be an original, and all of such counterparts shall together constitute one executed original instrument.

COUNTY SIGNATURE PAGE

Amendment 6 to the Agreement for Services of Independent Contractor **BC19586** between the **County of Santa Barbara** and **Kitchell/CEM, Inc.**

IN WITNESS WHEREOF, the parties have executed this Sixth Amendment to the Agreement to be effective on the date executed by COUNTY.

ATTEST:

MONA MIYASATO,
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

COUNTY OF SANTA BARBARA

By: _____
JOAN HARTMANN, CHAIR
Board of Supervisors

Date: _____

ADDITIONAL COUNTY SIGNATURE PAGE

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

DocuSigned by:
Teresa Martinez
By: _____
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Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:

BETSY SCHAFFER, CPA, CPFO
AUDITOR-CONTROLLER

DocuSigned by:
C. Schaffer
By: _____
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Deputy

APPROVED AS TO FORM:

RISK MANAGER

DocuSigned by:
Gregory Milligan
By: _____
DC240AC1E64247D...
Risk Manager

RECOMMENDED FOR APPROVAL:

JANETTE D. PELL, DIRECTOR
GENERAL SERVICES DEPARTMENT

DocuSigned by:
Janette D. Pell
By: _____
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Department Head

CONTRACTOR SIGNATURE PAGE

Agreement for services and work to be performed by Contractor between the County and Contractor.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date executed by County.

CONTRACTOR:

Kitchell/CEM, Inc.

By: 
Authorized Representative

Name: Wendy Cohen

Title: President

END OF AGREEMENT