

**AMENDMENT No. 5 to the AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR
For
PROFESSIONAL SERVICES**

This is Amendment No. 5 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 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 wishes to extend the term of the Agreement from June 30, 2021 to June 30, 2022; and

WHEREAS, the parties hereto desire to amend the Agreement ("Fifth 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, 2022, unless otherwise directed by County or unless earlier terminated.
2. This Amendment No. 5 increases the maximum compensation limit of \$1,825,000 by \$425,000 for a Maximum Compensation Limit (MCL) of \$2,250,000. 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 \$2,250,000. The hourly rates for the project management and other services shall be based on the following Hourly Rate Schedule.

Hourly Rates

Position	Hourly Rate
Project Executive	\$220
Project Director	\$185
Sr. Project Manager	\$175
Project Manager II	\$165
Project Manager	\$150
Sr. Project Engineer	\$130
Project Engineer	\$120
Document Control Manager	\$90
Engineering/Architecture Department Manager	\$195
Sr. Architect	\$165
Registered Architect/Licensed Engineer	\$160
Commissioning Engineer	\$160
BIM Manager	\$165
BIM Engineer	\$130
CAD Technician	\$100
Engineering/Architecture Department Admin Support	\$90
Estimating Department Manager	\$190
Estimator	\$150
Scheduling Department Manager	\$170

Scheduler

\$150

3. Except as otherwise amended by this Fifth Amendment, and previously amended by the 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 Fifth Amendment have the authority to bind the parties. This Fifth 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 5 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 Fifth Amendment to the Agreement to be effective on the date executed by COUNTY.

ATTEST:

MONA MIYASATO,
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: *Shirley Mc Guire*
Deputy Clerk

COUNTY OF SANTA BARBARA

By: *Bob Nelson*
Bob Nelson, Chair
Board of Supervisors


Date: 8-17-2021

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ADDITIONAL COUNTY SIGNATURE PAGE

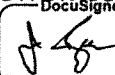
APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

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By: _____
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Deputy County Counsel


APPROVED AS TO ACCOUNTING FORM:

BETSY SCHAFFER, CPA, CPFO
AUDITOR-CONTROLLER

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By: _____
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Deputy

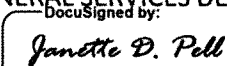
APPROVED AS TO FORM:

RAY AROMATORIO, ARM, AIC
RISK MANAGER

DocuSigned by:

By: _____
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Risk Manager

RECOMMENDED FOR APPROVAL:

JANETTE D. PELL, DIRECTOR
GENERAL SERVICES DEPARTMENT

DocuSigned by:

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.

DocuSigned by:

By:

Wendy Cohen

ED195E1E9A8D435
Authorized Representative

Name: Wendy Cohen

Title: President

END OF AGREEMENT