

**AMENDMENT NO. 1 TO
DESIGN SERVICES AGREEMENT
WITH RHA LANDSCAPE ARCHITECTS-PLANNERS, INC.**

This Amendment No. 1 to the Design Services Agreement is made and entered into as of August 3, 2022 ("Effective Date"), by and between the City of San Bernardino, a charter city and municipal corporation ("City") and RHA Landscape Architects-Planners, Inc., a California corporation ("Designer"). City and Designer are sometimes referred to herein individually as a "Party" and collectively as "Parties."

RECITALS

A. WHEREAS, the City and the Designer have entered into an agreement, dated, March 3, 2021, for the professional design of the Nicholson Neighborhood Park Project (the "Master Agreement").

B. WHEREAS, the City has previously exercised its six (6) month extension option, extending the term of the Master Agreement through June 30, 2022.

C. WHEREAS, the Parties now desire to amend the Master Agreement in order to include additional services, extend the term of the Master Agreement, and to provide compensation for the additional services.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 1 and the Master Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Services. The Services, as that term is defined in the Master Agreement, are hereby amended to include additional services related to the Nicholson Neighborhood Park Improvements Project. The additional services are more fully described in Exhibit "A-1", attached hereto to this Amendment No. 1 and incorporated herein by this reference.

3. Amendment to Section 3.1.2 of the Master Agreement. Section 3.1.2 of the Master Agreement shall be amended to read as follows:

"3.1.2 Term. The term of this Agreement shall be from March 03, 2021 to December 30, 2022, unless earlier terminated as provided herein. Designer shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines."

4. Compensation. The total not to exceed compensation amount shall be increased by One Hundred Ninety-Seven Thousand Two Hundred Fifty Dollars and Zero Cents (\$197,250.00) increasing the total not to exceed compensation amount from Two

Hundred Fifteen Thousand Two Hundred Ninety-Five Dollars and Zero Cents (\$215,295.00) to Four Hundred Twelve Thousand Five Hundred Forty-Five Dollars and Zero Cents (\$412,545.00).

5. Full Force. Except as amended by this Amendment No. 1, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

6. Electronic Transmission. A manually signed copy of this Amendment No. 1 which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

7. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE TO
AMENDMENT NO. 1 TO
DESIGN SERVICES AGREEMENT
WITH RHA LANDSCAPE ARCHITECTS-PLANNERS, INC.**

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.


CITY OF SAN BERNARDINO

DESIGNER

APPROVED BY:

Robert D. Field
Robert D. Field,
City Manager

**RHA LANDSCAPE ARCHITECTS-
PLANNERS, INC.**


Signature

APPROVED AS TO FORM:

Thomas Rice
Best Best & Krieger LLP
City Attorney

Doug Glare
Name

PRESIDENT
Title

EXHIBIT A-1

SCOPE OF ADDITIONAL SERVICES

[ATTACHED]



ADDITIONAL FEE REQUEST

TO: Alex Qishta
City of San Bernardino
Public Works
Engineering Division
290 North D Street
San Bernardino, CA 92401

Date: May 31, 2022
Project: Nicolson Park

RHA Project No. 21112
Request No. 1

Dear Alex,

RHA Landscape Architects-Planners, Inc. has developed the following scope of services and fee schedule for design services required on the Nicholson Park project. These services are being provided to you in addition to the original contract.

Scope of Services

1. Walking path with exercise stations and lighting
2. Additional parking lot along Meridian
3. Expanded parking lot on 2nd Street
4. Pickleball courts with lights
5. Undergrounding electrical service and moving into the snack bar storage room
6. (2) new Picnic Shelters
7. Lighting and resurfacing the existing basketball court
8. Perimeter fence and parking lot gates
9. Electric car charging stations
10. Backfeed electrical power to community center from new service
11. Attend site meeting with Owner and power company planner to determine off-site connection and utility transformer location for new park metered main service
12. Attend site meeting with Owner and telephone company planner to determine off-site connection and underground raceway requirements for future reconnection to existing community building
13. Attend site meeting with Owner and cable company planner to determine off-site connection and underground raceway requirements for future reconnection to existing community building
14. Design new park main metered service large enough to feed existing community building in future or coordinate with local power utility company to design underground raceways to off-site location for future reconnection to existing community building
15. Prepare architectural drawings, specifications and estimates for the Nicholson Park Community Center renovation

Nicolson Park
Alex Qishta

May 31, 2022
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Fee (refer next page for hourly fee breakdown)

1. Landscape Architecture	\$43,500
2. Civil Engineering	\$30,000
3. Electrical Engineering	\$33,750
4. Architecture	\$90,000
TOTAL	\$197,250

This additional work authorization is an addendum to the existing contract. The terms and conditions of the original contract are applicable to this addendum. Subsequent to your review of the above referenced scope of services, please sign and return this form to RHA Landscape Architects-Planners, Inc. A PDF version via email is sufficient.

Cordially,
RHA Landscape Architects-Planners, Inc.



Doug Grove, RLA, ASLA, LEED AP
President

Authorized by:
City of San Bernardino

By: Robert D. Field

Date: 9/15/2022

Nicholson Park

Additional Scope of Work

RHA Landscape Architects-Planners, Inc.

05/31/22

TASK	RHA Landscape Architects-Planners, Inc.				David Beckwith Engineering				JCA Electrical Engineering			BOA Architecture		TOTAL
	Principal	Project Manager	Landscape Designer		Principal	Project Manager	Staff		Principal	Project Manager	Staff	Principal	Project Manager	
Grading and Drainage for Additional Parking Lot			4	8	8	20	26					\$150	\$100	\$ 9,510
Walking Path with Exercise Stations layout and detailing			10	30		7	20							\$ 8,055
New Parking Lot along Meridian			10	26										\$ 4,000
Pickleball Courts with Lights layout and detailing	4	16	32			2	16							\$ 8,530
Perimeter Fencing and Gates layout and detailing	2	13	38			3	8							\$ 7,495
Two New Picnic Shelters layout and detailing	2	9	22			4	8							\$ 5,500
New Elements WQMP Calcs and Design					8	16	24							\$ 7,240
Electrical engineering for Underground Service		2	4						16	24	30			\$ 12,220
Electrical engineering for Charging Stations in Parking Lot		2	4							8	15			\$ 4,210
Electrical engineering for Basketball, Pickleball, and Parking Lot		2	4						7	10	16			\$ 6,080
Electrical engineering for backfeed of power to Community Center									16	18	20			\$ 9,080
Community Center renovation - Architectural	30	20										146	279	\$ 58,300
Community Center renovation - Engineering												140	192	\$ 40,200
Project Management	12	12			8	8			8	8				\$ 9,760
Specifications		6	10			8				3	2			\$ 3,940
Estimate of Probable Costs		4	8		2	2	4			2	2			\$ 3,130
TOTAL HOURS	50	110	186		26	70	106		47	73	85	286	471	1,510
TOTAL DOLLARS	\$43,500				\$30,000				\$33,750			\$90,000		\$ 197,250