

**THIRD AMENDMENT TO
AGREEMENT
FOR
MATERIALS TESTING, PAVEMENT DESIGN, AND LOG OF BORING SERVICES
BETWEEN
THE CITY OF SAN JOSE
AND
THE CITY OF SANTA CLARA**

This THIRD AMENDMENT TO AGREEMENT is entered into this ____ day of _____, 2018, by the CITY OF SAN JOSE, a municipal corporation (hereinafter "SAN JOSE"), and the CITY OF SANTA CLARA, a municipal corporation (hereinafter "AGENCY").

RECITALS

WHEREAS, on June 27, 2014, SAN JOSE and AGENCY entered into an agreement entitled "AGREEMENT FOR MATERIALS TESTING, PAVEMENT DESIGN, AND LOG OF BORING SERVICES BETWEEN THE CITY OF SAN JOSE AND THE CITY OF SANTA CLARA" ("AGREEMENT"); and

WHEREAS, on January 15, 2016, SAN JOSE and AGENCY entered into a First Amendment to the AGREEMENT to extend the term and update the Fee Schedule; and

WHEREAS, on November 2, 2017, SAN JOSE and AGENCY entered into a Second Amendment to the AGREEMENT to extend the term, increase the amount of maximum total compensation and update the Fee Schedule;

WHEREAS, SAN JOSE and AGENCY desire to further amend the AGREEMENT to extend the term and update the Fee Schedule with no increase in the amount of maximum total compensation allowed;

NOW, THEREFORE, the parties agree to amend the amended AGREEMENT as follows:

SECTION 1. Subsection I of SECTION III is amended to read as follows:

“Except as otherwise provided herein, this Agreement shall begin on the date of execution of this Agreement and terminate on December 31, 2020.”

SECTION 2. SECOND REVISED ATTACHMENT B, “SCHEDULE OF FEES AND SERVICES” is amended to read as shown in THIRD REVISED ATTACHMENT B, attached and incorporated into this Third Amendment.

SECTION 3. All of the terms and conditions of the amended AGREEMENT not modified by this Third Amendment shall remain in full force and effect.

WITNESS THE EXECUTION HEREOF on the day and year first written above.

“AGENCY”

CITY OF SANTA CLARA, a municipal
corporation

By: _____

DEANNA J. SANTANA
City Manager

1500 Warburton Avenue
Santa Clara, CA 95050

“SAN JOSE”

CITY OF SAN JOSE, a municipal
corporation

By: _____

LELAND WILCOX
Chief of Staff, Office of the City
Manager

200 E. Santa Clara Street
San Jose, CA 95113

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____

BRIAN DOYLE
City Attorney

By: _____

JENNIFER POUSHO
Sr. Deputy City Attorney

THIRD REVISED ATTACHMENT B
SCHEDULE OF FEES AND SERVICES
(Effective January 1, 2019)

GENERAL:

All other contracted services are subject to the following hourly rates. Charges include labor, materials, equipment, and reports.

BASIC RATES:	<u>Hourly Rates</u>
Principal Engineer.....	\$ 200.00
Senior Engineer.....	\$ 185.00
Associate Engineer.....	\$ 155.00
Engineer I/II.....	\$ 140.00
Senior Inspector.....	\$ 130.00
Associate Inspector.....	\$ 115.00
Field / Lab Technician.....	\$ 95.00

OVERTIME AND SHIFT DIFFERENTIALS:

Overtime and Holidays..... Basic Rate x 1.5
Differential Pay for Swing & Graveyard Shifts (per Hour)..... Basic Rate x 1.5

MINIMUM CHARGES:

Show up time.....	2 hours
Meeting and Consultation.....	3 hours
Sampling or Inspection.....	2 hours
Sample pickup and delivery.....	2 hours
Minimum Charges on all invoices.....	\$ 500.00

ADDITIONAL CHARGES:

Mileage (per mile).....	\$ 0.75
Traffic control vehicle with flashing arrow sign and assorted traffic control devices, with one person crew (per Hour).....	\$150.00
Extra Personnel, as required.....	Basic Rates

PORTLAND CEMENT CONCRETE:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM C136/CAL 202	Sieve Analysis:	
	Coarse Aggregates.....	\$ 160.00
	Fine Aggregates.....	190.00
ASTM C617	Capping Cylindrical Specimens.....	55.00
ASTM C39/CAL 521	Compressive Strength PCC Cylinders.....	60.00
ASTM C192	Curing Concrete Specimens in the Laboratory.....	35.00
ASTM C42/CAL 531	Compressive Strength of Cores & Sawed Beams.....	85.00
	Sawing End Preparation of PCC Core (per end)	60.00
ASTM C78/CAL 523	Flexural Strength of Concrete Beams.....	165.00
ASTM C29	Unit Weight and Voids in Aggregate.....	150.00
ASTM C74/CAL 531	Measuring Length of Drilled Cores.....	78.00
	Mix Design Submittal Review.....	365.00

FIELD TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
ASTM C31/C172/C143/C138/ C1064	Making Concrete Test Specimens in the Field.....	\$ 130.00
	4"x8" or 6"x12" Plastic Cylinder Mold (each).....	5.00
ASTM D75/CAL 201	Sampling Aggregate.....	130.00
ASTM C138	Unit Weight and Yield.....	130.00
ASTM C173	Air Content (Volumetric Method).....	130.00
ASTM C231	Air Content (Pressure Method).....	130.00

SOILS:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM D1557	Laboratory Maximum Density/Optimum Moisture.....	495.00
ASTM D2216/CAL 226	Moisture of Content of Soils and Rocks by Oven Drying.....	55.00
CAL 216	Relative Compaction of Soils and Aggregates.....	410.00
ASTM D2217	Wet Preparation of Soils Particle Size Analysis.....	115.00
ASTM D2844/CAL 301	Resistance Value of Soils and Aggregates.....	495.00
ASTM D4318/CAL 204	Liquid Limit, Plastic Limit, Plasticity Index.....	290.00
CAL 373	Compressive Strength of Lime Treated Soils and Aggregates (Field Sample, 3-Specimens).....	525.00

FIELD TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
ASTM D2922	Relative Compaction by Nuclear Gage.....	\$ 130.00
CAL 231	Relative Compaction of Soils and Aggregates by Nuclear Gage.....	130.00
ASTM D3017	Moisture of Soils and Aggregates by Nuclear Gage.....	130.00

AGGREGATES:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM C136/CAL 202	Sieve Analysis:	
	Coarse Aggregates.....	\$160.00
	Fine Aggregates.....	190.00
ASTM C29	Unit Weight and Voids in Aggregate.....	170.00
ASTM C88	Soundness of Agg. by the use of Sodium Sulfate (each size)...	605.00
ASTM C131/CAL 211	Abrasion of Coarse Agg. by Los Angeles Rattler.....	345.00
ASTM C117	#200 Wash.....	145.00
ASTM C127	Specific Gravity and Absorption of Coarse Agg.....	290.00

ASTM C128	Specific Gravity and Absorption of Fine Agg.....	345.00
ASTM D2419/CAL 217	Sand Equivalent Value of Soils and Fine Agg. (3 specimens)..	290.00
ASTM D3744/CAL 229	Durability Index:	
	Coarse Aggregates.....	240.00
	Fine Aggregates.....	240.00
CAL 227	Evaluating Cleanness of Coarse Aggregates.....	345.00

ASPHALT CONCRETE:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM D1559	Marshall Stability and Flow (3 Specimens, incl. comp.).....	\$ 345.00
ASTM D1188/D2726/ CAL 308	Bulk SG and Density (3 Specimens - Lab or Field Cores).....	115.00
ASTM D1560/CAL 304/366	Stabilometer Value (3 Specimens, including comp.).....	460.00
ASTM D3549	Thickness of AC Core.....	115.00
ASTM D2041/CAL 309	Maximum Theoretical Density (Rice Test).....	290.00
ASTM D2172	Asphalt Extraction (Method A or B).....	345.00
ASTM D6307/CAL 382	Determination of Asphalt Binder Content by Ignition Oven....	195.00
ASTM D6307/CAL 382	Establishing Correction Factor for Asphalt Concrete per Section D (if needed).....	495.00

FIELD TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
ASTM D2950	Density of Asphalt Concrete by Nuclear Gage.....	\$ 130.00
CAL 375	Density and Relative Compaction of Asphalt Concrete.....	130.00
	Coring of AC in the Field (two staff plus coring machine).....	310.00

COLD IN-PLACE RECYCLING (CIR) FOAMED ASPHALT PROCESS:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM D 6926 (Modified)	Preparation of Asphalt Mixture Specimens using Marshall Apparatus.....	\$ 345.00

ASTM D6931	Indirect Tensile Strength (6 wet/dry specimens).....	285.00
	CIR Mix Design Submittal Review.....	365.00

FIELD TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
CAL 231	Relative Compaction of Foamed Reclaimed Asphalt Pavement by Nuclear Gage.....	\$ 130.00
CAL 216	Relative Compaction of Foamed Reclaimed Asphalt Pavement.....	130.00

ASPHALT CEMENT:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Each</u>
ASTM D1856/CAL 380	Recovery of Asphalt by Abson Method.....	\$ 655.00

BITUMINOUS/AGGREGATE SEAL COATS:

LABORATORY TESTING:

<u>Test No.</u>	<u>Description:</u>	<u>Cost/Each</u>
ASTM D5	Penetration Test of Bituminous Materials.....	\$ 160.00
ASTM D244	Testing Emulsified Asphalt (Saybolt Viscosity).....	410.00
ASTM D244	Percent Residue by Evaporation Method.....	330.00
ASTM D3910	Wet Track Abrasion.....	270.00
ASTM D244	Softening Point.....	440.00
ASTM D244	Demulsibility.....	440.00
CAL 332	Torsional Recovery.....	270.00

FIELD TESTING:

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
CAL 339	Determination of Distributor Spread Rate.....	\$ 130.00
	Slurry Seal / Micro-Surfacing Sampling.....	130.00

PIPE INSPECTION SERVICES (RCP/VCP): [PLANT / ON SITE]

<u>Test No.</u>	<u>Description</u>	<u>Cost/Hour</u>
ASTM C301	Bearing Test on Vitrified Clay Pipe (VCP).....	\$ 130.00
ASTM C301	Hydro Test (VCP).....	130.00
ASTM C361	Hydro Test on Reinforced Concrete Pipe (RCP).....	130.00
ASTM C497	D-Load Test (RCP).....	130.00
ASTM C497	Absorption Test (RCP).....	130.00
ASTM C76	Visual Inspection of Fabricated Pipe (RCP).....	130.00

GENERAL:

A range of field investigation services are offered to provide data regarding existing pavement or soil conditions. These include:

1. Existing pavement thickness determinations.
2. Diamond Core Drilling of Asphalt Pavements and Portland Cement Concrete.
3. Soil Sampling (see List of Testing Services).
4. Exploratory Borings and Logs.
5. Pavement Designs
6. Overlay Designs

A Truck-Mounted Central Mining Equipment (CME) 55 drilling rig is used for geotechnical drilling. 4" solid stem, 6" solid stem and 8" hollow stem augers are available as well as 3" O.D. Cal Modified Split Spoon Sampler.

FEES:

DRILLING / LOG OF BORING:

<u>Description</u>	<u>Cost/Hour</u>
CME 55 drill rig with HEO and 2 person crew.....	\$ 460.00
Supplies.....	Cost + 15% Markup
Engineer I/II.....	140.00
Associate Engineer.....	155.00
Senior Engineer.....	185.00
Laboratory Testing.....	Per Laboratory Fee Schedule

GEOTECHNICAL SERVICES

PAVEMENT EVALUATION:

<u>Description</u>	<u>Cost/Hour</u>
CME 55 drill rig with HEO Operator and 2 person crew.....	\$ 460.00
Pavement Deflection Testing (FWD/Dynaflect).....	Per Quote
Traffic control vehicle with flashing arrow sign & assorted traffic control devices, with one person crew.....	Per Quote
Engineer I/II.....	140.00
Associate Engineer.....	155.00
Senior Engineer.....	185.00

Minimum of three (3) person crew, consisting of an equipment operator and field technicians when testing within the public right-of-way. Additional flaggers may be required on a heavy traffic roadway.

CORING:

<u>Description</u>	<u>Cost/Hour</u>
Coring Equipment with 2 person crew (HMA or PCC).....	\$ 310.00
Traffic control vehicle with flashing arrow sign & assorted traffic control devices, with one person crew.....	Per Quote
Engineer I/II.....	140.00
Associate Engineer.....	155.00
Senior Engineer.....	185.00

MINIMUM:

A minimum of three (3) hours will be billed for drilling, pavement evaluation, and coring services.