

*County of Orange, Public Works  
Mark Thomas & Company, Inc.*

*MA-080-21010410*

**AMENDMENT NO. 2  
TO CONTRACT MA-080-21010410  
FOR  
ON-CALL ROAD AND BIKEWAY ENGINEERING SERVICES**

This Amendment is made and entered into as of the date fully executed by and between the County of Orange, a political subdivision of the State of California (“County”), and Mark Thomas & Company, Inc., (“A-E”), with County and A-E sometimes individually referred to as “Party” or collectively referred to as “Parties.”

**RECITALS**

**WHEREAS**, the County and A-E entered into Contract MA-080-21010410 for On-Call Road and Bikeway Engineering Services, effective November 17, 2020 through November 16, 2023, in an amount not-to-exceed \$750,000; and

**WHEREAS**, Pursuant to Amendment No. 1, the Parties amended the Contract to increase the total Contract amount by \$187,500 for a revised amount not-to-exceed \$937,500; and,

**WHEREAS**, the Parties now desire to renew the term of the Contract for two additional years, effective November 17, 2023 through November 16, 2025 with a maximum allowable compensation of \$1,200,000; and,

**WHEREAS**, the Parties now desire to amend Contract article 1.1.2 to update the listed Principal; and,

**WHEREAS**, the Parties now desire to amend the Contract Notices to reflect the contact information for the current listed Principle in Charge; and,

**WHEREAS**, the Parties now desire to amend the Contract Staffing Plan to update the Key Personnel and Subcontractors on file; and,

**WHEREAS**, the Parties now desire to amend the Contract Cost/Compensation to reflect the current Classification Rates; and,

**WHEREAS**, the Parties wish to add the Orange County Flood Control District (“District”) as a Party; and

**NOW, THEREFORE**, the Parties agree as follows:

**ARTICLES**

1. The Orange County Flood Control District shall be added as a Party to the Contract. A-E shall indemnify the District in the same manner as it does the County. A-E shall name District as an Additional Insured in the same manner County is under Section 3.1.4(C)(1)(a). A-E’s Worker’s Compensation policy shall contain a waiver of subrogation endorsement waiving all rights of subrogation against the District in the same manner as County under Section 3.1.4(C)(2). A-E’s insurance policies shall waive all rights of subrogation against District in the same manner as against County under Section 3.1.4(C)(3).

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2. The following shall be added to the Recitals:

**WHEREAS**, the District relies on County staff to carry out its duties pursuant to the Orange County Flood Control District Act, Water Code App. §§ 36-1 et seq., and County staff may request A-E to perform services under this Contract on behalf of District; and,

3. Article 1.4 shall be amended to include the following:

The term of this Contract is renewed for two (2) years effective November 17, 2023 through November 16, 2025 with a maximum allowable compensation of one million two hundred thousand (\$1,200,000) dollars; except as permitted in Paragraph 1.5 below.

4. Attachment B, Section II, Part B shall be amended to include the following:

**Renewal Contract Amount Shall Not Exceed:                    \$1,200,000**

5. Article 1.1.2 shall be amended to read as follows:

**1.1.2**            A-E has offered, and County has accepted, the professional services of Darin Johnson, PE and A-E shall assign him/her to the Projects/Services.

6. Article 6.14.3 shall be amended to read as follows:

All communications shall be addressed to the appropriate party at the address stated herein or such other address as the parties hereto may designate by written notice from time to time in the manner aforesaid.

For A-E:            Mark Thomas & Company, Inc.  
2121 Alton Parkway, Suite 210  
Irvine, CA 92606  
ATTN: Darin Johnson  
Phone: 805-701-9427  
E-mail: [djohnson@markthomas.com](mailto:djohnson@markthomas.com)

For COUNTY: OC Public Works, OC Infrastructure  
601 N. Ross Street  
Santa Ana, CA 92701  
ATTN: Ashley Penalver  
Phone: 714-647-3996  
E-mail: [Ashley.Penalver@ocpw.ocgov.com](mailto:Ashley.Penalver@ocpw.ocgov.com)

cc:                    OC Public Works Procurement Services  
601 N. Ross Street  
Santa Ana, CA 92701  
ATTN: Daisy Corona  
Phone: 714-667-9643  
E-mail: [Daisy.Corona@ocpw.ocgov.com](mailto:Daisy.Corona@ocpw.ocgov.com)

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7. A-E Key Personnel chart in Attachment C, Section 1 shall be amended to read as follows:

<b>Name</b>	<b>Classification/ Designation</b>	<b>Years of Experience</b>	<b>Years with Current Firm</b>	<b>Licenses/ Certifications (include license number)</b>
Darin Johnson, PE	Principal in Charge	39	5	CA PE C46405
Ravi Shah, PE	Contract Manager/Task Manager	16	8	CA PE C79183
Trisha Keith	Task Manager	24	4	CA PE C62490
Alan Su, PE	Task Manager	23	3	CA PE C66042
Aaron Silva, PE	Task Manager	16	16	CA PE C75938
Paul Martin, PE, TE	Task Manager	23	2	CA PE C65868 CA TE C2315

8. Subcontractors chart in Attachment C, Section 2 shall be amended to read as follows:

<b>Company Name &amp; Address</b>	<b>Contact Name and Telephone Number</b>	<b>Project Function</b>
<b>GMU</b> 23241 Arroyo Vista Rancho Santa Margarita, CA 92688	Ali Bastani, PhD, PE, GE 949-546-0019	Geotechnical
<b>ESA</b> 420 Exchange, Suite 260 Irvine, CA 92606	Ryan Todaro, PE 949-753-7001	Surveying
<b>CWE</b> 1561 E. Orangethorpe Ave, Suite 240, Fullerton, CA 92831	Jason Pereira, PE, CPSWQ, QSD, QISP 714-526-7500 x211	Water Quality/Drainage
<b>WGZE</b> 17011 Beach Blvd, Suite 1240 Huntington Beach, CA 92647	Bill Zimmerman, PE, TE, PTOE (714) 799-1700 x 100	Electrical/Traffic
<b>C Below</b> 14280 Euclid Avenue Chino, CA 91710	Nick Loera (888) 902-3569	Utility Potholing

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<b>Guida</b> 9241 Irvine Blvd, Suite 200 Irvine, CA 92618	Ralph Guida (949) 777-2026	Surveying
<b>Value Sustainability</b> 2 Bryce Canyon Aliso Viejo, CA 92656	Salem Afeworki, LEED GA, ENV SP (510) 701-7056	Sustainability
<b>Avila &amp; Associates</b> 712 Bancroft Road, #333 Walnut Creek, CA 94598	Cathy Avila, PE (925) 673-0549	Drainage/Hydraulics/ Hydrology
<b>Diaz Yourman &amp; Associates</b> 1616 East 17th Street Santa Ana, CA 92705	Clint Isa, PE (714) 245-2920	Geotechnical

9. Classification Rates charts in Attachment B, Section II, Subsection A shall be amended to read as follows:

<b>Mark Thomas &amp; Company, Inc.</b>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
<b>Engineering Services</b>	
Principal	\$355.00
Sr. Engineering Manager	\$292.00
Engineering Manager	\$280.00
Sr. Technical Lead	\$292.00
Sr. Project Manager	\$292.00
Project Manager	\$280.00
Sr. Project Engineer	\$245.00
Project Engineer	\$215.00
Civil Engineering Designer	\$192.00
Design Engineer II	\$180.00
Sr. Technician	\$180.00
Design Engineer I	\$150.00
Technician	\$130.00
Intern	\$85.00
<b>Urban Planning/Landscape Architecture Services</b>	
LAUD Division Manager	\$322.00
Sr. LAUD Project Manager	\$292.00
LAUD Project Manager	\$258.00
Sr. Landscape Architect	\$202.00
Landscape Architect	\$193.00
Landscape Designer II	\$155.00
Landscape Designer I	\$120.00
Landscape Intern	\$80.00
<b>Survey Services</b>	
Survey Division Manager	\$353.00
Survey Manager II	\$292.00

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Survey Manager I	\$255.00
Project Surveyor III	\$234.00
Project Surveyor II	\$219.00
Project Surveyor I	\$203.00
Asst. Surveyor III	\$182.00
Asst. Surveyor II	\$167.00
Asst. Surveyor I	\$151.00
Survey Specialist III	\$229.00
Survey Specialist II	\$187.00
Survey Specialist I	\$146.00
Lead Survey Technician	\$206.00
Survey Technician III	\$162.00
Survey Technician II	\$146.00
Survey Technician I	\$130.00
<b>Project Support/Coordination Services</b>	
Sr. Graphic Manager	\$219.00
Project Account Manager	\$219.00
Sr. Project Accountant	\$193.00
Sr. Graphic Designer	\$193.00
Sr. Project Coordinator	\$180.00
Graphic Designer	\$167.00
Project Accountant	\$154.00
Sr. Project Assistant	\$154.00
Project Coordinator	\$141.00
Project Assistant	\$103.00

<b>*C Below Inc.</b>	
<i>Utility Potholing</i>	
<b><u>Classification Titles</u></b>	<b><u>Hourly Rate</u></b>
Utility Locating Supervisor Tech	\$217.00
Utility Locating Supervisor Tech	\$164.00
Mapping Technician	\$258.00
Potholing Crew (2 Technicians)	\$626.00
Traffic Control Supervisor	\$217.00
Traffic Control Flagman	\$164.00
Asphalt Hot Raker, Laborer, Spreader	\$217.00
Asphalt Hot Patch Shoveler	\$164.00
CAD Tech Drafter	\$117.00
Project manager	\$112.00
Administration	\$112.00
Mobilization Single Tech	\$135.00
Mobilization Crew	\$229.00
Mobilization Potholing Crew	\$293.00

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<b>*CWE</b>	
<i>Water Quality and Drainage</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
<b>Engineer/Scientist</b>	
Principal	\$328.00
Senior Project Manager	\$292.00
Project Manager	\$280.00
Task Leader	\$246.00
Principal Engineer	\$240.00
Senior Engineer	\$226.00
Project Engineer	\$199.00
Staff Engineer	\$165.00
Assistant Engineer	\$131.00
Senior Environmental Scientist	\$203.00
Environmental Scientist	\$169.00
Environmental Analyst	\$125.00
<b>Construction Services</b>	
Construction Manager	\$262.00
Senior Construction Inspector	\$177.00
Construction Inspector	\$156.00
<b>Field Survey</b>	
Licensed Surveyor	\$215.00
Three (3) Person Survey Crew	\$303.00
Two (2) Person Survey Crew	\$244.00
<b>Support Services</b>	
GIS Specialist	\$161.00
Senior Engineering Technician	\$131.00
Engineering Technician	\$115.00
CADD Designer	\$134.00
Project Coordinator	\$120.00
Administrative Assistant	\$108.00

<b>*Environmental Science Associates, Inc.</b>	
<i>Surveying</i>	
Director III	\$263.00
Director II	\$222.00
Director I	\$191.00
Managing Associate III	\$208.00
Managing Associate I	\$152.00
Senior Associate III	\$162.00
Senior Associate III	\$162.00
Senior Associate II	\$139.00
Senior Associate I	\$123.00
Associate III	\$123.00

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Associate II	\$107.00
Associate I	\$87.00
Project Technician III	\$150.00
Project Technician II	\$111.00
Project Technician I	\$75.00

<b>*GMU</b> <i>Geotechnical</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Principal/Director	\$328.00
Associate Engineer or Geologist	\$292.00
Senior Engineer or Geologist	\$268.00
Project Engineer or Geologist	\$234.00
Senior Staff Engineer or Geologist	\$211.00
Staff Engineer or Geologist	\$181.00
CAD/GIS Design Engineer	\$140.00
Engineering Seismological Technician	\$181.00
Instrumental Engineer	\$181.00
Registered Special Inspector	\$170.00
Senior Engineering Technician	\$170.00
Staff Engineering Technician	\$158.00
Laboratory Testing	\$145.00

<b>*Guida</b> <i>Surveying</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Survey Principal	\$332.00
Survey Manager	\$262.00
Project Surveyor	\$211.00
Survey Analyst	\$186.00
Survey Technician	\$137.00
Survey Clerical	\$127.00
Licensed Party Chief	\$231.00
Certified Party Chief	\$229.00
Party Chief	\$221.00
Chairman	\$204.00
Apprentice (Avg)	\$140.00

<b>*Value Sustainability</b> <i>Sustainability</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Senior Project Manager	\$246.00
Project Manager	\$240.00
Sustainability Manager	\$222.00
Analyst/Engineer	\$164.00

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Project Coordinator	\$111.00
Admin.	\$88.00

<b>*WGZE</b> <i>Electrical and Traffic</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Principal	\$281.00
Registered Traffic Engineer	\$281.00
Senior Project Manager (Registered)	\$269.00
Project Manager (Registered)	\$246.00
Senior Project Engineer (Registered)	\$240.00
Project Engineer	\$199.00
Senior Associate Engineer	\$170.00
Senior Design Engineer	\$164.00
Design Engineer	\$152.00
CADD Manager/Senior Designer	\$140.00
MicroStation CADD/Technician	\$140.00
Administration/Office Support	\$111.00

<b>*Avila and Associates</b> <i>Drainage, Hydraulics and Hydrology</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Project Manager	\$220.00
Sr. Engineer	\$168.00
Associate Engineer	\$135.00
GIS Specialist	\$113.00
Assistant Civil Engineer	\$104.00
Junior Civil Engineer	\$92.00
Administrative	\$86.00
Student Assistant	\$67.00

<b>*Diaz, Yourman and Associates (DYA)</b> <i>Geotechnical</i>	
<u>Classification Titles</u>	<u>Hourly Rate</u>
Principal	\$350.00
Associate II	\$275.00
Associate I	\$259.00
Senior	\$235.00
Project II	\$190.00
Project I	\$156.00
Technician I	\$140.0
Staff II	\$136.00
Staff I	\$129.00
CADD/Word Processing	\$108.00
Prevailing Wage II	\$232.00
Prevailing Wage I	\$203.00



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10. All other terms and conditions of the Contract shall remain unchanged and with full force and effect.

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IN WITNESS WHEREOF, the PARTIES hereto have executed this Amendment on the dates opposite their respective signatures:

MARK THOMAS & COMPANY, INC.  
a California Corporation,

Date: 8/30/2023

By: Zach Siviglia, President  
Signature

Zach Siviglia, President  
Print Name & Title

*(If a corporation, the document must be signed by two corporate officers. The 1<sup>st</sup> must be either Chairman of the Board, President or any Vice President.)*

Date: 8/30/2023

By: [Signature]  
Signature

Matt Brogan, Secretary  
Print Name & Title

*(If a corporation, the 2nd signature must be either the Secretary, an Assistant Secretary, the Chief Financial Officer, or any Assistant Treasurer.)*

COUNTY OF ORANGE,  
a political subdivision of the State of California; and  
COUNTY OF ORANGE FLOOD CONTROL  
DISTRICT, a body corporate and politic

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

APPROVED AS TO FORM  
Office of the County Counsel  
Orange County, California

By: William Ninh  
Deputy

Print Name: william Ninh

Date: 8/30/2023