

**AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
WITH WILLDAN FOR BUILDING & SAFETY SERVICES**

1. PARTIES AND DATE.

This Amendment is made and entered into this 3rd day of August, 2009 by and between the CITY OF LOS ALAMITOS, a municipal corporation ("City") and Willdan, a Corporation with its principal place of business at 2401 Katella, Suite 450, Anaheim, California, 92806-6073 ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. RECITALS.

2.1 Agreement.

The City and Consultant entered into a Professional Services Agreement for building and safety services, including certain NPDES inspection services, on or about September 15, 2008 ("Agreement").

2.2 Amendment.

The Parties now wish to amend the Agreement to expand the Scope of Services to include the preparation of the City's 2009 NPDES Program Effectiveness Survey ("PEA"), and to increase Consultant's compensation accordingly.

3. TERMS.

3.1 General Scope of Services.

Section 3.1.1 of the Agreement is amended to add to the Services to be performed by Consultant those services described in Exhibit "A" attached hereto and incorporated herein by reference ("PEA Services").

3.2 Compensation.

Section 3.3.1 of the Agreement is amended to include the following additional provisions:

"Consultant shall receive compensation, including authorized reimbursements, for all PEA Services rendered under the Agreement at the rates set forth in Exhibit "A" attached hereto. Total compensation for the PEA Services shall not exceed Fifteen Thousand Dollars (\$14,980) without written approval of the City's Representative following approval by the City Council.

3.3 Additional Provisions.

From and after the effective date of this Amendment, wherever the term Agreement is used in the Agreement or any amendments, it shall mean the Agreement as amended by this Amendment. All initially capitalized terms used, but not otherwise defined herein, shall have the same meanings as given to them in the Agreement. Other than as expressly amended herein, the Agreement remains in full force and effect in accordance with its terms.

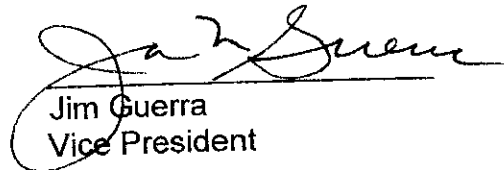
CITY OF LOS ALAMITOS

WILLDAN

By:

Jeffrey L. Stewart
City Manager

By:



Jim Guerra
Vice President

Attest:

By:

C. Darleen Cordova
Interim City Clerk

Approved as to Form:

By:

Dean Derleth, City Attorney

EXHIBIT A

PROPOSAL TO PREPARE THE 2008-2009 PROGRAM EFFECTIVENESS ASSESSMENT (PEA) FOR THE CITY OF LOS ALAMITOS

SCOPE OF SERVICES
July 27, 2009

BACKGROUND

The City of Los Alamitos operates municipal storm drain systems and discharges stormwater and urban runoff pursuant to National Pollutant Discharge Elimination System (NPDES) Permits.

The stormwater program was initiated in 1990 as a cooperative local government response to requirements stemming from the Clean Water Act regulations. The 1972 Federal Water Pollution Control Act, subsequently known as the Clean Water Act (CWA), established the National Pollutant Discharge Elimination System (NPDES) permitting program. As a result of court decisions and the overriding need to clarify stormwater permitting requirements, the CWA required the Environmental Protection Agency (EPA) to issue regulations to be effective by 1983 that included stormwater runoff from rainfall. Congress passed a Clean Water Act Amendment in 1987, the Water Quality Act, which brought stormwater discharges into the NPDES Program. EPA issued subsequent regulations on November 16, 1990.

In response to those regulations, the County of Orange (subsequently referred to as the Principal Permittee), the Orange County Flood Control District and the incorporated cities of Orange County (collectively referred to as Permittees) have obtained, renewed and complied with the NPDES Stormwater Permits from the Santa Ana and San Diego Regional Water Quality Control Boards (subsequently referred to as the Santa Ana Regional Board, the San Diego Regional Board or collectively as the Regional Boards). The Permits were first adopted in 1990 and subsequently renewed in 1996 (Second Term) and 2002 (Third Term). The Third Term Permits expired in 2007. The County of Orange is currently working on the proposed management program, the 2008 Drainage Area Management Plan (2008 DAMP), for the Fifth Term Permits.

The 2008 DAMP will establish a detailed foundation for the Permittees to develop their specific Local Implementation Plan (LIP) by establishing Model Programs and providing a measure of accountability for each of the major program areas. In developing their LIPs, the Permittees will modify the DAMP Model Programs as necessary to ensure that their local conditions were addressed and develop a plan for the implementation of the program within their jurisdiction.

The Program Effectiveness Assessment (PEA) serves as the foundation for the submittal of the Annual Progress Report that is submitted each year to the Regional Boards and serves as the basis for the evaluation of the Local Implementation Plans (LIPs).

The City of Los Alamitos' objective is to prepare the July 1, 2007 to June 30, 2008 PEA.

Willdan Engineering ("Willdan") has prepared the following proposed scope of work to achieve the City's objectives:

SCOPE OF WORK

JULY 1, 2008 TO JUNE 30, 2009 PEA

TASK 1 - RESEARCH AND DEVELOPMENT

- 1.1 City Records: Willdan will obtain available water quality records and reports from the City. Willdan will interview City staff regarding inspection and maintenance of City municipal facilities. (See assumptions below.)
- 1.2 Meetings: Willdan's project manager will be available to attend meetings with City staff as required. We assume no more than two (2) meetings will be required to complete this assignment.

TASK 2 - PROGRAM EFFECTIVENESS ASSESSMENT (PEA)

- 2.1 Compilation of Data: Willdan will work closely with City staff, including, but not limited to, their NPDES Stormwater coordinator, inspection staff, maintenance staff, and code enforcement officers. We will assemble the available data, including meeting attendance, risk assessment rankings, commercial and industrial inventory, inspections, violations, reports of illicit discharges, locally hosted events, policy changes, etc. that are made available by the City.
- 2.2 Document Preparation: Willdan will prepare the July 1, 2008 to June 30, 2009 PEA for the City of Los Alamitos based on the approved format established in the 2003 DAMP and used consecutively in each of the subsequent years. The document will be prepared in Microsoft Word® digital format. (See assumptions below.)

ASSUMPTIONS

1. City records are complete and will be made available to Willdan at the time of Notice to Proceed.

CITY OF LOS ALAMITOS PEA PROJECT DESIGN FEE

July 1, 2007 to June 30, 2008 PEA	Group Manager	Design Engineer II	Direct Cost	Total
	\$180	\$120		
Task 1 - Research and Development				
1.1 - City Records		40		\$4,800
1.2 - Meetings	1			\$180
Task 2 - Program Effectiveness Assessment (PEA)				
2.1 - Compilation of Data	1	40		\$4,980
2.2 - Document Preparation	2	38	\$100	\$5,020
Subtotal	\$720	\$14,160	\$100	\$14,980