

Attachment B

AMENDMENT NUMBER: ONE
TO
CONSULTANT/PROFESSIONAL SERVICES PROVIDER
AGREEMENT
BY AND BETWEEN
CITY OF VICTORVILLE
AND
NBS GOVERNMENT FINANCE GROUP
DBA NBS
FOR
SOLID WASTE RATE STUDY UPDATE,
PROJECT ESC22-121

THIS AMENDMENT (the “Amendment”) is made and entered into this ____ day of _____, 2023, by and between the City of Victorville, a municipal corporation, organized and existing in the County of San Bernardino under and by virtue of the laws of the State of California (hereinafter referred to as “City”), and **NBS Government Finance Group dba NBS, a California corporation**, hereinafter referred to as “Consultant”, City and Consultant are sometimes hereinafter referred to individually as a “Party” and collectively referred to as the “Parties”.

Recitals

1. **WHEREAS**, the City has a Consultant/Professional Services Provider Agreement (hereinafter referred to as the “Original Agreement”) with the Consultant to provide **Solid Waste Rate Study Update**; and
2. **WHEREAS**, it is the desire of the Parties to issue Amendment One (1) to the Original Agreement to amend Section 3., Compensation from a not to exceed sum of \$38,510.00 to \$51,670.00; revise Section 4., Cost Proposal to include additional services as set forth in the Consultant’s Proposal; and revise Section 6., Term of the Agreement, to exercise Option 1 of 2, additional one-year option periods, amending the term to commence July 1, 2023 and expire June 30, 2024; and
3. **NOW THEREFORE**, in consideration of the covenants, conditions, and promises contained herein and for such other good and valuable consideration, receipt of which is hereby acknowledged, the Parties are willing to amend the Original Agreement as stated below.

Contract Amendment

Section 3. – COMPENSATION – is amended as follows:

“The City shall pay to Consultant a sum not to exceed **Fifty-one Thousand Six Hundred Seventy and 00/100 dollars (\$51,670.00)** for faithful performance of the

services to be rendered under this Agreement, subject to the Cost Proposal provisions of Section 4, below.”

Section 4. – COST PROPOSAL – is amended as follows:

“The City shall pay Consultant for those additional services set forth in Consultant’s Proposal dated August 24, 2023, attached hereto as Exhibit B and hereby incorporated as part of this agreement by this reference.”

Section 6. – TERM OF AGREEMENT - is amended as follows:

“The City hereby amends the Term of Agreement to commence on July 1, 2023 (the “Commencement Date”) and expire on June 30, 2024 (the “Termination Date”).”

Except as amended herein, the terms and conditions of the Original Agreement and all previous amendments remain in full force and effect.

(SIGNATURES ON NEXT PAGE)

IN WITNESS WHEREOF, the parties hereto have caused the Amendment to the Original Agreement to be entered as of the dates written below.

PARTY OF THE FIRST PART

PARTY OF THE SECOND PART

THE CITY OF VICTORVILLE

**NBS GOVERNMENT FINANCE GROUP
DBA NBS**

By: _____
**Debra Jones,
Mayor**

By: _____
**Michael Renter,
President and CEO**

Dated: _____

Dated: _____

ATTEST

By: _____
**Jennifer Thompson,
City Clerk**

Dated: _____

THE CITY OF VICTORVILLE

APPROVED AS TO STANDARD FORM

By: _____
**Sandra Bostick,
Risk Manager**

By: _____
**Andre de Bortnowsky,
City Attorney**

Dated: _____

Dated: _____



32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

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July 5, 2023

Dana Armstrong
Environmental Programs Manager
City of Victorville
14343 Civic Drive
Victorville, CA 92393

Dear Ms. Armstrong:

For ESC22-121 (Solid Waste Rate Study), the City has requested that NBS prepare an additional analysis consisting of a technical memorandum (“white paper”) on street sweeping services as described below.

Task Description – The City would like NBS to review and evaluate alternatives for funding the City’s street sweeping program, including how other cities are funding similar programs, identifying the customers benefitting from street sweeping, and options for changing the street sweeping funding mechanism. For example, it could become part of the Solid Waste Utility or be spread over more than one utility. This analysis does not include providing a separate analysis of street sweeping rates on a per-customer basis.

Work Product – The work project for this task is a confidential “white paper” prepared for City staff review outlining the background, analysis, and recommendations. NBS will provide City staff with one (1) draft report, incorporate City comments on this draft, and then provide the City with a final report (all reports and documents will be provided electronically (Word, Excel, etc.)).

Budget Amendment – The budget for this additional task is a lump sum/fixed fee of \$5,000. The original P.O. for the solid waste rate study was \$38,510. With this amendment, the maximum budget will be \$43,510, as shown in the table on the next page. This task will be billed to the City upon completion.

Please let me know if you have any questions or would like to discuss this further. You can reach me at (916) 801-5496 or gclumpner@nbsgov.com.

Sincerely,

A handwritten signature in blue ink that reads "Greg Clumpner".

Greg Clumpner
Director



32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

nbsgov.com

August 24, 2023

Doug Mathews
Director of Public Works & Water
14343 Civic Drive
Victorville, CA 92392

Dear Mr. Mathews:

For the Solid Waste Cost of Service Study, the City requested that NBS prepare an additional analysis consisting of alternatives to the cost-of-service analysis and the rate design analysis.

Task Description – The City requested NBS to review and evaluate additional alternatives for the cost-of-service and rate design analysis, which included revisions to administration fees, organics program costs, and street sweeping costs in the solid waste rate model. Based on comments from the City Manager and Deputy City Manager, the City also requested NBS to prepare an updated reserves analysis for the ending solid waste reserve fund balances compared to the recommended minimum reserve targets and multiple revisions to the study report and presentation materials.

Work Product – The work project for this task is additional rate alternatives prepared for City staff which include outlining the background, analysis, and recommendations. Key assumptions, methodologies, and factors affecting the development of proposed rates were highlighted with charts and graphs. Additional meetings with City staff were required to accomplish the revisions to the solid waste rate model, the solid waste study report, and the PowerPoint presentation to City Council. NBS also prepared rate tables and bill comparisons for various customer classes to illustrate how the requested rate adjustments scenarios affected customer bills.

Budget Amendment – The budget for this additional task (Task 8) is an hourly not-to-exceed fee of \$8,160. While we do not yet have total hours to date, we estimate this additional budget covers about 80% of the additional hours needed for the out-of-scope work. The original P.O. for the solid waste rate study was \$38,510 and the amendment for the street sweeping services technical memorandum (Task 7, dated July 5, 2023) was \$5,000. With this amendment, the maximum budget will be \$51,670, as shown in the table on the next page. This task will be billed to the City upon completion. If you would like to discuss this further, you can reach me at (530) 297-5856 or gclumpner@nbsgov.com.

Sincerely,

A handwritten signature in blue ink that reads "Greg Clumpner".

Greg Clumpner
Director

Letter to Doug Mathews

August 24, 2023

Page 2

PROJECT BUDGET - Update Victorville Refuse Rate Study				
Rate Study Tasks	Consultant Labor (Hours)		Grand Totals	
	Project Manager (Clumpner)	Consultant (Taylor)	Consultant Labor (Hrs.)	Consultant Costs (\$)
Hourly Rate	\$255	\$180		
Refuse Rate Study Tasks				
Task 1 – Kickoff Meeting and Data Collection	6	14	20	\$4,050
Task 2 – Financial Plan & Revenue Req't. Analysis ¹	8	24	32	\$6,360
Task 3 – Update Cost-of-Service Analysis	8	24	32	\$6,360
– Incorporate SB 1383 Implementation Costs	8	16	24	\$4,920
Task 4 – Update of Existing Rate Structure	6	18	24	\$4,770
Task 5 – Prepare a Written Study Report ²	14	6	20	\$4,650
Task 6 – Meetings and Presentations/Workshops	20	10	30	\$6,900
Task Totals	70	112	182	\$38,010
Reimbursable Expenses				\$500
GRAND TOTAL NOT TO EXCEED	70	112	182	\$38,510
Task 7 – Street Sweeping Funding Analysis ³	n.a.	n.a.	n.a.	\$5,000
Task 8 – Alternative Rate Design Options	32	-	32	\$8,160
REVISED GRAND TOTAL NOT TO EXCEED⁴	102	112	214	\$51,670

1. These tasks assume City staff provides sufficient data that is accurate and provided on a timely basis.

2. A draft Study Report will be prepared and the final report will incorporate City Comments.

3. This task is a lump sum/fix fee, not to exceed. Greg Clumpner will provide this analysis.

4. This is an estimated "Not to Exceed" that assumes hours in each task do not exceed those shown above.