

1 FOURTH AMENDMENT TO AGREEMENT NO. 34379  
2 **34379**

3 THIS FOURTH AMENDMENT TO AGREEMENT NO. 34379 is made and  
4 entered, as of July 25, 2022, for reference purposes only, pursuant to a minute order  
5 adopted by the City Council of the City of Long Beach at its meeting on July 19, 2022, by  
6 and between CUMMING MANAGEMENT GROUP, INC. formerly known as CUMMING  
7 CONSTRUCTION MANAGEMENT, INC., a California corporation ("Consultant"), with a  
8 place of business at 523 West 6th Street, Suite 1001, Los Angeles, California 90014, and  
9 the CITY OF LONG BEACH, a municipal corporation ("City").

10 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
11 34379 (the "Agreement") whereby Consultant agreed to provide as-needed public works  
12 construction management and inspection services in an amount not to exceed Five  
13 Hundred Thousand Dollars (\$500,000) for a period of three (3) years with the option to  
14 extend for two (2) additional one-year periods, at the discretion of the City Manager; and

15 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
16 extend the term to August 31, 2020; and

17 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
18 to extend the term to August 31, 2021; and

19 WHEREAS, on August 3, 2021, the City Council authorized increasing the  
20 aggregate not to exceed amount and extended the term to August 31, 2022, for as-needed  
21 construction management and inspection services for all public works projects; and

22 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
23 to extend the term to August 31, 2022; and

24 WHEREAS, on July 19, 2022, the City Council authorized increasing the  
25 aggregate not to exceed amount and extended the term to August 31, 2023, for as-needed  
26 construction management and inspection services for all public works projects; and

27 WHEREAS, the Parties desire to extend the term one (1) additional one-year  
28 period and update the City Representative;

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

1 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
2 conditions herein contained, the Parties agree as follows:

3 1. Section 2 of the Agreement is hereby amended to read as follows:

4 "2. TERM. The term of this Agreement shall commence at midnight on  
5 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2023, unless sooner  
6 terminated as provided in this Agreement, or unless the services or the Project is  
7 completed sooner."

8 2. The City Representative in Exhibit "C" to the Agreement is hereby  
9 amended in accordance with Exhibit "C-1", attached hereto and incorporated by this  
10 reference.

11 3. Except as expressly amended herein, all terms and conditions in  
12 Agreement No. 34379 are ratified and confirmed and shall remain in full force and effect.

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1 IN WITNESS WHEREOF, the Parties have caused this document to be duly  
2 executed with all formalities required by law as of the date first stated above.

3 CUMMING MANAGEMENT GROUP, INC.  
4 formerly known as CUMMING  
5 CONSTRUCTION MANAGEMENT, INC.,  
6 a California corporation

7 August 9, 2022

8 By [Signature]  
9 Name Anthony L. Sanchez  
10 Title Executive Vice President

11 August 10, 2022

12 By [Signature]  
13 Name A. AJ Jajeh  
14 Title Chief Financial Officer

15 "Consultant"

16 CITY OF LONG BEACH, a municipal  
17 corporation

18 August 19, 2022

19 By [Signature]  
20 City Manager

21 "City" EXECUTED PURSUANT  
22 TO SECTION 301 OF  
23 THE CITY CHARTER

24 This Fourth Amendment to Agreement No. 34379 is approved as to form on

25 August 16, 2022.

26 CHARLES PARKIN, City Attorney

27 By [Signature]  
28 Deputy

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
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## **Exhibit C-1**

City's Representative:

Keith Hoey

Assistant City Engineer

[Keith.Hoey@LongBeach.Gov](mailto:Keith.Hoey@LongBeach.Gov)

562/570-6586