

FOURTH AMENDMENT TO AGREEMENT NO. 32015

**32015**

THIS FOURTH AMENDMENT TO AGREEMENT NO. 32015 is made and entered, in duplicate, as of December 17, 2014 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on December 16, 2014, by and between MOFFATT & NICHOL, a California corporation, with a place of business at 3780 Kilroy Airport Way, Suite 600, Long Beach, California 90806 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City requires specialized services requiring unique skills to be performed in connection with as-needed engineering consulting services; and

WHEREAS, the parties entered Agreement No. 32015 whereby Consultant agreed to provide these services; and

WHEREAS, the parties desire to extend the term and increase the Agreement amount by \$500,000 for a total not to exceed amount of \$2,800,000;

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

1. Section 1.A. of Agreement No. 32015 is hereby amended to read as follows:

"1. SCOPE OF WORK OR SERVICES.

A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed Two Million Eight Hundred Thousand Dollars (\$2,800,000), at the rates or charges shown in Exhibit "B".

2. Section 2 of Agreement No. 32015 is hereby amended to read as follows:

"2. TERM. The term of this Agreement shall commence at midnight on

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 September 15, 2010, and shall terminate at 11:59 p.m. on December 30, 2015, unless  
2 sooner terminated as provided in this Agreement, or unless the services or the Project is  
3 completed sooner."

4 3. Except as expressly modified herein, all of the terms and conditions  
5 contained in Agreement No. 32015 are ratified and confirmed and shall remain in full  
6 force and effect.

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

9 MOFFATT & NICHOL, a California  
10 corporation

11 JANUARY 9, 2015

By [Signature]  
12 Name JIM MCCUSKUS  
13 Title Vice President

14 January 12, 2015

By [Signature]  
15 Name MICHAEL J. MCCARTHY  
16 Title VICE PRESIDENT

17 "Consultant"

18 CITY OF LONG BEACH, a municipal  
19 corporation

20 February 3, 2015

By [Signature] EXECUTED PURSUANT  
21 TO SECTION 301 OF  
22 THE CITY CHARTER  
City Manager

23 "City" Assistant City Manager

24 This Fourth Amendment to Agreement No. 32015 is approved as to form on

25 1/26, 2013.<sup>15</sup>

26 CHARLES PARKIN, City Attorney

By [Signature]  
27 Deputy  
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