

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

1 THIRD AMENDMENT TO AGREEMENT NO. 33769

2 **33769**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 33769 is made and
4 entered, in duplicate, as of February 13, 2019 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on
6 January 15, 2019, by and between ENERGY EXPERTS INTERNATIONAL, a California
7 corporation ("Consultant"), with a place of business at 555 Twin Dolphin Drive, Suite 150,
8 Redwood City, California 94065, and the CITY OF LONG BEACH, a municipal corporation
9 ("City").

10 WHEREAS, City requires specialized services requiring unique skills to be
11 performed in connection with services related to natural gas distribution federal regulatory
12 compliance to update U.S. Department of Transportation required manuals and plans; and

13 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
14 33769 (the "Agreement") whereby Consultant agreed to provide these services; and

15 WHEREAS, the Parties entered into a First Amendment to the Agreement to
16 extend the term to February 15, 2018; and

17 WHEREAS, the Parties entered into a Second Amendment to the Agreement
18 to extend the term to February 15, 2019; and

19 WHEREAS, the Parties desire to extend the term one (1) additional one-year
20 period and add \$150,000;

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

23 1. Section 1.A. of the Agreement is hereby amended to read as follows:

24 "A. Consultant shall furnish specialized services generally described in
25 the RFP and more particularly described in Exhibit "A-2", attached to this Agreement and
26 incorporated by this reference, in accordance with the standards of the profession, and City
27 shall pay for these services in the manner described below, not to exceed Six Hundred
28 Ninety-Two Thousand Five Hundred Twenty-Six Dollars (\$692,526), at the rates or charges

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1 shown in Exhibit "B".

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

3 "2. TERM. The term of this Agreement shall commence at midnight on
4 February 16, 2015, and shall terminate at 11:59 p.m. on February 15, 2020, unless sooner
5 terminated as provided in this Agreement, or unless the services or the Project is
6 completed sooner."

7 3. Except as expressly modified herein, all of the terms and conditions
8 contained in Agreement No. 33769 are ratified and confirmed and shall remain in full force
9 and effect.

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

ENERGY EXPERTS INTERNATIONAL, a
California corporation

12 _____, 2019
13 *March 1*

By *Michael T. Watanabe*
Name MICHAEL T. WATANABE
Title PRESIDENT & CEO

14 _____, 2019
15 *March 5*

By *Tom Modica*
Name TOM MODICA
Title EXEC VP / COO

16 **Tom Modica**
17 **Assistant City Manager**

"Consultant"

18 **EXECUTED PURSUANT**
19 **TO SECTION 301 OF**
20 **THE CITY CHARTER**

CITY OF LONG BEACH, a municipal
corporation

21 _____, 2019
22 *March 25*

By *Tom Modica*
City Manager

"City"

23
24 This Third Amendment to Agreement No. 33769 is approved as to form on
25 _____, 2019.
26 *March 13*

CHARLES PARKIN, City Attorney

By *Charles Parkin*
Deputy