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

## SECOND AMENDMENT TO AGREEMENT NO. 33376

THIS SECOND AMENDMENT TO AGREEMENT NO. 33376 is made and entered, in duplicate, as of January 22, 2016, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on February 4, 2014, by and between ANDERSONPENNA PARTNERS, INC., a California corporation ("Consultant"), with a place of business at 3737 Birch St., Suite 250, Newport Beach, California 92660, and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, the parties entered Agreement No. 33376 whereby Consultant agreed to provide these services; and

WHEREAS, the parties desire to increase the Agreement amount by \$1,500,000 for a total not to exceed amount of \$3,700,000;

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. 33376 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 Three Million Seven Hundred Thousand Dollars (\$3,700,000), at the rates or charges shown in Exhibit "B". Consultant shall not mark-up or otherwise up-charge to City any direct charges, including but not limited to charges for subconsultant services. Any changes to the rates, charges or staff classifications shall be made only with the

prior approval of City."

 Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33376 are ratified and confirmed and shall remain in full force and effect.

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

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	ANDERSONPENNA PARTNERS, INC., a California corporation
, 2016	By Pin M. Penna Name LISA M. PENNA Title
February 2, 2016	By My lique h. Lucero Title CFO
	"Consultant"
	CITY OF LONG BEACH, a municipal corporation Assistant City Manager
Feb. 24, 2016	City Manager EXECUTED PURSUANT TO SECTION 301 OF
	"City" THE CITY CHARTER.
This Second Amendment to	Agreement No. 33376 is approved as to form
on <u>2 //ø</u> , 2016.	
	CHARLES PARKIN, City Attorney

Deputy