

1                                 THIRD AMENDMENT TO AGREEMENT NO. 32049

2   **32049**

3                         THIS THIRD AMENDMENT TO AGREEMENT NO. 32049 is made and  
4 entered, in duplicate, as of May 26, 2015, 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 May  
6 19, 2015, by and between NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL  
7 SCIENCES CONSULTANTS, a California corporation ("Consultant"), with a place of  
8 business at 475 Goddard, Suite 200, Irvine, California 92618, and the CITY OF LONG  
9 BEACH, a municipal corporation ("City").

10                         WHEREAS, City requires specialized services requiring unique skills to be  
11 performed in connection with As-Needed Certified Materials Testing and Inspection, and  
12 Construction Management Services; and

13                         WHEREAS, the parties entered Agreement No. 32049 whereby Consultant  
14 agreed to provide these Services; and

15                         WHEREAS, the parties desire to extend the term and increase the  
16 Agreement amount by \$250,000 for a total not to exceed amount of \$750,000;

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

19                         1.       Section 1.A. of Agreement No. 32049 is hereby amended to read as  
20 follows:

21                         "1.       SCOPE OF WORK OR SERVICES.

22                         A.       Consultant shall furnish specialized services more particularly  
23 described in Exhibit "A", attached to this Agreement and incorporated by this reference,  
24 in accordance with the standards of the profession, and City shall pay for these services  
25 in the manner described below, not to exceed Seven Hundred Fifty Thousand Dollars  
26 (\$750,000), at the rates or charges shown in Exhibit "B"."

27                         2.       Section 2 of Agreement No. 32049 is hereby amended to read as  
28 follows:

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

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1 "2. TERM. The term of this Agreement shall commence at midnight on  
2 January 31, 2011, and shall terminate at 11:59 p.m. on January 31, 2017, unless sooner  
3 terminated as provided in this Agreement, or unless the services or the Project is  
4 completed sooner."

5 3. Except as expressly modified herein, all of the terms and conditions  
6 contained in Agreement No. 32049 are ratified and confirmed and shall remain in full  
7 force and effect.

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

NINYO & MOORE GEOTECHNICAL &  
ENVIRONMENTAL SCIENCES  
CONSULTANTS, a California corporation

10  
11  
12 June 19, 2015

By [Signature]  
Name AJram Ninyo  
Title President

13  
14  
15 June 19, 2015

By [Signature]  
Name Elaine O. Antea  
Title Assistant Secretary

"Consultant"

CITY OF LONG BEACH, a municipal  
corporation Assistant City Manager

16  
17  
18  
19  
20 July 14, 2015

By [Signature]  
City Manager

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

"City"

21  
22 This Third Amendment to Agreement No. 32049 is approved as to form on  
23 6/23, 2015.

24  
25 CHARLES PARKIN, City Attorney  
26 By [Signature]  
27 Deputy  
28