

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

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FIRST AMENDMENT TO AGREEMENT NO. 36092

36092

THIS FIRST AMENDMENT TO AGREEMENT NO. 36092 is made and entered, in duplicate, as of April 11, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 6, 2021, by and between MOFFATT & NICHOL, a California corporation ("Consultant"), with a place of business at 4225 East Conant Street, Suite 101, Long Beach, California 90808, 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 professional engineering services ("Project"); and

WHEREAS, on July 6, 2021, the City Council adopted Specifications No. RFQ PW0-059 and awarded agreements for as-needed professional engineering services for a period of two (2) years, with the option to renew for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36092 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties desire to extend the term of the Agreement using the first one-year period option, and update the City's Representative in Exhibit C;

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

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

"2. TERM. The term of this Agreement shall commence at midnight on August 1, 2021, and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended for two (2) additional one-year periods, at the discretion of the City Manager."

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

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1 reference.

2 3. Except as expressly modified herein, all of the terms and conditions
3 contained in Agreement No. 36092 are ratified and confirmed and shall remain in full force
4 and effect.

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

7 MOFFATT & NICHOL, a California
8 corporation

9 April 27, 2023 By [Signature]
10 Name Omar A. Jaradat
11 Title vice President

12 May 1, 2023 By [Signature]
13 Name David Huckel
14 Title Secretary

"Consultant"

15 EXECUTED PURSUANT
16 TO SECTION 301 OF
17 THE CITY CHARTER.

18 May 19, 2023 By [Signature]
19 City Manager

CITY OF LONG BEACH, a municipal
corporation

"City"

20 This First Amendment to Agreement No. 36092 is approved as to form on
21 May 16, 2023.

22 DAWN MCINTOSH, City Attorney
23 By [Signature]
24 Deputy

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Exhibit C-1

City's Representative

Keith Hoey, Acting City Engineer
Keith.Hoey@longbeach.gov
562/570-6586