

FOURTH AMENDMENT TO AGREEMENT NO. 28619

28619

THIS FOURTH AMENDMENT TO AGREEMENT NO. 28619 is made and entered, in duplicate, as of May 1, 2007 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 10, 2007, by and between HERITAGE ARCHITECTURE AND PLANNING (formerly known as Architect Milford Wayne Donaldson, FAIA, Inc.), a California corporation ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Agreement No. 28619 whereby Consultant agreed to provide specialized architectural design services requiring unique skills to be performed in connection with the design of entryway and landscaping improvements, a Visitor's Center and caretaker residence at Rancho Los Cerritos Historic Site ("Project"); and

WHEREAS, the parties desire to again extend the term of the Agreement;

NOW, THEREFORE, in consideration of the mutual terms and conditions in the Agreement and this Fourth Amendment, the parties agree as follows:

1. Section 1 of Agreement No. 28619 is hereby amended in its entirety to read as follows:

"1. SCOPE OF SERVICES.

A. Consultant shall furnish specialized services more particularly set forth in Exhibit "A", to be attached hereto and incorporated herein by this reference, in accordance with the standards of the profession, and City shall pay for said services in the manner described below, not to exceed \$250,000.00, at the rates or charges described in Exhibit "A". "

2. Section 2 of Agreement No. 28619 is hereby amended in its entirety to read as follows:

"2. TERM. The term of this Agreement shall commence at midnight on April 30 , 2007, and shall terminate at 11:59 p.m. on June 30, 2009, unless sooner

1 terminated as provided in this Agreement, or unless the services to be performed
2 hereunder or the Project is completed sooner."

3 3. Except as set forth in this Fourth Amendment to Agreement No.
4 28619, all terms and conditions of the Agreement are ratified and confirmed and shall
5 remain in full force and effect.

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

8
9 HERITAGE ARCHITECTURE AND PLANNING
(formerly known as Architect Milford Wayne
10 Donaldson, FAIA, Inc.), a California corporation

11 MAY 17, 2007

By P. David Marshall

President

P. DAVID MARSHALL

(Type or Print Name)

12
13 05.17, 2007

By Eileen Grace C. Maeno

Secretary

EILEEN GRACE C. MAENO

(Type or Print Name)

14
15
16 "Consultant"

17 CITY OF LONG BEACH, a municipal corporation

18 June 11, 2007

By Christine J. Shipp

City Manager

ASSISTANT

19
20
21 "City"

**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.**

22 This Fourth Amendment to Agreement No. 28619 is approved as to form

23 May 30, 2007.

24
25 ROBERT E. SHANNON, City Attorney

26 By Deputy J. Anderson

Deputy