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

SIXTH AMENDMENT TO AGREEMENT NO. 34385

THIS SIXTH AMENDMENT TO AGREEMENT NO. 34385 is made and entered, in duplicate, as of June 19, 2019, 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 5, 2016, by and between PSOMAS, a California corporation ("Consultant"), with a place of business at 3 Hutton Centre Drive, Suite 200, Santa Ana, California 92707, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34385 (the "Agreement") whereby Consultant agreed to provide as-needed public works construction management and inspection services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$1,000,000 for a total not to exceed amount of \$2,000,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$1,000,000 for a total not to exceed amount of \$3,000,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$700,000 for a total not to exceed amount of \$3,700,000; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to add \$1,000,000 for a total not to exceed amount of \$4,700,000; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to add \$4,000,000 for a total not to exceed amount of \$8,700,000; and

WHEREAS, the Parties desire to add \$1,000,000 for a total not to exceed amount of \$9,700,000 and extend the term one (1) additional one year period;

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

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

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this

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- 2. 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 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2020, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended for one (1) additional one-year period, at the discretion of the City Manager."
- 3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34385 are ratified and confirmed and shall remain in full force and effect.

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1 IN WITNESS WHEREOF, the Parties have caused this document to be duly 2 executed with all formalities required by law as of the date first stated above. 3 PSOMAS, a California corporation 4 2019 By_ 5 Name Title 6 2019 By_ 7 Name Title 8 **Tom Modica** Assistant City Manager "Consultant" 9 **EXECUTED PURSUANT** 10 TO SECTION 301 OF CITY OF LONG BEACH, a municipal THE CITY CHARTER corporation 11 12 City Manager 13 "City" 14 This Sixth Amendment to Agreement No. 34385 is approved as to form on 15 2019. 16 17 CHARLES PARKIN, City Attorney 18 19 20 21 22 23 24 25 26 27 28

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