

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 34656

2 **34656**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34656 is made and
4 entered, in duplicate, as of June 7, 2023, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on June 6, 2023,
6 by and between KAMUS KELLER, INC., a California corporation ("Consultant"), with a
7 place of business at 1965 Yosemite Avenue #205, Simi Valley, California 93063, and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34656 (the "Agreement") whereby Consultant agreed to provide as needed urban planning
11 design services for a period of two (2) years with the option to renew for three (3) additional
12 one-year periods in an amount not to exceed Six Hundred Thousand Dollars (\$600,000);
13 and; and

14 WHEREAS, the Parties entered into a First Amendment to increase the
15 contract amount for a total not to exceed One Million Six Hundred Thousand Dollars
16 (\$1,600,000), and extend the term to June 30, 2020; and

17 WHEREAS, the Parties entered into a Second Amendment to extend the
18 term of the Agreement to June 30, 2021; and

19 WHEREAS, the Parties entered into a Third Amendment to extend the term
20 of the Agreement to June 30, 2022; and

21 WHEREAS, on June 21, 2022, City Council approved extending the
22 Agreement one (1) additional one-year period; and

23 WHEREAS, the Parties entered into a Fourth Amendment to extend the term
24 to June 30, 2023, update the City Representative, and attach an updated rate sheet; and

25 WHEREAS, on June 6, 2023, City Council approved to extend the term of
26 the Agreement by one (1) additional one-year period; and

27 WHEREAS, the Parties desire to extend the term of the Agreement using the
28 authorized one-year period;

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

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

4 "2. TERM. The term of this Agreement shall commence at midnight on
5 July 1, 2017, and shall terminate at 11:59 p.m. on June 30, 2024, unless sooner terminated
6 as provided in this Agreement, or unless the services or the Project is completed sooner."

7 2. Except as expressly modified herein, all of the terms and conditions
8 contained in Agreement No. 34656 are ratified and confirmed and shall remain in full force
9 and effect.

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

12 KAMUS KELLER, INC a California
13 corporation
14 June 13, 2023 By [Signature]
15 Name Kimberly Ryan
16 Title CEO
17 JUNE 13, 2023 By [Signature]
18 Name David Keller
19 Title CEO

EXECUTED PURSUANT
TO SECTION 301 OF
"Consultant" THE CITY CHARTER.

20 CITY OF LONG BEACH, a municipal
21 corporation
22 June 16, 2023 By [Signature]
23 City Manager

"City"

24 This Fifth Amendment to Agreement No. 34656 is approved as to form on
25 June 19, 2023.

26 DAWN MCINTOSH, City Attorney
27 By [Signature]
28 Deputy