

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FIFTH AMENDMENT TO AGREEMENT NO. 34646

34646

THIS FIFTH AMENDMENT TO AGREEMENT 34646 is made and entered, in duplicate, as of August 16, 2021, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 10, 2021, by and between BERRY, DUNN, MCNEIL & PARKER, LLC, a Maine limited liability company ("Consultant"), with a place of business at 100 Middle Street, Portland, Maine 04101, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34646 (the "Agreement") whereby Consultant agreed to provide quality assurance and risk mitigation services for the City's new Enterprise Resource Planning (ERP) system implementation; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to amend the scope of work; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to amend the scope of work; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to July 1, 2020; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to extend the term to July 1, 2021; and

WHEREAS, the Parties desire to add \$180,000 to the Agreement for a total not to exceed amount of \$674,495 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:

1. 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 reference, in accordance with the standards of the profession, and City shall pay for

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Loma Beach, CA 90802

1 these services in the manner described below, not to exceed Six Hundred Seventy-
2 Four Thousand Four Hundred Ninety-Five Dollars (\$674,495), at the rates or
3 charges shown in Exhibit "B"

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

5 "2. TERM. The term of this Agreement shall commence at midnight on
6 July 1, 2017, and shall terminate at 11:59 p.m. on July 1, 2022, unless sooner terminated
7 as provided in this Agreement, or unless the services or the Project is completed sooner."

8 3. Except as expressly modified herein, all of the terms and conditions
9 contained in Agreement No. 34646 are ratified and confirmed and shall remain in full force
10 and effect.

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

BERRY, DUNN, MCNEIL & PARKER, LLC,
a Maine limited liability company

Aug 20, 2021

By [Signature]
Name Seth Hedstrom
Title Principal

Aug 20, 2021

By [Signature]
Name Charles Snow
Title Principal

"Consultant"

CITY OF LONG BEACH, a municipal corporation

8/26/, 2021

By [Signature]
City Manager

"City" EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Fifth Amendment to Agreement No. 34646 is approved as to form on

August 25, 2021.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy