

1 FIFTH AMENDMENT TO CONTRACT NO. 34573

2 **34573**

3 This Amendment is made and entered into, in duplicate, as of July 14, 2020,  
4 for reference purposes only, pursuant to a minute order adopted by the City Council of the  
5 City of Long Beach at its meeting held on May 22, 2018, by and between DDR URBAN,  
6 LP, a Delaware limited liability company, with offices located at 95 South Pine Avenue,  
7 Long Beach, California 90802 (hereinafter referred to as "DDR") and the CITY OF LONG  
8 BEACH, a municipal corporation (hereinafter referred to as "City").

9 WHEREAS, the Long Beach Police Department (LBPD) provides public law  
10 enforcement services within the City of Long Beach which includes The Outlets at the Pike,  
11 commonly referred to as "The Pike" (the "Premises"); and

12 WHEREAS, DDR has requested the City to provide supplemental law  
13 enforcement services to the Premises over and above the law enforcement services  
14 provided to the public generally; and

15 WHEREAS, the parties entered Agreement No. 34573 ("Contract") whereby  
16 City agreed to provide these services; and

17 WHEREAS, the parties desire to extend the term of the Contract and update  
18 the schedule of rates charged by City for such services;

19 1. Section 2. of Agreement 34573 is hereby amended to read as follows:

20 "2. **TERM.** Unless sooner terminated as provided for herein, this  
21 Agreement shall be for a term of one (1) year commencing on July 1, 2020, and ending on  
22 June 30, 2021. The Agreement may be extended for additional one year terms as  
23 approved by the City."

24 2. The Rates or Charges in Exhibit "A" to the Agreement are hereby  
25 amended in accordance with Exhibit "A", attached hereto and incorporated by this  
26 reference.

27 3. Except as expressly modified herein, all of the terms and conditions  
28 contained in Agreement No. 34573 are ratified and confirmed and shall remain in full force

OFFICE OF THE CITY ATTORNEY  
Charles Parkin, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802-4664

1 and effect.

2 IN WITNESS WHEREOF, City and DDR have executed this Agreement  
3 through their duly authorized officers effective the date first set forth herein.

4  
5  
6 August 31, 2020

DDR URBAN, LP, a Delaware limited liability company

By [Signature]  
Name GARY JEZIORSKI  
Title DIRECTOR OF PROPERTY MANAGEMENT

7  
8  
9  
10  
11 September 14, 2020

"DDR"

CITY OF LONG BEACH, a municipal corporation

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

By [Signature]  
City Manager

"City"

12  
13  
14 The foregoing Amendment is approved as to form on Sept. 8  
15 2019

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT "A"

**LONG BEACH POLICE DEPARTMENT**

FY20-21 DDR Agreement

**EXHIBIT "A"**

Cost for July 1, 2020 - June 30, 2021

**DIRECT COSTS**

	Estimated Hours to be billed for 3 months	Average Hourly Overtime Rate	Estimated Monthly Cost	Total
<b>PERSONNEL OVERTIME - FY19</b>				
Police Sergeant (as-needed)		104.27		
Police Officer		80.28		
Police Corporal		92.76		
<b>Average Police Officer/Corporal</b>	104	\$ 80.39	\$2,787	\$8,360.18
<b>Totals</b>			\$2,787	\$8,360.18

	Estimated Hours to be billed for 9 months	Average Hourly Overtime Rate	Estimated Monthly Cost	Total
<b>PERSONNEL OVERTIME - FY20</b>				
Police Sergeant (as-needed)		109.46		
Police Officer		84.25		
Police Corporal		107.80		
<b>Average Police Officer/Corporal</b>	312	\$ 84.35	\$8,773	\$26,318.25
<b>Totals</b>			\$8,773	\$26,318.25

**TOTAL DIRECT COSTS** \$11,559      \$34,678

	Estimated Monthly Cost	Total
<b>INDIRECT COSTS</b>		
25% of Direct Costs	\$2,890	\$8,670
<b>Totals</b>	\$2,890	\$8,670

**TOTAL COSTS**

<b>Total Direct Costs</b>	\$34,678
<b>Total Indirect Costs @ 25%</b>	\$8,670
<b>Total Costs July 1, 2020 - June 30, 2021</b>	<u><u>\$43,348</u></u>

*Direct Costs will be billed based on actuals*