

1                                THIRD AMENDMENT TO AGREEMENT NO. 34181

2    **34181**

3                                THIS THIRD AMENDMENT TO AGREEMENT NO. 34181 is made and  
4 entered, in duplicate, as of October 9, 2020 for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 October 6, 2020, by and between KLEINFELDER, INC., a California corporation  
7 (“Consultant”), with a place of business at 550 West C Street, Suite 1200, San Diego,  
8 California 92101, and the CITY OF LONG BEACH, a municipal corporation (“City”).

9                                WHEREAS, City and Consultant (the “Parties”) entered into Agreement No.  
10 34181 (the “Agreement”) whereby Consultant agreed to provide as-needed professional  
11 engineering services; and

12                                WHEREAS, the Parties entered into a First Amendment to the Agreement to  
13 extend the term to December 31, 2019; and

14                                WHEREAS, the Parties entered into a Second Amendment to the Agreement  
15 to extend the term to December 31, 2020; and

16                                WHEREAS, the Parties desire to decrease the Agreement by \$1,000,000 for  
17 a total not to exceed amount of \$2,000,000 and extend the term one (1) additional one-  
18 year period;

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

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

22    “A.    Consultant shall furnish specialized services more particularly  
23 described in Exhibit “A”, attached to this Agreement and incorporated by this reference, in  
24 accordance with the standards of the profession, and City shall pay for these services in  
25 the manner described below, not to exceed Two Million Dollars (\$2,000,000), at the rates  
26 or charges shown in Exhibit “B”. ”

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

28    “2.    TERM. The term of this Agreement shall commence at midnight on

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

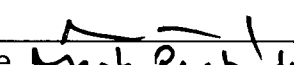
1 January 1, 2016, and shall terminate at 11:59 p.m. on December 31, 2021, unless sooner  
2 terminated as provided in this Agreement, or unless the services or the Project is  
3 completed sooner.”

4 3. Except as expressly modified herein, all of the terms and conditions  
5 contained in Agreement No. 34181 are ratified and confirmed and shall remain in full force  
6 and effect.

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

9 KLEINFELDER, INC., a California  
10 corporation

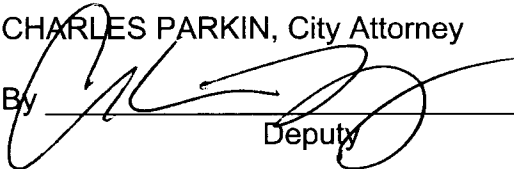
11 OCTOBER 21, 2020, 2020 By   
12 Name Dany Hamma  
13 Title Vice President

14 OCTOBER 21,, 2020 By   
15 Name Mark Peabody  
16 Title Resource Manager / Vice President  
17 “Consultant”

18 CITY OF LONG BEACH, a municipal  
19 corporation

20 November 11, 2020 By Linda J. Takem  
21 City Manager  
22 EXECUTED PURSUANT  
23 TO SECTION 301 OF  
24 THE CITY CHARTER  
25 “City”

26 This Third Amendment to Agreement No. 34181 is approved as to form on  
27 October 28, 2020.

28 CHARLES PARKIN, City Attorney  
By   
Deputy