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

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FIRST AMENDMENT TO AGREEMENT NO. 34379

34379

THIS FIRST AMENDMENT TO AGREEMENT NO. 34379 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 CUMMING CONSTRUCTION MANAGEMENT, INC., a California corporation ("Consultant"), with a place of business at 523 West 6th Street, Suite 1001, Los Angeles, California 90014, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34379 (the "Agreement") whereby Consultant agreed to provide as-needed public works construction management and inspection services; and

WHEREAS, the Parties desire to 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 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM</u>. 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."
- 2. Except as expressly amended herein, all terms and conditions in Agreement No. 34379 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 **CUMMING CONSTRUCTION** MANAGEMENT, INC., a California 4 corporation 5 2019 6 Title Executive Vice President 7 2019 $By_{\underline{}}$ 8 Name 9 Title Tom Modica Chief Operating Officer **Assistant City Manager** 10 "Consultant" **EXECUTED PURSUANT** 11 TO SECTION 301 OF CITY OF LONG BEACH, a municipal THE CITY CHARTER corporation 12 13 City Manager 14 "City" 15 This First Amendment to Agreement No. 34379 is approved as to form on 16 2019. 17 18 CHARLES PARKIN, City Attorney 19 20 Deputy 21 22 23 24 25 26 27 28

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