

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

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FOURTH AMENDMENT TO AGREEMENT NO. 35398
35398

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35398 is made and entered, in duplicate, as of May 17, 2023, 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 20, 2019, by and between STANTEC CONSULTING SERVICES INC., a New York corporation ("Consultant"), with a place of business at 370 Interlocken Boulevard, Suite 200, Broomfield, Colorado 80021, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35398 (the "Agreement") whereby Consultant agreed to provide as-needed, on-call consulting services for street design projects in an amount not to exceed One Million Dollars (\$1,000,000) for a period of three (3) years with the option to renew for two (2) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to reduce the amount by Five Hundred Thousand Dollars (\$500,000) for a total not to exceed amount of Five Hundred Thousand Dollars (\$500,000); and

WHEREAS, the Parties entered into a Second Amendment to add One Million Dollars (\$1,000,000) for a total not to exceed amount of One Million Five Hundred Thousand Dollars (\$1,500,000); and

WHEREAS, the Parties entered into a Third Amendment to extend the term to September 30, 2023, and update the City Representative; and

WHEREAS, the Parties desire to extend the term of the Agreement using the final one-year period option;

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

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1 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2024, unless sooner
2 terminated as provided in this Agreement, or unless the services or the Project is
3 completed sooner."

4 2. Except as expressly modified herein, all of the terms and conditions
5 contained in Agreement No. 35398 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 STANTEC CONSULTING SERVICES
10 INC., a New York corporation
11 _____ May 26, 2023 By Mohammad P. Heiat
12 Name Mohammad Heiat
13 Title Principal

14 _____ May 26, 2023 By David Elwell
15 Name David Elwell
16 Title Vice President

17 EXECUTED PURSUANT
18 TO SECTION 301 OF
19 THE CITY CHARTER.

"Consultant"

20 CITY OF LONG BEACH, a municipal
21 corporation
22 _____ July 13, 2023 By Sunda J. Taheri
23 City Manager

"City"

24 This Fourth Amendment to Agreement No. 35398 is approved as to form on
25 _____ June 20, 2023.

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