

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

FIFTH AMENDMENT TO AGREEMENT NO. 34661

34661

THIS FIFTH AMENDMENT TO AGREEMENT NO. 34661 is made and entered, in duplicate, as of June 7, 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 June 6, 2023, by and between RDC-S111, INC. dba STUDIO 111, a California corporation ("Consultant"), with a place of business at 245 East Third Street, Long Beach, California 90802, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34661 (the "Agreement") whereby Consultant agreed to provide as needed urban planning design services for a period of two (2) years with the option to renew for three (3) additional one-year periods in an amount not to exceed Six Hundred Thousand Dollars (\$600,000); and

WHEREAS, the Parties entered into a First Amendment to increase the contract amount for a total not to exceed Eight Hundred Thousand Dollars (\$800,000) and extend the term to June 30, 2020; and

WHEREAS, the Parties entered into a Second Amendment to extend the term of the Agreement to June 30, 2021; and

WHEREAS, the Parties entered into a Third Amendment to extend the term of the Agreement to June 30, 2022; and

WHEREAS, on June 21, 2022, City Council approved extending the Agreement's term by one (1) additional one-year period; and

WHEREAS, the Parties entered into a Fourth Amendment to extend the term to June 30, 2023, update the City Representative, and attach an updated rate sheet; and

WHEREAS, on June 6, 2023, City Council approved to extend the term of the Agreement by one (1) additional one-year period; and

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

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

- 3 1. Section 2 of the Agreement is hereby amended to read as follows:
- 4 "2. TERM. The term of this Agreement shall commence at midnight on
- 5 July 1, 2017, and shall terminate at 11:59 p.m. on June 30, 2024, unless sooner terminated
- 6 as provided in this Agreement, or unless the services or the Project is completed sooner."
- 7 2. Except as expressly modified herein, all of the terms and conditions
- 8 contained in Agreement No. 34661 are ratified and confirmed and shall remain in full force
- 9 and effect.

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

12 RDC-S111, INC. dba STUDIO 111, a
13 California corporation

14 June 8, 2023 By BW
15 Name Brian Williams
16 Title CEO

17 June 8, 2023 By Alan Pukman
18 Name ALAN PUKMAN
19 Title PARTNER

20 EXECUTED PURSUANT
21 "Consultant" TO SECTION 301 OF
22 THE CITY CHARTER.
23 CITY OF LONG BEACH, a municipal
24 corporation

25 June 16, 2023 By Sinda F. Jakem
26 City Manager

27 "City"
28 This Fifth Amendment to Agreement No. 34661 is approved as to form on

June 14, 2023

DAWN MCINTOSH, City Attorney

By Dawn McIntosh
Deputy