

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 33400

2 **33400**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 33400 is made and
4 entered, in duplicate, as of April 12, 2019, 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 December 18, 2018, by and between BAKER CREW CONSULTING, INC., a Wyoming
7 corporation, located at 109 E. 17th Street, Suite 4431, Cheyenne Wyoming 82001-4543
8 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, the City requires specialized services requiring unique skills
10 to be performed on an as-needed basis in connection with professional and technical
11 services for information technology projects and systems; and

12 WHEREAS, City and Consultant (the "Parties") entered into Agreement
13 No. 33400 (the "Agreement") whereby Consultant agreed to provide these services; and

14 WHEREAS, the Parties entered into a First Amendment to the Agreement
15 to increase the not to exceed amount to \$600,000; and

16 WHEREAS, the Parties entered into a Second Amendment to the
17 Agreement to increase the not to exceed amount to \$900,000 and extend the term to
18 January 22, 2017; and

19 WHEREAS, the Parties entered into a Third Amendment to the Agreement
20 to increase the not to exceed amount to \$1,000,000 and extend the term to January 22,
21 2018; and

22 WHEREAS, the Parties entered into a Fourth Amendment to the
23 Agreement to increase the not to exceed amount to \$1,500,000 and extend the term to
24 January 22, 2019; and

25 WHEREAS, the Parties desire to extend the term to May 22, 2019;

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

- 28 1. Section 2 of the Agreement is hereby amended to read as follows:

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

1 "2. TERM. The term of this Agreement shall commence on January
2 22, 2014, and shall terminate on May 22, 2019, unless sooner terminated as provided in
3 this Agreement, or unless the services or the Project is completed sooner."

4 2. Except as expressly modified herein, all of the terms and conditions
5 contained in Agreement No. 33400 are ratified and confirmed and shall remain in full
6 force and effect.

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

9 BAKER CREW CONSULTING, INC., a
10 Wyoming corporation

11 4/16, 2019

By [Signature]
Name Sandra Baker
Title President

12 4/16, 2019

By [Signature]
Name Byron E. Baker
Title VICE PRESIDENT

13 **Tom Modica**
14 **Assistant City Manager**

"Consultant"

15 **EXECUTED PURSUANT**
16 **TO SECTION 301 OF**
17 **THE CITY CHARTER**

CITY OF LONG BEACH, a municipal
corporation

18 May 7, 2019

By [Signature]
City Manager

"City"

20 This Fifth Amendment Agreement No. 33400 is approved as to form on

21 May 7, 2019.

22 CHARLES PARKIN, City Attorney

23 By [Signature]
24 Deputy

25
26
27
28