

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 34392

2 **34392**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34392 is made and  
4 entered, in duplicate, as of August 4, 2021, 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 August  
6 3, 2021, by and between WILLDAN ENGINEERING, a California corporation  
7 ("Consultant"), with a place of business at 13191 Crossroads Parkway North, Industry,  
8 California 91746, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
10 34392 (the "Agreement") whereby Consultant Agreed to provide as-needed public works  
11 construction management and inspection services; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
13 add \$600,000 for a total not to exceed amount of \$1,600,000; and

14 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
15 to add \$1,000,000 for a total not to exceed amount of \$2,600,000; and

16 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
17 to add \$1,000,000 for a total not to exceed amount of \$3,600,000 and extend the term to  
18 August 31, 2020; and

19 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement  
20 to add \$500,000 for a total not to exceed amount of \$4,100,000 and extend the term to  
21 August 31, 2021; and

22 WHEREAS, the Parties desire to add \$500,000 to the Agreement for a total  
23 not to exceed amount of \$4,600,000 and extend the term one (1) additional one-year  
24 period;

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

- 27 1. Section 1.A. of the Agreement is hereby amended to read as follows:  
28 "A. Consultant shall furnish specialized services more particularly

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1 described in Exhibit "A", attached to this Agreement and incorporated by this  
2 reference, in accordance with the standards of the profession, and City shall pay for  
3 these services in the manner described below, not to exceed Four Million Six  
4 Hundred Thousand Dollars (\$4,600,000), at the rates or charges shown in Exhibit  
5 "B".

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

7 "2. TERM. The term of this Agreement shall commence at midnight on  
8 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2022, unless sooner  
9 terminated as provided in this Agreement, or unless the services or the Project is  
10 completed sooner."

11 3. Except as expressly modified herein, all of the terms and conditions  
12 contained in Agreement No. 34392 are ratified and confirmed and shall remain in full force  
13 and effect.

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

WILLDAN ENGINEERING, a California corporation

\_\_\_\_\_, 2021

By [Signature]  
Name Vanessa Munoz  
Title President

\_\_\_\_\_, 2021

By [Signature]  
Name Kate Newgate  
Title Secretary

"Consultant"

CITY OF LONG BEACH, a municipal corporation

September 8, 2021

By [Signature]  
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Fifth Amendment to Agreement No. 34392 is approved as to form on

September 1, 2021.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

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