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

THIRD AMENDMENT TO AGREEMENT NO. 34178

THIS THIRD AMENDMENT TO AGREEMENT NO. 34178 is made and entered, in duplicate, as of August 23, 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 April 3, 2018, by and between MOFFATT & NICHOL, a California corporation ("Consultant"), with a place of business at 4225 E. Conant Street, Long Beach, California 90808, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34178 (the "Agreement") whereby Consultant agreed to provide as-needed professional engineering services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$2,000,000 for a total not to exceed amount of \$5,000,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$1,000,000 for a total not to exceed amount of \$6,000,000 and extend the term to December 31, 2019; and

WHEREAS, the Parties desire to add \$200,000 to the Agreement and 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 1.A of the Agreement is hereby amended to read as follows:
- "A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed Six Million Two Hundred Thousand Dollars (\$6,200,000), at the rates or charges shown in Exhibit "B"."
 - 2. Section 2 of the Agreement is hereby amended to read as follows:

OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Lonα Beach. CA 90802	1	"2. <u>TERM</u> . The term of this Agreement shall commence at midnight on
	2	January 1, 2016, and shall terminate at 11:59 p.m. on December 31, 2020, unless sooner
	3	terminated as provided in this Agreement, or unless the services or the Project is
	4	completed sooner."
	5	3. Except as expressly modified herein, all of the terms and conditions
	6	contained in Agreement No. 34178 are ratified and confirmed and shall remain in full force
	7	and effect.
	8	IN WITNESS WHEREOF, the Parties have caused this document to be duly
	9	executed with all formalities required by law as of the date first stated above.
	10	MOFFATT & NICHOL, a California
	11	corporation
	12	Name Shelly Angher
	13	Title Vicothesident
	14 15	Name Omer Jaradet
	16	Title Vice President
	17	"Consultant"
	18	CITY OF LONG BEACH, a municipal
	19	corporation
	20	October 25, 2019 By Kelleca A. Zarner Gity: Manages UANT
	21	TO SECTION 301 OF "City"
	22	This Third Amendment to Agreement No. 34178 is approved as to form on
	23	<u>October 18</u> , 2019.
	24	
	25	CHARLES PARKIN, City Attorney
	26	By Donuty
	27	Deputy O