

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

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SECOND AMENDMENT TO AGREEMENT NO. 33938

**33938**

THIS SECOND AMENDMENT TO AGREEMENT NO. 33938 is made and entered, in duplicate, as of November 29, 2018 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on November 20, 2018, by and between HDR ENGINEERING, INC., a Nebraska corporation ("Consultant"), with a place of business at 3230 El Camino Real, Suite 200, Irvine, California 92602, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33938 (the "Agreement") whereby Consultant agreed to provide design services for the final design bid documents, construction bidding and support for the Shoemaker Bridge replacement project; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to decrease the Agreement amount by \$739,654.27 for a total not to exceed amount of \$3,960,345.73 and attach a revised scope of work and a revised rate sheet; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add \$2,491,104.24 to the Agreement;

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 Four Hundred Fifty-One Thousand Four Hundred Forty-Nine Dollars and Ninety-Seven Cents (\$6,451,449.97), at the rates or charges shown in Exhibit "B"."

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

"2. TERM. The term of this Agreement shall commence at midnight on August 31, 2015, and shall terminate at 11:59 p.m. on August 30, 2019, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The Parties have the option to extend the term for one (1) additional one-year period."

3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33938 are ratified and confirmed and shall remain in full force and effect.

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.

HDR ENGINEERING, INC., a Nebraska corporation

12/13, 2018

By [Signature]  
Name Thomas T. Kim  
Title Sr. Vice President

\_\_\_\_\_, 2018

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

**Tom Modica**  
**Assistant City Manager**

"Consultant"

**EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER**

CITY OF LONG BEACH, a municipal corporation

12/21, 2018

By [Signature]  
City Manager

"City"

This Second Amendment to Agreement No. 33938 is approved as to form on 12/17, 2018.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy