

1 FOURTH AMENDMENT TO AGREEMENT NO. 35533

2 **35533**

3 THIS FOURTH AMENDMENT TO AGREEMENT NO. 35533 is made and
4 entered, in duplicate, as of February 28, 2023, 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 April
6 14, 2020, by and between SEVENTH STREET GARAGE, INC., a California corporation
7 ("Contractor"), with a place of business at 1615 E. Mauretania St., Wilmington, CA 90744,
8 and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Contractor (the "Parties") entered into Agreement no.
10 35533 (the "Agreement") whereby Contractor agreed to provide as-needed vehicle towing
11 ("Project"); and

12 WHEREAS, the parties entered into a First Amendment to revise the annual
13 amount of the Agreement; and

14 WHEREAS, the parties entered into a Second Amendment to decrease the
15 contract amount; and

16 WHEREAS, the parties entered into a Third Amendment to revise the
17 annual contract amount and extend the term for an additional one-year period; and

18 WHEREAS, the parties currently desire to enter into a Fourth Amendment
19 to revise the annual contract amount and extend the term for an additional one-year
20 period;

21 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
22 conditions herein contained, the parties agree as follows:

23 1. Section 1.A. of Agreement No. 35533 is hereby amended to read as
24 follows:

25 "A. Contractor shall furnish specialized services more particularly
26 described in Exhibit "A", attached to this Agreement and incorporated by this
27 reference, in accordance with the standards of the profession, and City shall pay
28 for these services in the manner described below at the rates or charges shown in

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

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1 Exhibit "B". Contractor is not entitled to any money under this Agreement unless
2 the City, in its sole discretion, requests Contractor to provide services pursuant to
3 this Agreement. For the term May 1, 2020 to April 30, 2021, the annual not to
4 exceed amount shall be \$70,225 with an annual ten percent (10%) contingency.
5 For the term May 1, 2021 to April 30, 2022, the annual not to exceed amount shall
6 be \$70,225 with an annual ten percent (10%) contingency. For the term May 1,
7 2022 to April 30, 2023, the annual not to exceed amount shall be \$65,000 with an
8 annual ten percent 10% contingency. For the term May 1, 2023 to April 30, 2024,
9 the annual amount shall be \$65,000 with an annual ten percent (10%)
10 contingency."

11 2. Section 2. of Agreement No. 35533 is hereby amended to read as
12 follows:

13 "2. TERM. The term of this Agreement shall commence at midnight on
14 May 1, 2020, and shall terminate at 11:59 p.m. on April 30, 2024, unless sooner
15 terminated as provided in this Agreement. City shall have the option to extend the term of
16 this Agreement for two (2) additional one-year periods, at the discretion of the City
17 Manager."

18 3. Except as expressly modified herein, all of the terms and conditions
19 contained in Agreement No. 35533 are ratified and confirmed and shall remain in full
20 force 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.

SEVENTH STREET GARAGE, INC., a California corporation

March 29, 2023, 2023

By [Signature]
Name Bary Beins
Title CEO

March 29, 2023, 2023

By [Signature]
Name Gary Beins
Title Secretary

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"Consultant"

CITY OF LONG BEACH, a municipal corporation

April 12, 2023

By [Signature]
City Manager

"City"

This Fourth Amendment to Agreement No. 35533 is approved as to form on

April 4th, 2023.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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