

1 THIRD AMENDMENT TO AGREEMENT NO. 35407

2 **35407**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 35407 is made and  
4 entered, in duplicate, as of August 5, 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 13, 2019, by and between CDM SMITH INC., a Massachusetts corporation ("Consultant"),  
7 with a place of business at 600 Wilshire Blvd., Suite 750, Los Angeles, California 90017,  
8 and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
10 35407 (the "Agreement") whereby Consultant agreed to provide on-call environmental  
11 program support; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
13 add \$25,000 for a total not to exceed amount of \$50,000; and

14 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
15 to add \$76,000 for a total not to exceed amount of \$126,000; and

16 WHEREAS, the Parties desire to add \$50,000 to the Agreement and extend  
17 the term one (1) additional one-year period;

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

20 1. Section 1.A. of the Agreement is hereby amended to read as follows:

21 "A. Consultant shall furnish specialized services more particularly  
22 described in Exhibit "A", attached to this Agreement and incorporated by this  
23 reference, in accordance with the standards of the profession, and City shall pay for  
24 these services in the manner described below, in an amount not to exceed One  
25 Hundred Seventy-Six Thousand Dollars (\$176,000), at the rates or charges shown  
26 in Exhibit "B"."

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

28 "2. TERM. The term of this Agreement shall commence at midnight on

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

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lana Beach, CA 90802-4864

1 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2022, unless sooner  
2 terminated as provided in this Agreement, or unless the services or the Project is  
3 completed sooner. The term may be extended for two (2) additional one-year periods at  
4 the discretion of the City Manager."

5 3. Except as expressly amended herein, all terms and conditions in  
6 Agreement No. 35407 are ratified and confirmed and shall remain in full force and effect.

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

9 CDM SMITH INC., a Massachusetts  
10 corporation

11 8/25, 2021

By David Jensen  
12 Name DAVID JENSEN  
13 Title SR. VICE PRESIDENT

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

By \_\_\_\_\_  
15 Name \_\_\_\_\_  
16 Title \_\_\_\_\_

"Consultant"

17 CITY OF LONG BEACH, a municipal  
18 corporation

19 September 8, 2021

By Linda J. Tatum  
20 City Manager

21 EXECUTED PURSUANT  
22 TO SECTION 301 OF  
23 THE CITY CHARTER

This Third Amendment to Agreement No. 35407 is approved as to form on

24 September 7, 2021.

25 CHARLES PARKIN, City Attorney

By [Signature]  
26 Deputy

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

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CDM SMITH INC., a Massachusetts corporation

\_\_\_\_\_ 8/25 \_\_\_\_\_, 2021

By David Jensen  
Name DAVID JENSEN  
Title SR. VICE PRESIDENT

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

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

"Consultant"

CITY OF LONG BEACH, a municipal corporation

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

By \_\_\_\_\_  
City Manager

"City"

21 This Third Amendment to Agreement No. 35407 is approved as to form on  
22 \_\_\_\_\_, 2021.

CHARLES PARKIN, City Attorney

By \_\_\_\_\_  
Deputy