

FIRST AMENDMENT TO AGREEMENT NO. 30627

30627

THIS FIRST AMENDMENT TO AGREEMENT NO. 30627 (this "Amendment") is made and entered, in duplicate, as of November 1, 2010, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on September 4, 2007, by and between SMITH EMERY LABORATORIES, INC., a California corporation ("Consultant") and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered into Agreement No. 30627 (the "Contract") whereby Consultant agreed to perform As-Needed Certified Materials Testing and Inspection, and Construction Management Services for Public Works Infrastructure and Facility Projects ("Project"); and

WHEREAS, the parties desire to extend the term of the Contract.

NOW, THEREFORE, in consideration of the mutual terms and conditions in the Contract, the parties agree as follows:

1. Section 2 of the Contract is hereby amended so that the term of the Contract shall expire at 11:59 p.m. on December 31, 2011, unless sooner terminated as provided in the Contract. Consultant rates or charges as shown on Exhibit "A" for the period ending December 31, 2010 shall not increase from the date hereof through December 31, 2011. City shall have the option to extend the Contract for one additional one-year period, subject to adjustment of Consultant rates for inflation, if any.

2. Except as expressly amended herein, all of the terms and conditions of the Contract are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

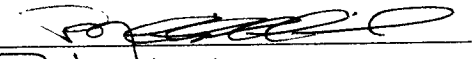
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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

"Consultant"


SMITH EMERY LABORATORIES, INC.,
a California corporation

By: 
Name: JAMES E. PARTRIDGE
Title: President / Civil Engineer

By: 
Name: P. Paul Lutz
Title: J.P./GM.

"City"

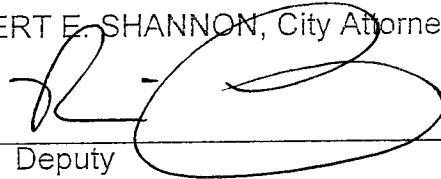
CITY OF LONG BEACH
Assistant City Manager

By: 
Name: Patrick H. West
Title: City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This First Amendment to Agreement No. 30627 is approved as to form on
November 10, 2010.

ROBERT E. SHANNON, City Attorney

By 
Deputy

A08-00479