

1 FIRST AMENDMENT TO AGREEMENT NO. 33344

2 **33344**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 33344 is made and
4 entered, in duplicate, as of March 9, 2015 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
6 December 9, 2014, by and between ARUP NORTH AMERICA LIMITED, a corporation
7 organized under the laws of the United Kingdom ("Consultant"), with a place of business
8 at 560 Mission Street, Suite 700, San Francisco, California 94105, and the CITY OF
9 LONG BEACH, a municipal corporation ("City").

10 WHEREAS, the parties entered into Agreement No. 33344 (the
11 "Agreement") whereby Consultant agreed to provide services in connection with the
12 design, construction and development of a new civic center located in downtown Long
13 Beach; and

14 WHEREAS, the parties desire to extend the term and increase the
15 Agreement amount by \$2,900,000;

16 NOW, THEREFORE, in consideration of the mutual terms and conditions in
17 the Agreement and in this First Amendment, the parties agree as follows:

18 1. Section 1.A. of Agreement No. 33344 is hereby amended to read as
19 follows:

20 "1. SCOPE OF WORK OR SERVICES.

21 A. Consultant shall furnish specialized services more particularly
22 described in (1) that certain Request for Proposals FM 13-062 relating to the new Long
23 Beach Civic Center (specifically Section 7 entitled "Project Specifications") (the "RFP");
24 and (2) that certain Proposal for Professional Services Related to the RFP for a New
25 Long Beach Civic Center ("Proposal") submitted by Consultant and attached hereto as
26 Exhibit "A", each of which are incorporated by this reference, in accordance with the
27 standards of the profession, and City shall pay for these services in the manner
28 described below, not to exceed Eight Hundred Eighty Thousand Four Hundred Thirty-

1 Eight Dollars (\$880,438), at the rates or charges shown in Exhibit "B", provided however,
2 that in no event shall City expend more than \$75,000 in connection with "Phase 1"
3 outreach and community engagement services, and Two Million Nine Hundred Thousand
4 Dollars (\$2,900,000) in connection with "Phase 3". To the extent that this Agreement,
5 RFP or the Proposal contradict one another, then in that instance this Agreement, the
6 RFP and the Proposal, in that order, shall control. Notwithstanding anything to the
7 contrary in the RFP or the Proposal, Consultant acknowledges and agrees that City
8 intends to prepare and issue a request for development proposals to the short-listed civic
9 center development teams no later than February 28, 2014, and all such final and interim
10 timelines contained in the RFP or the Proposal shall be amended accordingly."

11 2. Section 2 of Agreement No. 33344 is hereby amended to read as
12 follows:

13 "2. TERM. The term of this Agreement shall commence at midnight on
14 December 4, 2013, and shall terminate at 11:59 p.m. on June 3, 2020, unless sooner
15 terminated as provided in this Agreement, or unless the services or the Project is
16 completed sooner."

17 3. Except as expressly modified herein, all of the terms and conditions
18 contained in Agreement No. 33344 are ratified and confirmed and shall remain in full
19 force and effect.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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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.

ARUP NORTH AMERICA LIMITED, a corporation organized under the laws of the United Kingdom

_____, 2015

By 
Name IGNACIO BARANDIARAN
Title PRINCIPAL

_____, 2015

By 
Name AIDAN HUGHES
Title PRINCIPAL

"Consultant"

CITY OF LONG BEACH, a municipal corporation
Assistant City Manager

April 17, 2015


By 
City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This First Amendment to Agreement No. 33344 is approved as to form on

March 31, 2015.

CHARLES PARKIN, City Attorney

By 
Deputy