

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

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SIXTH AMENDMENT TO AGREEMENT NO. 34228

34228

THIS SIXTH AMENDMENT TO AGREEMENT NO. 34228 is made and entered, in duplicate, as of January 11, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 2, 2017, by and between OVERLAND, PACIFIC & CUTLER, LLC., a Delaware limited liability company ("Consultant"), with a place of business at 3750 Schaufele Avenue, Suite 150, Long Beach, California 90808, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed acquisition, relocation, property management and related services; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34228 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$350,000 for a total not to exceed amount of \$750,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$150,000 for a total not to exceed amount of \$900,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$20,000 for a total not to exceed amount of \$920,000; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to add \$400,000 for a total not to exceed amount of \$1,320,000; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to add \$800,000 for a total not to exceed amount of \$2,120,000; and

WHEREAS, the Parties desire to add \$260,000 for a total not to exceed amount of \$2,380,000 and extend the term one (1) additional one-year period;

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

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

2 “A. Consultant shall furnish specialized services more particularly described in
3 Exhibit “A”, attached to the Agreement and incorporated by this reference, in accordance
4 with the standards of the profession, and City shall pay for these services in the manner
5 described below, not to exceed Two Million Three Hundred Eighty Thousand Dollars
6 (\$2,380,000), at the rates or charges shown in Exhibit “B”.”

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

8 “2. TERM. The term of this Agreement shall commence at midnight on
9 February 1, 2016, and shall terminate at 11:59 p.m. on January 31, 2020, unless sooner
10 terminated as provided in this Agreement, or unless the services or the Project is
11 completed sooner.”

12 3. Except as expressly modified herein, all of the terms and conditions
13 contained in Agreement No. 34228 are ratified and confirmed and shall remain in full force
14 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.

OVERLAND, PACIFIC & CUTLER, LLC, a Delaware limited liability company

1/23, 2019

By [Signature]
Name Brian Everett
Title CEO

1/23, 2019

By [Signature]
Name PETER J. CARPENTER
Title REGORAL MANAGER

Tom Modica
Assistant City Manager

"Consultant"

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

CITY OF LONG BEACH, a municipal corporation

1/30/19, 2019

By [Signature]
City Manager

"City"

This Sixth Amendment to Agreement No. 34228 is approved as to form on

1/28, 2019.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy