

Robert E. Shannon
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333 West Ocean Boulevard
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SECOND AMENDMENT TO AGREEMENT NO. 28298

28298

THIS SECOND AMENDMENT TO AGREEMENT NO. 28298 is made and entered, in duplicate, as of November 3, 2005 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on November 1, 2005, by and between DMJM+HARRIS, INC., a California corporation (“Consultant”), and the CITY OF LONG BEACH, a municipal corporation (“City”).

WHEREAS, the parties entered Agreement No. 28298 whereby Consultant agreed to provide specialized services in connection with As-Needed Architectural & Engineering Design (“Project”); and

WHEREAS, the parties desire to extend the term of the Agreement;

NOW, THEREFORE, in consideration of the mutual terms and conditions in Agreement No. 28298 and herein, the parties agree as follows:

1. Section 1(A) of Agreement No. 28298 is hereby amended to read as follows:

“1. SCOPE OF WORK OR SERVICES. A. Consultant shall furnish specialized services more particularly set forth in Exhibit ‘A’, attached hereto and incorporated herein by this reference, in accordance with the standards of the profession, and City shall pay for said services an amount not to exceed \$1,350,000.00.”

2. Section 2 of Agreement No. 28298 is hereby amended in its entirety to read as follows:

“2. TERM. The initial term of this Agreement shall commence at midnight on March 25, 2003, and shall terminate at 11:59 p.m. on March 24, 2006. The extended term of this Agreement shall commence at midnight on March 25, 2006 and, unless sooner terminated as provided in this Agreement, or unless the services to be performed hereunder or the Project is completed sooner, shall terminate at 11:59 p.m. on March 24, 2007.”

3. Except as expressly amended herein, all terms and conditions in

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1 Agreement No. 28298 are ratified and confirmed and shall remain in full force and effect.

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

4 DMJM+HARRIS, INC., a California corporation

5 11/14, 2005 By [Signature]
SR Vice President

6 Bruce Toro
(Type or Print Name)

7 11/14, 2005 By [Signature]
Vice President + Secretary

8 Victor Martinez
(Type or Print Name)

9 "Consultant"

10 CITY OF LONG BEACH, a municipal corporation

11 11.28, 2005 By [Signature]
City Manager

12 "City"

13 This Second Amendment to Agreement No. 28298 is approved as to form
14 on 11/17, 2005.

15 ROBERT E. SHANNON, City Attorney
16 By [Signature]
17 Senior Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 County of Orange } ss.

On 11/14/05 before me, Claire F. Jodoin, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
 personally appeared Victor J. Martinez, Bruce R. Toro
Name(s) of Signer(s)

personally known to me
 proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me ~~that he/she~~ they executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
Claire F. Jodoin
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Second Amendment to Agreement No. 28298

Document Date: 11/31/05 Number of Pages: 2

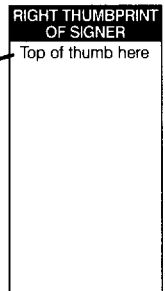
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Victor J. Martinez, Bruce R. Toro

- Individual
- Corporate Officer — Title(s): Vice President, Sr. Vice President
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: DMJM Harris

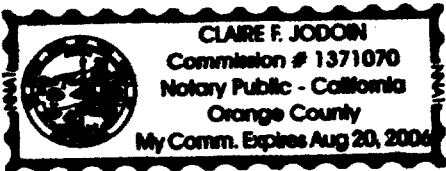


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- Other: _____

Signer Is Representing: DMJM Harris

