

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 FIRST AMENDMENT TO AGREEMENT NO. 28541

2 **28541**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 28541 is made and
4 entered, in duplicate, as of November 3, 2005 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 November 1, 2005, by and between KIMLEY-HORN AND ASSOCIATES, INC., a North
7 Carolina corporation ("Consultant"), and the CITY OF LONG BEACH, a municipal
8 corporation ("City").

9 WHEREAS, the parties entered Agreement No. 28541 whereby Consultant
10 agreed to provide specialized services in connection with As-Needed Airport Planning,
11 Engineering, and Architectural Consulting Services ("Project"); and

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

13 NOW, THEREFORE, in consideration of the mutual terms and conditions in
14 Agreement No. 28541 and herein, the parties agree as follows:

15 1. Section 1(A) of Agreement No. 28541 is hereby amended to read as
16 follows:

17 "1. SCOPE OF WORK OR SERVICES. A. Consultant shall furnish
18 specialized services more particularly set forth in Exhibit 'A', attached hereto and
19 incorporated herein by this reference, in accordance with the standards of the profession,
20 and City shall pay for said services in the manner described below, not to exceed
21 \$1,500,000.00, at the rates or charges described in Exhibit 'A'."

22 2. Section 2 of Agreement No. 28541 is hereby amended in its entirety
23 to read as follows:

24 "2. TERM. The initial term of this Agreement shall commence at midnight
25 on August 19, 2003, and shall terminate at 11:59 p.m. on August 18, 2006. The extended
26 term of this Agreement shall commence at midnight on August 19, 2006 and, unless
27 sooner terminated as provided in this Agreement, or unless the services to be performed
28 hereunder or the Project is completed sooner, shall terminate at 11:59 p.m. on August

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18, 2007.”

3. Except as expressly amended herein, all terms and conditions in Agreement No. 28541 are ratified and confirmed and shall remain in full force and effect.

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.

KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina corporation

NOVEMBER 21, 2005

By Bill Dvorak
Vice President
Bill Dvorak
(Type or Print Name)

November 22, 2005

By Serine Ciandella
Vice President Secretary
Serine Ciandella
(Type or Print Name)

“Consultant”

CITY OF LONG BEACH, a municipal corporation

12-12, 2005

By [Signature]
City Manager

“City”

This First Amendment to Agreement No. 28541 is approved as to form on

12/7, 2005.

ROBERT E. SHANNON, City Attorney

By [Signature]
Senior Deputy