

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

1 FIFTH AMENDMENT TO CONTRACT NO. 34730

2 **34730**

3 THIS FIFTH AMENDMENT TO CONTRACT NO. 34730 is entered into, in  
4 duplicate, effective as of January 21, 2020, for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on  
6 July 18, 2017, by and between PERFORMANCE EXCELLENCE PARTNERS, LLC, a  
7 Delaware limited liability company ("Contractor"), with offices located at 7911 Professional  
8 Circle, Huntington Beach, California 92648, and the CITY OF LONG BEACH, a municipal  
9 corporation ("City") and administering entity for Pacific Gateway Workforce Investment  
10 Network.

11 WHEREAS, City and Contractor (the "Parties") entered into Contract No.  
12 34730 (the "Contract") whereby Contractor agreed to provide various workforce  
13 development services to Pacific Gateway and its Board; and

14 WHEREAS, the Parties entered into a First Amendment to the Contract to  
15 add \$60,000 for a total not to exceed amount of \$250,000; and

16 WHEREAS, the Parties entered into a Second Amendment to the Contract  
17 to add \$160,000 for a total not to exceed amount of \$410,000; and

18 WHEREAS, the Parties entered into a Third Amendment to the Contract to  
19 add \$140,000 for a total not to exceed amount of \$550,000 and extend the term to June  
20 30, 2020; and

21 WHEREAS, the Parties entered into a Fourth Amendment to the Contract to  
22 add \$350,000 for a total not to exceed amount of \$900,000; and

23 WHEREAS, the Parties desire to add \$420,000 to the Contract;

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

26 1. Section 5.A of the Contract is hereby amended to read as follows:

27 "A. The total amount which shall be payable by City to Contractor  
28 for Contractor's allowable services during the Term shall not exceed One Million

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Three Hundred Twenty Thousand Dollars (\$1,320,000)."

2. Except as expressly amended herein, all terms and conditions in Contract No. 34730 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.

PERFORMANCE EXCELLENCE  
PARTNERS, LLC, a Delaware limited  
liability company

February 7, 2020

By Rachel E. Ramirez  
Name Rachel E. Ramirez  
Title President & CEO

\_\_\_\_\_, 2020

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

"Contractor"

CITY OF LONG BEACH, a municipal  
corporation

February 26, 2020

By Rebecca L. Garner  
City Manager

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER

This Fifth Amendment to Contract No. 34730 is approved as to form on  
2-18, 2020.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy