

1 FIFTH AMENDMENT TO AGREEMENT NO. 34655

2 **34655**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34655 is made and
4 entered, in duplicate, as of June 7, 2023, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on June 6, 2023,
6 by and between CITY FABRICK, a California nonprofit corporation ("Consultant"), with a
7 place of business at 425 East Fourth Street, Unit E, Long Beach, California 90802, and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34655 (the "Agreement") whereby Consultant agreed to provide as needed urban planning
11 design services for a period of two (2) years with the option to renew for three (3) additional
12 one-year periods in an amount not to exceed Six Hundred Thousand Dollars (\$600,000);
13 and; and

14 WHEREAS, the Parties entered into a First Amendment to increase the
15 contract amount for a total not to exceed Nine Hundred Thousand Dollars (\$900,000), and
16 extend the term to June 30, 2020; and

17 WHEREAS, the Parties entered into a Second Amendment to increase the
18 contract amount for a total not to exceed One Million Dollars (\$1,000,000), and extend the
19 term to June 30, 2021; and

20 WHEREAS, the Parties entered into a Third Amendment to extend the term
21 to June 30, 2022; and

22 WHEREAS, on June 21, 2022, City Council approved extending the term of
23 the Agreement by one (1) additional one-year period; and

24 WHEREAS, the Parties entered into a Fourth Amendment to extend the term
25 of the Agreement to June 30, 2023, update the City Representative, and attach an updated
26 rate sheet; and

27 WHEREAS, on June 6, 2023, City Council approved extending the
28 Agreement term by one (1) additional one-year period; and

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
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1 WHEREAS, the Parties desire to extend the term of the Agreement, and
2 attach an updated rates sheet;

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

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

6 "2. TERM. The term of this Agreement shall commence at midnight on
7 July 1, 2017, and shall terminate at 11:59 p.m. on June 30, 2024, unless sooner terminated
8 as provided in this Agreement, or unless the services or the Project is completed sooner."

9 2. The Rates contained in Exhibit "B-1" in the Fourth Amendment to the
10 Agreement are hereby amended and replaced by Exhibit "B-2", attached hereto and
11 incorporated herein.

12 3. Except as expressly modified herein, all of the terms and conditions
13 contained in Agreement No. 34655 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.

CITY FABRICK, a California nonprofit corporation

June 13, 2023

By [Signature]
Name Brian Ulaszewski
Title Executive Director, Principal

JUNE 12, 2023

By [Signature]
Name DARREN ROSENBERG
Title CHAIR - BOARD OF DIRECTORS

"Consultant"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

CITY OF LONG BEACH, a municipal corporation

June 16, 2023

By [Signature]
City Manager

"City"

This Fifth Amendment to Agreement No. 34655 is approved as to form on

June 14, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
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Exhibit "B-2"
Updated Rates

