

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOURTH AMENDMENT TO AGREEMENT NO. 34391

34391

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34391 is made and entered, as of July 25, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 19, 2022, by and between VANIR CONSTRUCTION MANAGEMENT, INC., a California corporation ("Consultant"), with a place of business at ^{4540 Duckhorn Drive #200, Sacramento} ~~3200 Park Center Drive, Suite 320, Costa Mesa,~~ ⁹⁵⁸³⁴ ~~92626~~, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34391 (the "Agreement") whereby Consultant agreed to provide as-needed public works construction management and inspection services in a not to exceed amount of One Million Dollars (\$1,000,000) for a period of three (3) years with the option to extend for two (2) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add Five Hundred Thousand Dollars (\$500,000) for a total not to exceed amount of One Million Five Hundred Thousand Dollars (\$1,500,000) and extend the term to August 31, 2020; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to August 31, 2021; and

WHEREAS, on August 3, 2021, the City Council authorized increasing the aggregate not to exceed amount and extended the term to August 31, 2022, for as-needed construction management and inspection services for all public works projects; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to August 31, 2022; and

WHEREAS, on July 19, 2022, the City Council authorized increasing the aggregate not to exceed amount and extended the term to August 31, 2023, for as-needed construction management and inspection services for all public works projects; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year

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

1 period and update the City Representative;

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

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

5 "2. TERM. The term of this Agreement shall commence at midnight on
6 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2023, unless sooner
7 terminated as provided in this Agreement, or unless the services or the Project is
8 completed sooner."

9 2. The City Representative in Exhibit "C" to the Agreement is hereby
10 amended in accordance with Exhibit "C-1", attached hereto and incorporated by this
11 reference.

12 3. Except as expressly modified herein, all of the terms and conditions
13 contained in Agreement No. 34391 are ratified and confirmed and shall remain in full force
14 and effect.

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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.

VANIR CONSTRUCTION MANAGEMENT, INC., a California corporation

August 11, 2022

By [Signature]
Name JAMES E. SMITH
Title President

August 11, 2022

By [Signature]
Name SAM LEE
Title Director of Finance

"Consultant"

CITY OF LONG BEACH, a municipal corporation

August 19, 2022

By [Signature]
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fourth Amendment to Agreement No. 34391 is approved as to form on

August 16, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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

Exhibit C-1

City's Representative:

Keith Hoey

Assistant City Engineer

Keith.Hoey@LongBeach.Gov

562/570-6586