

FIRST AMENDMENT TO AGREEMENT NO. 36047

36047

THIS FIRST AMENDMENT TO AGREEMENT NO. 36047 is made and entered, in duplicate, as of April 12, 2023, 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 6, 2021, by and between PUBLIC WORKS CONSULTING ENGINEERS, INC., a California corporation ("Consultant"), with a place of business at 422 South Bedford Drive, Beverly Hills, California 90212, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed professional engineering services ("Project"); and

WHEREAS, on July 6, 2021, the City Council adopted Specifications No. RFQ PW0-059 and awarded agreements for as-needed professional engineering services for a period of two (2) years, with the option to renew for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36047 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties desire to extend the term of the Agreement using the first one-year period option, update the rates sheet in Exhibit B, and update the City's Representative in Exhibit C;

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

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

"2. TERM. The term of this Agreement shall commence at midnight on August 1, 2021, and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended for two (2) additional one-year periods, at the discretion of the City Manager."

2. The Rates in Exhibit "B" to the Agreement are hereby amended in

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor.
Lana Beach, CA 90802-4664

1 accordance with Exhibit "B-1", attached hereto and incorporated by this reference.

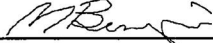
2 3. The City's Representative in Exhibit "C" to the Agreement is hereby
3 amended in accordance with Exhibit "C-1", attached hereto and incorporated by this
4 reference.

5 4. Except as expressly modified herein, all of the terms and conditions
6 contained in Agreement No. 36047 are ratified and confirmed and shall remain in full force
7 and effect.

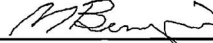
8 IN WITNESS WHEREOF, the parties have caused this document to be duly
9 executed with all formalities required by law as of the date first stated above.

10 PUBLIC WORKS CONSULTING
11 ENGINEERS, INC., a California corporation

12 4/25/23, 2023

By 
Name Khosrow (Mike) Benyamin
Title Principal

14 4/25/23, 2023

By 
Name Khosrow (Mike) Benyamin
Title Principal

"Consultant"

17 EXECUTED PURSUANT
18 TO SECTION 301 OF
19 THE CITY CHARTER.

CITY OF LONG BEACH, a municipal
corporation

20 May 19, 2023

By 
City Manager

"City"

22 This First Amendment to Agreement No. 36047 is approved as to form on
23 MAY 16, 2023.

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DAWN MCINTOSH, City Attorney

By 
Deputy

PUBLIC WORKS CONSULTING ENGINEERS, INC.

CORPORATE RESOLUTION NO. 23-01

WHEREAS, the PUBLIC WORKS CONSULTING ENGINEERS, INC (Corporation) is determined to grant signing and authority to certain person(s) described hereunder.

RESOLVED, that the Board of Directors is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse and deliver in the name of and on behalf of the corporation, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates and other instruments of whatever nature entered into by this Corporation.

Name: KHOSROW BENYAMIN

Position/Title: CEO/PRESIDENT

Telephone Number: 310 435 6161

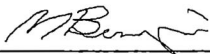
Email Address: mbenyamin@PWConsultingEng.com

Signature:

The undersigned certifies that he/she is the properly elected and qualified Secretary of the books, records and seal of Public Works Consulting Engineers, Inc, a corporation duly conformed pursuant to the laws of the state of California, and that said meeting was held in accordance with state law and with the Bylaws of the above-named corporation.

1. This resolution has been approved by the Board of Directors of PUBLIC WORKS CONSULTING ENGINEERS, INC (Company) on May 5, 2023.

I, as authorized by the Company, hereby certify and attest that all the information above is true and correct.



Secretary, Khosrow Benyamin

Exhibit B-1
Rate Sheet

Public Works Consulting Engineers, Inc.

422 S Bedford Dr.

Beverly Hills, CA 90212

Tel: (310)435-6161

Web: PWConsultingEng.com

Schedule of Rates for Services Sheet for City of Long Beach

As Needed Engineering

July 1, 2023 to August 31, 2024

Title	Rate/Hour
Grant Administrator	\$185.00

No Mileage.

Reimbursable items at cost.

Consultants and Sub Consultants billed at cost.

Rates may only be changed by mutual consent by contract amendment.

Overtime will be charged at \$185.00

Regards,



Mike Benyamin

Principal

Exhibit C-1
City's Representative

Keith Hoey, Acting City Engineer
Keith.Hoey@longbeach.gov
562/570-6586