## OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 33 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

## FIRST AMENDMENT TO AGREEMENT NO. 32024

THIS FIRST AMENDMENT TO AGREEMENT NO. 32024 is made and entered, in duplicate, as of December 8, 2011, for reference purposes only pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on January 4, 2011, by and between RJM DESIGN GROUP, INC., a California corporation, with a place of business at 31591 Camino Capistrano, San Juan Capistrano, California 92675 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, the parties entered Agreement No. 32024 whereby Consultant agreed to provide such services; and

WHEREAS, the parties desire to extend the term of the Agreement and add \$275,000 for a total not to exceed amount of \$450,000;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions in Agreement No. 32024 and herein, the parties agree as follows:

1. Section 1.A. of Agreement No. 32024 is hereby amended in its entirety to read as follows:

## "1. SCOPE OF WORK OR SERVICES.

- A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed Four Hundred Fifty Thousand Dollars (\$450,000), at the rates or charges shown in Exhibit "B"."
- 2. Section 2 of Agreement No. 32024 is hereby amended in its entirety to read as follows:
  - "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on

1	January 4, 2011, and shall terminate at 11:59 p.m. on January 3, 2013, unless
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2	sooner terminated as provided in this Agreement, or unless the services or the
3	Project is completed sooner."
4	3. Except as expressly modified herein, all of the terms and conditions
5	contained in Agreement No. 32024 are ratified and confirmed and shall remain in full
6	force and effect.
7	IN WITNESS WHEREOF, the parties have caused this document to be duly
8	executed with all formalities required by law as of the date first stated above.
9	RJM DESIGN GROUP, INC., a California
10	corporation
11	Dec. 29 , 2011 By 10-87
12	Robert Tombering
13	Dec. 29, 2011 By Wypel of Print Hame
14	Lavry P. Ryan
15	Type or Print Name
16	"Consultant"
17	CITY OF LONG BEACH, a municipal
18	corporation Assistant City Manager  EXECUTED PURSUANT
19	By TO SECTION 301 OF THE CHY CHARTER.  City Manager
20	
21	"City"  This First Amendment to Agreement No. 32024 is approved as to form on
22	
23	January 12, 2012
24	ROBERT E. SHANNON, City Attorney
25	By Cur Almos
26	Deputy
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