

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4864

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SECOND AMENDMENT TO AGREEMENT NO. 35615
35615

THIS SECOND AMENDMENT TO AGREEMENT NO. 35615 is made and entered, as of June 21, 2023, for reference purposes only, pursuant to minute orders adopted by the City Council of the City of Long Beach at its meetings on July 7, 2020 and July 12, 2022, by and between NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS, a California corporation ("Consultant"), with a place of business at 475 Goddard, Suite 200, Irvine, California 92618, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35615 (the "Agreement") whereby Consultant agreed to provide as-needed construction materials testing and inspection services for various development projects at the Long Beach Airport; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$407,259 for a total not to exceed amount of \$1,407,259, extend the term to August 9, 2023, and attach an updated rate sheet; and

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

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 10, 2020, and shall terminate at 11:59 p.m. on August 9, 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 one (1) additional one-year period, at the discretion of the City Manager."
2. Except as expressly amended herein, all terms and conditions in Agreement No. 35615 are ratified and confirmed and shall remain in full force 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.

NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS, a California corporation

June 22, 2023

By *Avram Ninyo*
Name Avram Ninyo
Title President

June 22, 2023

By *Elaine O. Autus*
Name Elaine O. Autus
Title Assistant Secretary

"Consultant"

CITY OF LONG BEACH, a municipal corporation

June 29, 2023

By *Shonda F. Jackson*
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Second Amendment to Agreement No. 35615 is approved as to form on

6.27, 2023.

DAWN MCINTOSH, City Attorney

By *[Signature]*
Principal Deputy

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