## OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Lonα Beach. CA 90802-4664

## THIRD AMENDMENT TO CONTRACT NO. 34730

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THIS THIRD AMENDMENT TO CONTRACT NO. 34730 is entered into, in duplicate, effective as of March 7, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on July 18, 2017, by and between PERFORMANCE EXCELLENCE PARTNERS, LLC, a Delaware limited liability company ("Contractor"), with offices located at 7911 Professional Circle, Huntington Beach, California 92648, and the CITY OF LONG BEACH, a municipal corporation ("City") and administering entity for Pacific Gateway Workforce Investment Network.

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 34730 (the "Contract") whereby Contractor agreed to provide various workforce development services to Pacific Gateway and its Board; and

WHEREAS, the Parties entered into a First Amendment to the Contract to add \$60,000 for a total not to exceed amount of \$250,000; and

WHEREAS, the Parties entered into a Second Amendment to the Contract to add \$160,000 for a total not to exceed amount of \$410,000; and

WHEREAS, the Parties desire to add \$140,000 for a total not to exceed amount of \$550,000 and 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.A. of the Contract is hereby amended to read as follows:

"A. The term of this Contract ("Term") shall be deemed to have commenced as of July 1, 2017, and unless sooner terminated pursuant to the provisions hereof, shall terminate on June 30, 2020. Either of the parties hereto shall have the right to terminate this Contract in its entirety at any time during the Term for any or no reason whatsoever by giving fifteen (15) days prior written notice of termination to the other party. City shall have the additional right to cancel any part of this Contract at any time during the

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Term for any reason whatsoever by giving fifteen (15) days' notice of such cancellation to the Contractor." Section 5.A of the Contract is hereby amended to read as follows: "A. The total amount which shall be payable by City to Contractor for Contractor's allowable services during the Term shall not exceed Five Hundred Fifty Thousand Dollars (\$550,000)." 3. Except as expressly amended herein, all terms and conditions in Contract No. 34730 are ratified and confirmed and shall remain in full force and effect. 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. PERFORMANCE EXCELLENCE PARTNERS, LLC, a Delaware limited liability company March 12 2019 Βv Name Title March 2019 By Name Title **Tom Modica** Assistant City Manager "Contractor" **EXECUTED PURSUANT** TO SECTION 301 OF CITY OF LONG BEACH, a municipal THE CITY CHARTER corporation City Manager

"City"

This Third Amendment to Contract No. 34730 is approved as to form on 3-2, 2019.

CHARLES PARKIN, City Attorney

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