

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

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THIRD AMENDMENT TO AGREEMENT NO. 33846

33846

THIS THIRD AMENDMENT TO AGREEMENT NO. 33846 is made and entered, in duplicate, as of April 22, 2020 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 21, 2020, by and between ITERIS, INC., a Delaware corporation ("Consultant"), with a place of business at 1700 Carnegie Avenue, Suite 100, Santa Ana, California 92705, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33846 (the "Agreement") whereby Consultant agreed to provide as-needed traffic engineering, transportation planning and related technical and professional services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to May 31, 2019; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to increase the amount by \$100,000 for a total not to exceed amount of \$700,000 and extend the term to May 31, 2020; and

WHEREAS, the Parties desire to add \$400,000 to the Agreement for a total not to exceed amount of \$1,100,000 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 1.A. of the Agreement is hereby amended to read as follows:

"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 One Million One Hundred Thousand Dollars (\$1,100,000), at the rates or charges shown in Exhibit "B"."

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

"2. TERM. The term of this Agreement shall commence at midnight on June 1, 2015, and shall terminate at 11:59 p.m. on May 31, 2021, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33846 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.

ITERIS, INC., a Delaware corporation

By Douglas Groves
Douglas Groves, CFO

By Ramin Massoumi
Ramin Massoumi, Sr. Vice President & GM

"Consultant"

CITY OF LONG BEACH, a municipal corporation

By Rebecca A. Garner
City Manager

May 11, 2020

"City" EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Third Amendment to Agreement No. 33846 is approved as to form on

May 7, 2020.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy