35552

THIS FIRST AMENDMENT TO AGREEMENT NO. 35552 is made and entered as of April 19, 2022 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 5, 2020, by and between IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC, an Arizona limited liability company ("Consultant"), with a place of business at 8380 S. Kyrene Road, Suite 101, Tempe, Arizona 85284, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35552 (the "Agreement") whereby Consultant agreed to provide engineering consulting services for updating the City of Long Beach Pavement Management Program in an amount not to exceed Five Hundred and Seventy-Four Thousand Eight Hundred and Seventy-Nine Dollars ($574,879); and

WHEREAS, the Agreement term commenced at midnight on May 30, 2020, and shall terminate at 11:59 p.m. on May 29, 2022, unless sooner terminated as provided in the Agreement, or unless the services or the Project is completed sooner. The term may be extended for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, the City Manager desires to exercise his discretion and extend the Agreement term for 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 May 30, 2020, and shall terminate at 11:59 p.m. on May 29, 2023, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The Parties have the option to extend the term for two (2) additional

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one-year periods."

2.   Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35552 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.

IMS INFRASTRUCTURE MANAGEMENT SERVICES, LLC, an Arizona limited liability company

April 21, 2022 , 2022   By _____
Name Derek Turner
Title Executive Chairman

April 21, 2022 , 2022   By _____
Name Amy Blinson
Title Secretary

"Consultant"

CITY OF LONG BEACH, a municipal corporation

April 25 , 2022   By _____
City Manager
EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

"City"

This First Amendment to Agreement No. 35552 is approved as to form on April 21 , 2022.

CHARLES PARKIN, City Attorney

By _____
Deputy

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