## OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

## THIRD AMENDMENT TO AGREEMENT NO. 35240

THIS THIRD AMENDMENT TO AGREEMENT NO. 35240 is made and entered, in duplicate, as of February 7, 2023, for reference purposes only, pursuant to minute orders adopted by the City Council of the City of Long Beach at its meetings on March 5, 2019 and November 17, 2020, by and between TERRY A. HAYES ASSOCIATES INC., a California corporation ("Consultant"), with a place of business at 3535 Hayden Avenue, Suite 350, Culver City, California 90232, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35240 (the "Agreement") whereby Consultant agreed to provide on-call environmental, planning, affordable housing, and community engagement consultant services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to March 5, 2022; and

WHEREAS, the Parties entered into a Second Amendment to extend the term to March 5, 2023; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add \$85,000 to the Agreement for a total not to exceed amount of \$210,000;

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 Two Hundred Ten Thousand Dollars (\$210,000), at the rates or charges shown in Exhibit "B".
  - 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

March 6, 2019, and shall terminate at 11:59 p.m. on March 5, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

 Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35240 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.

	California corporation
February 15, 2023	Name Terry A. Hayes Title Chief Executive Officer
February 15 , 2023	Name Terry A. Haves Title Chief Executive Officer
EXECUTED PURSUANT	"Consultant"
TO SECTION 301 OF THE CITY CHARTER.	CITY OF LONG BEACH, a municipal corporation
March 10, 2023	By Binda J. Jahrm City Manager
	"City"
This Third Amendment to Agreement No. 35240 is approved as to form or	

DAWN,MCINTOSH, City Attorney

Deputy 0

February 26