OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 111 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

FIFTH AMENDMENT TO AGREEMENT NO. 35225

THIS FIFTH AMENDMENT TO AGREEMENT NO. 35225 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 MICHAEL BAKER INTERNATIONAL, INC., a Pennsylvania corporation ("Consultant"), with a place of business at 5 Hutton Centre Drive, Suite 500, Santa Ana, California 92707, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35225 (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 add \$360,000 for a total not to exceed amount of \$485,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$555,000 for a total not to exceed amount of \$1,040,000 and extend the term to March 5, 2022; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$300,000 for a total not to exceed amount of \$1,340,000; and

WHEREAS, the Parties entered into a Fourth Amendment to add \$500,000 to the Agreement for a total not to exceed amount of \$1,840,000 and extend the term to March 5, 2023; and

WHEREAS, the Parties desire to add \$350,000 to the Agreement for a total not to exceed amount of \$2,190,000 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:

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"A.	. Consultant shall furnish specialized services more particularly
described in Ex	chibit "A", attached to this Agreement and incorporated by this
reference, in acc	cordance with the standards of the profession, and City shall pay for
these services	in the manner described below, not to exceed Two Million One
Hundred Ninety	Thousand Dollars (\$2,190,000), at the rates or charges shown in
Exhibit "B"."	

- 2. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM.</u> 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. 35225 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 1 executed with all formalities required by law as of the date first stated above. 2 3 MICHAEL BAKER INTERNATIONAL, INC., a Pennsylvania corporation 4 March 5 2023 6 7 2023 By_ 8 Name Title 9 "Consultant" 10 CITY OF LONG BEACH, a municipal 11 corporation OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664 12 13 City Manager 14 "City" 15 This Fifth Amendment to Agreement No. 35225 is approved as to form on March 16 16 2023. 17 DAWN MCINTOSH, City Attorney 18 19 20 21 22 STATE OF ARIZONA COUNTY OF MARIGOPA day of Mor MCh. 20 13 cetore me 23 personally appeared whose identity was proved to see an the basis of satisfactory evidence to on the parton whose name is subscribed to this 24 document, and who acknowledged that he/she signed the IMAN DARAJI 25 abovolattached decument Notary Public - State of Arizona MARICOPA COUNTY Commission # 643022 Expires January 23, 2027 26 27 28

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