

SECOND AMENDMENT TO AGREEMENT NO. 34198

34198

THIS SECOND AMENDMENT TO AGREEMENT NO. 34198 is made and entered, in duplicate, as of December 4, 2017 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on October 20, 2015, by and between ETA ADVERTISING, INC., a California corporation ("Consultant"), with a place of business at 444 West Ocean Boulevard, Suite 150, Long Beach, California 90802, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City requires specialized services requiring unique skills to be performed in connection with as-needed graphic design and creative services; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34198 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to increase Agreement amount by \$25,000 for a total not to exceed amount of \$185,000; and

WHEREAS, the Parties desire to increase the Agreement amount by \$156,000 for a total not to exceed amount of \$341,000 and extend the term an 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 Three Hundred Forty-One Thousand Dollars (\$341,000), 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 December 1, 2015, and shall terminate at 11:59 p.m. on November 30, 2018, unless

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

1 sooner terminated as provided in this Agreement, or unless the services or the Project is
2 completed sooner. The Parties have the option to extend the term one (1) additional one-
3 year period."

4 3. Except as expressly modified herein, all of the terms and conditions
5 contained in Agreement No. 34198 are ratified and confirmed and shall remain in full force
6 and effect.

7 IN WITNESS WHEREOF, the Parties have caused this document to be duly
8 executed with all formalities required by law as of the date first stated above.

9 ETA ADVERTISING, INC., a California
10 corporation

11 December 13, 2017

By Cindy Allen
12 Name CINDY ALLEN
13 Title PRESIDENT

14 December 13, 2017

By Cassandra Popli
15 Name CASSANDRA POPLI
16 Title VICE PRESIDENT

"Consultant"

17 CITY OF LONG BEACH, a municipal
18 corporation

19 Dec 22, 2017

By Tom Modica
20 City Manager
21 EXECUTED PURSUANT
22 TO SECTION 301 OF
23 THE CITY CHARTER

"City" Tom Modica
24 Assistant City Manager

25 This Second Amendment to Agreement No. 34198 is approved as to form on

26 12/18, 2017.

27 CHARLES PARKIN, City Attorney

28 By Keith
Deputy