OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor

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THIRD AMENDMENT TO AGREEMENT NO. 34198

34198
THIS THIRD AMENDMENT TO AGREEMENT NO. 34198 is made and entered, in duplicate, as of October 8, 2018 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 add \$25,000 for a total not to exceed amount of \$185,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to November 30, 2018 and add \$156,000 for a total not to exceed amount of \$341,000; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add \$90,000 for a total not to exceed amount of \$431,000:

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 Four Hundred Thirty-One Thousand Dollars (\$431,000), 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
December 1, 2015, and shall terminate at 11:59 p.m. on November 30, 2019, 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. 34198 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.	
	ETA ADVERTISING, INC., a California corporation
<u>Dctober</u> 20,#4, 2018	By CARCOLLA Name Cynthia Adele Alleh Title President
October 20 th , 2018	By
Tom Modica	Title [Shortegy
Assistant City Manager	"Consultant"
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER	CITY OF LONG BEACH, a municipal corporation
Nov. 2 , 2018	By City Manager
	"City"
This Third Amendment to Agreement No. 34198 is approved as to form on	
	CHARLES PARKIN, City Attorney
	By Deputy
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