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

THIRD AMENDMENT TO AGREEMENT NO. 34149

THIS THIRD AMENDMENT TO AGREEMENT NO. 34149 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 THE KAP AGENCY, a sole proprietorship ("Consultant"), with a place of business at 115 Pine Avenue, Suite 360, 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. 34149 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$15,000 for a total not to exceed amount of \$146,500; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term until November 30, 2018 and add \$165,000 for a total not to exceed amount of \$311,500; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add \$140,000 for a total not to exceed amount of \$451,500;

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 Fifty-One Thousand Five Hundred Dollars (\$451,500), at the rates or charges shown in Exhibit "B"."

Section 2 of the Agreement is hereby amended to read as follows:

TERM. The term of this Agreement shall commence at midnight on

2.

"2.

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