

EIGHTH AMENDMENT TO AGREEMENT NO. 34228

34228

THIS EIGHTH AMENDMENT TO AGREEMENT NO. 34228 is made and entered, in duplicate, as of August 1, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 16, 2019, by and between OVERLAND, PACIFIC & CUTLER, LLC., a Delaware limited liability company ("Consultant"), with a place of business at 3750 Schauffele Avenue, Suite 150, Long Beach, California 90808, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34228 (the "Agreement") whereby Consultant agreed to provide as-needed acquisition, relocation, property management and related services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$350,000 for a total not to exceed amount of \$750,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$150,000 for a total not to exceed amount of \$900,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$20,000 for a total not to exceed amount of \$920,000; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to add \$400,000 for a total not to exceed amount of \$1,320,000; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to add \$800,000 for a total not to exceed amount of \$2,120,000; and

WHEREAS, the Parties entered into a Sixth Amendment to the Agreement to add \$260,000 for a total not to exceed amount of \$2,380,000 and extend the term to January 31, 2020; and

WHEREAS, the Parties entered into a Seventh Amendment to the Agreement to add \$400,000 for a total not to exceed amount of \$2,780,000; and

WHEREAS, the Parties desire to add \$500,000 to the Agreement;

1 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
2 conditions herein contained, the Parties agree as follows:

3 1. Section 1.A. of the Agreement is hereby amended to read as follows:

4 "A. Consultant shall furnish specialized services more particularly
5 described in Exhibit "A", attached to the Agreement and incorporated by this
6 reference, in accordance with the standards of the profession, and City shall pay for
7 these services in the manner described below, not to exceed Three Million Two
8 Hundred Eighty Thousand Dollars (\$3,280,000), at the rates or charges shown in
9 Exhibit "B".

10 2. Except as expressly modified herein, all of the terms and conditions
11 contained in Agreement No. 34228 are ratified and confirmed and shall remain in full force
12 and effect.

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

3 OVERLAND, PACIFIC & CUTLER, LLC, a
4 Delaware limited liability company

5 8/13/19, 2019

By [Signature]
Name Brian Everett
Title CEO

7 8/15/19, 2019

By [Signature]
Name Mark La Bonte
Title Senior Vice President

8 **Tom Modica**
9 **Assistant City Manager**

10 **EXECUTED PURSUANT**
11 **TO SECTION 301 OF**
12 **THE CITY CHARTER**

“Consultant”

13 CITY OF LONG BEACH, a municipal
14 corporation

15 August 30, 2019

By [Signature]
City Manager

“City”

16 This Eighth Amendment to Agreement No. 34228 is approved as to form on

17 Aug. 29, 2019.

18 CHARLES PARKIN, City Attorney

19 By [Signature]
20 Deputy
21
22
23
24
25
26
27
28