

NINTH AMENDMENT TO AGREEMENT NO. 34228

34228

THIS NINTH AMENDMENT TO AGREEMENT NO. 34228 is made and entered, in duplicate, as of October 21, 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 entered into an Eighth Amendment to the Agreement

1 to add \$500,000 for a total not to exceed amount of \$3,280,000; and

2 WHEREAS, the Parties desire to add \$75,673.75 to the Agreement;

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

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

6 "A. Consultant shall furnish specialized services more particularly
7 described in Exhibit "A", attached to the Agreement and incorporated by this
8 reference, in accordance with the standards of the profession, and City shall pay for
9 these services in the manner described below, not to exceed Three Million Three
10 Hundred Fifty-Five Thousand Six Hundred Seventy Three Dollars and Seventy-Five
11 Cents (\$3,355,673.75), at the rates or charges shown in Exhibit "B"."

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

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

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.

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

10/25, 2019

By [Signature]
Name Brian Everett
Title President + CEO

10/25, 2019

By [Signature]
Name Tavrean Gordon
Title CBDO

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

Nov. 1, 2019

By [Signature]
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This Ninth Amendment to Agreement No. 34228 is approved as to form on
October 30, 2019.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy