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

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

THIRD AMENDMENT TO AGREEMENT NO. 34175

THIS THIRD AMENDMENT TO AGREEMENT NO. 34175 is made and entered, in duplicate, as of October 9, 2020 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 6, 2020, by and between TETRA TECH, INC., a Delaware corporation ("Consultant"), with a place of business at 249 East Ocean Blvd., Suite, 325, Long Beach, California 90802, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34175 (the "Agreement") whereby Consultant agreed to provide as-needed professional engineering services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$500,000 for a total not to exceed amount of \$3,500,000 and extend the term to December 31, 2019; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to December 31, 2020; and

WHEREAS, the Parties desire to add \$1,000,000 to the Agreement for a total not to exceed amount of \$4,500,000 and extend the term one (1) additional one-year period;

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

- Section 1.A. of the Agreement is hereby amended to read as follows: 1.
- "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 Million Five Hundred Thousand Dollars (\$4,500,000), at the rates or charges shown in Exhibit "B"."
 - Section 2 of the Agreement is hereby amended to read as follows: 2.

"2. <u>TERM</u> . The term of this Agreement shall commence at midnight on		
January 1, 2016, and shall terminate at 11:59 p.m. on December 31, 2021, unless sooner		
terminated as provided in this Agreement, or unless the services or the Project is		
completed sooner."		
3. Except as expressly amended herein, all terms and conditions in		

Agreement No. 34175 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.

OCT. 20, , , , 2020	TETRA TECH, INC., a Delaware corporation By Name Richard A Lemmon
<u>OCT 20,</u> , 2020	Name Preston Appon Title Sr. Vice President, General Counses and Secretary "Consultant"
Navember 11, 2020	CITY OF LONG BEACH, a municipal corporation By Junda J. Jahan City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Third Amendment to Agreement No. 34175 is approved as to form on October 20___, 2020.

CHARLES PARKIN, City Attorney

Deputy ,