

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 FIFTH AMENDMENT TO AGREEMENT NO. 34657

2 **34657**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34657 is made and
4 entered, in duplicate, as of June 7, 2023, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on June 6, 2023,
6 by and between ENVIRON ARCHITECTURE, INC., a California corporation ("Consultant"),
7 with a place of business at 100 Oceangate, Long Beach, CA 90802, and the CITY OF
8 LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34657 (the "Agreement") whereby Consultant agreed to provide as needed urban planning
11 design services for a period of two (2) years with the option to renew for three (3) additional
12 one-year periods in an amount not to exceed Six Hundred Thousand Dollars (\$600,000);
13 and; and

14 WHEREAS, the Parties entered into a First Amendment to extend the term
15 of the Agreement to June 30, 2020; and

16 WHEREAS, the Parties entered into a Second Amendment to increase the
17 contract amount for a total not to exceed Seven Hundred Thousand Dollars (\$700,000),
18 and extend the term to June 30, 2021; and

19 WHEREAS, the Parties entered into a Third Amendment to extend the term
20 of the Agreement to June 30, 2022; and

21 WHEREAS, on June 21, 2022, City Council approved extending the term of
22 the Agreement by one (1) additional one-year period; and

23 WHEREAS, the Parties entered into a Fourth Amendment to extend the term
24 to June 30, 2023, update the City Representative, and attach an updated rate sheet; and

25 WHEREAS, on June 6, 2023, City Council approved to extend the term of
26 the Agreement by one (1) additional one-year period; and

27 WHEREAS, the Parties desire to extend the term of the Agreement using the
28 authorized one-year period;

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DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Lona Beach, CA 90802-4684

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

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

"2. TERM. The term of this Agreement shall commence at midnight on July 1, 2017, and shall terminate at 11:59 p.m. on June 30, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34657 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.

ENVIRON ARCHITECTURE, INC., a California corporation

JUNE 8TH, 2023

By [Signature]
Name ALAN BURKS
Title PRESIDENT/DIRECTOR OF ARCHITECTURE

JUNE 8TH, 2023

By [Signature]
Name WILLETTA McCULLOH
Title VICE PRESIDENT/DIRECTOR OF DESIGN

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

CITY OF LONG BEACH, a municipal corporation

June 16, 2023

By [Signature]
City Manager

"City"

This Fifth Amendment to Agreement No. 34657 is approved as to form on June 19, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy