Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

# SECOND AMENDMENT TO AGREEMENT NO. 28297

28297

THIS SECOND AMENDMENT TO AGREEMENT NO. 28297 is made and entered, in duplicate as of February 1, 2006 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on January 17, 2006, by and between BONTERRA CONSULTING, a California corporation, with a place of business at 151 Kalmus Drive, Suite E-200, Costa Mesa, California ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City and the Consultant entered Agreement No. 28297 whereby Consultant agreed to provide specialized services requiring unique skills to be performed in connection with Terminal Area Improvements at the Long Beach Airport; and

WHEREAS, the parties desire to increase the value of the not-to-exceed amount and extend the term;

NOW, THEREFORE, in consideration of the mutual terms and conditions in Agreement No. 28297, the parties agree as follows:

1. Section 1A of Agreement No. 28297 is amended in its entirety to read as follows:

"A. Consultant shall furnish the specialized services more particularly set forth in Exhibit "A-1", attached to the First Amendment and incorporated by reference, in accordance with the standards of the profession, and City shall pay for said services in the manner described below, not to exceed $935,000.00."

2. Section 2.A of Agreement No. 28297 is amended in its entirety to read as follows:

"A. The term of this Agreement shall commence at midnight on March 1, 2003, and shall terminate at 11:59 p.m. on February 28, 2007, unless sooner terminated as provided in this Agreement, or unless the services to be performed hereunder or the Project is completed sooner."

3. Except as amended herein, the terms and conditions of Agreement No. 28297 are ratified and confirmed and shall remain unchanged and 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.

BONTERRA CONSULTANTS, a California corporation

March 2, 2006 By Joan P. Kelly
President + CEO

JOAN P. Kelly
(Type or Print Name)

March 2, 2006 By Kathleen Brady
Secretary

Kathleen Brady
(Type or Print Name)

"Consultant"

CITY OF LONG BEACH, a municipal corporation

3/20, 2006 By Christine F. Shippey ASSISTANT
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Second Amendment to Agreement No. 28297 is approved as to form on 3/7, 2006.

ROBERT E. SHANNON, City Attorney

By D. Flum
Senior Deputy

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