

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lona Beach, CA 90802-4664

1 FIFTH AMENDMENT TO AGREEMENT NO. 33509

2 **33509**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 33509 is made and  
4 entered, in duplicate, as of October 7, 2020, for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting only  
6 October 6, 2020, by and between MOORE IACOFANO GOLTSMAN, INC. DBA MIG or  
7 AHBE|MIG, a California corporation with a place of business at 617 West 7th Street, Suite  
8 304, Los Angeles, California 90017 ("Consultant"), and the CITY OF LONG BEACH, a  
9 municipal corporation ("City").

10 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
11 33509 (the "Agreement") whereby Consultant agreed to provide as-needed landscape  
12 architectural services; and

13 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
14 extend the term to August 1, 2017 and add \$200,000 for a total not to exceed amount of  
15 \$450,000; and

16 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
17 to extend the term to August 1, 2018 and add \$100,000 for a total not to exceed amount of  
18 \$550,000; and

19 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
20 to extend the term to August 1, 2019 and update the City Representative; and

21 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement  
22 to extend the term to August 1, 2020; and

23 WHEREAS, the Parties desire to extend the term one (1) additional one-year  
24 period;

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

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

28 "2. TERM. The term of this Agreement shall commence at midnight on

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1 August 1, 2014, and shall terminate at 11:59 p.m. on August 1, 2021, unless sooner  
2 terminated as provided in this Agreement, or unless the services or the Project is  
3 completed sooner.”

4 2. Except as expressly modified herein, all of the terms and conditions  
5 contained in Agreement No. 33509 are ratified and confirmed and shall remain in full force  
6 and effect.

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

9  
10  
11 Oct. 12, 2020, 2020

12  
13 10.12.2020, 2020

MOORE IACOFANO GOLTSMAN, INC.  
DBA MIG or AHBE|MIG, a California  
corporation

By [Signature]  
Name Daniel Iacofano  
Title CEO, President

By [Signature]  
Name Christopher Beynon  
Title Chief Development Officer, Treasurer

“Consultant”

CITY OF LONG BEACH, a municipal  
corporation

17  
18  
19 October 29, 2020

By [Signature]

City Manager  
EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER

“City”

20  
21  
22 This Fifth Amendment to Agreement No. 33509 is approved as to form on  
23 OCT. 29, 2020.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy