

1 FOURTH AMENDMENT TO AGREEMENT NO. 33388

2 **33388**

3 THIS FOURTH AMENDMENT TO AGREEMENT NO. 33388 is made and  
4 entered, in duplicate, as of April 28, 2017, for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 March 4, 2014, by and between HARLEY ELLIS DEVEREAUX CORPORATION, a  
7 Michigan corporation, with a place of business at 601 South Figueroa Street, Suite 500,  
8 Los Angeles, California 90017 ("Consultant"), and the CITY OF LONG BEACH, a  
9 municipal corporation ("City")

10 WHEREAS, City requires specialized services requiring unique skills to be  
11 performed in connection with architectural and engineering services for the Belmont  
12 Plaza Pool Facility Rebuild/Revitalization Project; and

13 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
14 33388 (the "Agreement") whereby Consultant agreed to provide these services; and

15 WHEREAS, the Parties entered into a First Amendment to the Agreement  
16 to include additional services to the Scope of Work and to increase the total Agreement  
17 amount by \$490,850 for the additional services; and

18 WHEREAS, the Parties entered into a Second Amendment to the  
19 Agreement to include additional services to the Scope of Work and to increase the total  
20 Agreement amount by \$223,580 for the additional services; and

21 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
22 to extend the term; and

23 WHEREAS, the Parties desire to extend the term an additional one (1) 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

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 March 5, 2014, and shall terminate at 11:59 p.m. on June 30, 2018, 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. 33388 are ratified and confirmed and shall remain in full  
6 force 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.

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HARLEY ELLIS DEVEREAUX  
CORPORATION, a Michigan corporation

May 11, 2017

By [Signature]  
Name J. PETER DEVEREAUX  
Title CEO

May 11 2017

By [Signature]  
Name MICHAEL F COOPER  
Title PRESIDENT

"Consultant"

CITY OF LONG BEACH, a municipal  
corporation

May 24 2017

By [Signature] EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.  
City Manager  
Tom Modica  
"City" Assistant City Manager

This Fourth Amendment to Agreement No. 33388 is approved as to form on

5/16 2017.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

Ann M. Henkel  
Ann M Henkel  
Notary Public of Michigan  
Wayne County  
Expires 12/12/2022  
Acting in the County of Oakland

