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

FOURTH AMENDMENT TO AGREEMENT NO. 34486

THIS FOURTH AMENDMENT TO AGREEMENT 34486 is made and entered, in duplicate, as of August 4, 2021, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 3, 2021, by and between NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS, a California corporation ("Consultant"), with a place of business at 475 Goddard, Suite 200, Irvine, California 92618, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34486 (the "Agreement") whereby Consultant agreed to provide as-needed construction materials testing and inspection services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$1,000,000 for a total not to exceed amount of \$2,000,000 and extend the term to December 31, 2020; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to December 31, 2021; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to attach an updated rate sheet; and

WHEREAS, the Parties desire 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:

- 1. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on January 1, 2017, and shall terminate at 11:59 p.m. on December 31, 2022, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

2