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

FOURTH AMENDMENT TO AGREEMENT NO. 33792

THIS FOURTH AMENDMENT TO AGREEMENT NO. 33792 is made and entered, in duplicate, as of December 15, 2017 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on December 2, 2014, by and between DUDEK, a California corporation ("Consultant"), with a place of business at 38 North Marengo Avenue, Pasadena, California 91101, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed on-call environmental consulting services; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33792 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to increase the total not to exceed amount to \$450,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to increase the total not to exceed amount to \$700,000 and extend the term to December 31, 2017; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to increase the total not to exceed amount to \$710,000 and attach a revised scope of work; and

WHEREAS, the Parties desire to increase the total not to exceed amount to \$810,000 and extend the term an additional one (1) year period;

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

- 1. Section 1.A. of the Agreement is hereby amended to read as follows:
- "A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in

the manner described below, not to exceed Eight Hundred Ten Thousand Dollars (\$810,000), at the rates or charges shown in Exhibit "B"."

- 2. Section 2 of the Agreement is hereby amended to read as follows:
- **"**2. TERM. The term of this Agreement shall commence at midnight on January 1, 2015, and shall terminate at 11:59 p.m. on December 31, 2018, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33792 are ratified and confirmed and shall remain in full force and effect.

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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. DUDEĶ, a California corporation VEC. 19, 2017 Name Title By Name Title "Consultant" CITY OF LONG BEACH, a municipal corporation By City Manager "City" This Fourth Amendment to Agreement No. 33792 is approved as to form on , 2017. CHARLES PARKIN, City Attorney

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