

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

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FIFTH AMENDMENT TO AGREEMENT NO. 34678

**34678**

THIS FIFTH AMENDMENT TO AGREEMENT NO. 34678 is made and entered, in duplicate, as of June 25, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on March 5, 2019, by and between INTERWEST CONSULTING GROUP INC., a Colorado corporation ("Consultant"), with a place of business at 15140 Transistor Lane, Huntington Beach, California 92649, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34678 (the "Agreement") whereby Consultant agreed to provide as-needed plan review and inspection services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$120,000 for a total not to exceed amount of \$200,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$30,700 for a total not to exceed amount of \$230,700; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$70,000 for a total not to exceed amount of \$300,700; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to add \$40,300 for a total not to exceed amount of \$341,000; and

WHEREAS, the Parties desire to add \$40,000 to the Agreement for a total not to exceed amount of \$381,000 and 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 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 Three Hundred Eighty-

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1 One Thousand Dollars (\$381,000), at the rates or charges shown in Exhibit "B".

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

3 "2. TERM. The term of this Agreement shall commence at midnight on  
4 August 1, 2017, and shall terminate at 11:59 p.m. on July 31, 2020, unless sooner  
5 terminated as provided in this Agreement, or unless the services or the Project is  
6 completed sooner. The term may be renewed for one (1) additional one-year period, at  
7 the discretion of the City Manager."

8 3. Except as expressly amended herein, all of the terms and conditions  
9 in Agreement No. 34678 are ratified and confirmed and shall remain in full force and effect.

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

INTERWEST CONSULTING GROUP INC.,  
a Colorado corporation

12  
13  
14 7-18, 2019

By [Signature]  
Name RON BECHLER  
Title DIRECTOR

15  
16 \_\_\_\_\_, 2019

By [Signature]  
Name JAMES G. BOSS  
Title PUBLIC WORKS GROUP LEADER

17 **Tom Modica**  
18 **Assistant City Manager**

"Consultant"

19 **EXECUTED PURSUANT**  
20 **TO SECTION 301 OF**  
21 **THE CITY CHARTER**

CITY OF LONG BEACH, a municipal  
corporation

22 August 16, 2019

By [Signature]  
City Manager

"City"

24 This Fifth Amendment to Agreement No. 34678 is approved as to form on

25 July 23, 2019.

CHARLES PARKIN, City Attorney

26 By [Signature]  
27 Deputy  
28