

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

THIRD AMENDMENT TO AGREEMENT NO. 33388

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THIS THIRD AMENDMENT TO AGREEMENT NO. 33388 is made and entered, in duplicate, as of September 6, 2016, 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 4, 2014, by and between HARLEY ELLIS DEVEREAUX CORPORATION, a Michigan corporation, with a place of business at 601 South Figueroa Street, Suite 500, Los Angeles, California 90017 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City")

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

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

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

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

WHEREAS, the parties desire to extend the term;

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. TERM. The term of this Agreement shall commence at midnight on March 5, 2014, and shall terminate at 11:59 p.m. on June 30, 2017, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

1           2.     Except as expressly modified herein, all of the terms and conditions  
2 contained in Agreement No. 33388 are ratified and confirmed and shall remain in full  
3 force and effect.

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

6 HARLEY ELLIS DEVEREAUX  
7 CORPORATION, a Michigan corporation

8 SEPTEMBER 7, 2016

By [Signature]  
Name J. PETER DEVEREAUX  
Title CEO

9  
10 September 7, 2016

By [Signature]  
Name BRENT MILLER  
Title Principal

11  
12 "Consultant"

13 CITY OF LONG BEACH, a municipal  
14 corporation

15 Sept. 21, 2016

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

Assistant City Manager

16  
17 "City"

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

19 9/15, 2016.

20 CHARLES PARKIN, City Attorney

By [Signature]  
Deputy

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