

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 34690

34690

THIS FIFTH AMENDMENT TO AGREEMENT NO. 34690 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 THE CODE GROUP, INC. DBA VCA CODE, a California corporation ("Consultant"), with a place of business at 1845 West Oranewood Avenue, Suite 210, Orange, California 92868, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34690 (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 \$24,800 for a total not to exceed amount of \$59,800; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$118,800 for a total not to exceed amount of \$178,600; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$75,000 for a total not to exceed amount of \$253,600; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to add \$136,900 for a total not to exceed amount of \$390,500; and

WHEREAS, the parties desire to add \$55,000 to the Agreement for a total not to exceed amount of \$445,500 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

1 these services in the manner described below, not to exceed Four Hundred Forty-
2 Five Thousand Five Hundred Dollars (\$445,500), at the rates or charges shown in
3 Exhibit "B".

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

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

10 3. Except as expressly amended herein, all terms and conditions in
11 Agreement No. 34690 are ratified and confirmed and shall remain in full force and effect.

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

3 THE CODE GROUP, INC. DBA VCA
4 CODE, a California corporation

5 _____, 2019

By [Signature]
6 Name TOM VANDERKAM
7 Title PRESIDENT

8 _____, 2019

By [Signature]
9 Name Mike Smith
10 Title CFO

11 **Tom Modica**
12 **Assistant City Manager**

13 **EXECUTED PURSUANT**
14 **TO SECTION 301 OF**
15 **THE CITY CHARTER**

16 "Consultant"

17 CITY OF LONG BEACH, a municipal
18 corporation

19 August 16, 2019

By [Signature]
20 City Manager

21 "City"

22 This Fifth Amendment to Agreement No. 34690 is approved as to form on

23 July 9, 2019.

24 CHARLES PARKIN, City Attorney

By [Signature]
25 Deputy

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