

1 TENTH AMENDMENT TO AGREEMENT NO. 33912

2 **33912**

3 THIS TENTH AMENDMENT TO AGREEMENT NO. 33912 is made and  
4 entered as of March 8, 2023, for reference purposes only, pursuant to a minute order  
5 adopted by the City Council of the City of Long Beach at its meeting on July 5, 2022, by  
6 and between KARDENT, a California corporation ("Consultant"), with a place of business  
7 at 11 Golden Shore, Suite 540, Long Beach, California 90802, and the CITY OF LONG  
8 BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.  
10 33912 (the "Agreement") whereby Consultant agreed to provide as-needed architectural  
11 services for a total not to exceed amount of Four Hundred Thousand Dollars (\$400,000)  
12 for a period of two (2) years with the option to extend for three (3) additional one-year  
13 periods; and

14 WHEREAS, the Parties entered into a First Amendment to the Agreement to  
15 add Five Hundred Thousand Dollars (\$500,000) for a total not to exceed amount of Nine  
16 Hundred Thousand Dollars (\$900,000) and extend the term to July 19, 2018, with the  
17 option to extend the term for two (2) additional one-year periods; and

18 WHEREAS, the Parties entered into a Second Amendment to the Agreement  
19 to add Three Hundred Thousand Dollars (\$300,000) for a total not to exceed amount of  
20 One Million Two Hundred Thousand Dollars (\$1,200,000) and extend the term to July 19,  
21 2019, with the option to extend the term for one (1) additional one-year period; and

22 WHEREAS, the Parties entered into a Third Amendment to the Agreement  
23 to update the rates/charges to include two (2) new sub-consultants; and

24 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement  
25 to extend the term to July 19, 2020; and

26 WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to  
27 add Eight Hundred Thousand Dollars (\$800,000) for a total not to exceed amount of Two  
28 Million Dollars (\$2,000,000); and

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

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1 WHEREAS, on June 9, 2020, City Council approved extending the  
2 Agreement one (1) additional one-year period; and

3 WHEREAS, the Parties entered into a Sixth Amendment to the Agreement  
4 to extend the term to July 19, 2021; and

5 WHEREAS, on June 8, 2021, City Council approved extending the  
6 Agreement one (1) additional one-year period; and

7 WHEREAS, the Parties entered into a Seventh Amendment to the  
8 Agreement to add Six Hundred Thousand Dollars (\$600,000) for a total not to exceed  
9 amount of Two Million Six Hundred Thousand Dollars (\$2,600,000), and extend the term  
10 to July 19, 2022; and

11 WHEREAS, the Parties entered into an Eighth Amendment to the Agreement  
12 to add Five Hundred Thousand Dollars (\$500,000) for a total not to exceed amount of  
13 Three Million One Hundred Thousand Dollars (\$3,100,000), extend the term to July 19,  
14 2023, update the City Representative, and attach an updated rate sheet; and

15 WHEREAS, the Parties entered into a Ninth Amendment to add One Million  
16 Dollars (\$1,000,000) to the Agreement for a total not to exceed amount of Four Million One  
17 Hundred Thousand Dollars (\$4,100,000);

18 WHEREAS, the Parties desire to add Five Hundred Thousand Dollars  
19 (\$500,000) for a total not to exceed amount of Four Million Six Hundred Thousand Dollars  
20 (\$4,600,000) to the agreement;

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

23 1. Section 1.A. of the Agreement is hereby amended to read as follows:

24 "A. Consultant shall furnish specialized services more particularly  
25 described in Exhibit "A", attached to the Agreement and incorporated by this  
26 reference, in accordance with the standards of the profession, and City shall pay for  
27 these services in the manner described below, not to exceed Four Million Six  
28 Hundred Thousand Dollars (\$4,600,000), at the rates or charges shown in Exhibit

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"B-2".

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33912 are ratified and confirmed and shall remain in full force and effect.

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.

KARDENT, a California corporation

March 8, 2023

By Jodi Reese  
Name JODI REESE  
Title PRESIDENT

March 8, 2023

By Valerie D'Adone  
Name Valerie D'Adone  
Title CEO

**EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.**

"Consultant"

CITY OF LONG BEACH, a municipal corporation

March 17, 2023

By Linda J. Takem  
City Manager

"City"

This Tenth Amendment to Agreement No. 33912 is approved as to form on MARCH 16, 2023.

DAWN MCINTOSH, City Attorney  
By [Signature]  
Deputy