

1 FIFTH AMENDMENT TO AGREEMENT NO. 28424

2 **28424**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 28424 is made and
4 entered, in duplicate as of January 22, 2009 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 March 14, 2006, by and between CONCEPT MARINE ASSOCIATES, INC., A DIVISION
7 OF TRANSYSTEMS CORPORATION, a California corporation ("Consultant"), and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, the parties entered Agreement No. 28424 and Consultant
10 agreed to provide Construction Management Services ("Project"); and

11 WHEREAS, the parties desire to extend the term of this Agreement;

12 NOW, THEREFORE, in consideration of the mutual terms and conditions in
13 Agreement No. 28424 and herein, the parties agree as follows:

14 1. Section 2.A. of Agreement No. 28424 is amended in its entirety to
15 read as follows:

16 "2. TERM AND TERMINATION. A. The term of this Agreement shall
17 commence at midnight on June 17, 2003, and shall terminate at 11:59 p.m. on June 16,
18 2010, unless sooner terminated as provided in this Agreement, or unless the services to
19 be performed hereunder or the Project is completed sooner."

20 2. Except as expressly amended herein, all terms and conditions in
21 Agreement No. 28424 are ratified and confirmed and shall remain in full force and effect.

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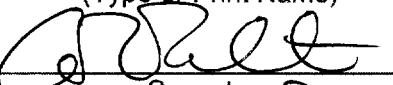
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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated herein.

CONCEPT MARINE ASSOCIATES, INC.,
A DIVISION OF TRANSYSTEMS
CORPORATION, a California corporation

By , 2009
President
Carson R. Fulton
(Type or Print Name)

By , 2009
Secretary
Carson R. Fulton
(Type or Print Name)

"Consultant"

CITY OF LONG BEACH, a municipal corporation

By , 2009
Assistant City Manager
City Manager

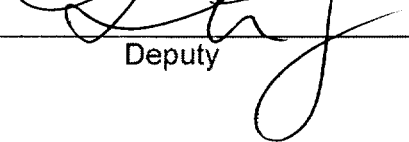
"City"

**EXECUTED PURSUANT
TO SECTION 501 OF
THE CITY CHARTER.**

This Fifth Amendment to Agreement No. 28424 is approved as to form on

February 10, 2009.

ROBERT E. SHANNON, City Attorney

By 
Deputy

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
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Long Beach, CA 90802-4664