

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

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TWELFTH AMENDMENT TO AGREEMENT NO. 33912
33912

THIS TWELFTH AMENDMENT TO AGREEMENT NO. 33912 is made and entered as of July 25, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 5, 2022, by and between KARDENT, a California corporation ("Consultant"), with a place of business at 11 Golden Shore, Suite 540, Long Beach, California 90802, and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, the Parties entered into a First Amendment to the Agreement to increase the authority amount for a total not to exceed Nine Hundred Thousand Dollars (\$900,000), and extend the term to July 19, 2018; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to increase the authority amount for a total not to exceed One Million Two Hundred Thousand Dollars (\$1,200,000), and extend the term to July 19, 2019; and

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

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

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to increase the authority amount for a total not to exceed Two Million Dollars (\$2,000,000); and

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

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

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

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

8 WHEREAS, the Parties entered into an Eighth Amendment to the Agreement
9 to increase the authority amount for a total not to exceed Three Million One Hundred
10 Thousand Dollars (\$3,100,000), extend the term to July 19, 2023, update the City
11 Representative, and attach an updated rate sheet; and

12 WHEREAS, the Parties entered into a Ninth Amendment to the Agreement
13 to increase the authority amount for a total not to exceed Four Million One Hundred
14 Thousand Dollars (\$4,100,000); and

15 WHEREAS, the Parties entered into a Tenth Amendment to the Agreement
16 to increase the authority amount for a total not to exceed Four Million Six Hundred
17 Thousand Dollars (\$4,600,000) to the agreement; and

18 WHEREAS, on June 6, 2023, City Council approved to extend the term of
19 the Agreement by one (1) additional one-year period;

20 WHEREAS, the Parties entered into an Eleventh Amendment to the
21 Agreement to extend the term to July 19, 2024; and

22 WHEREAS, the Parties desire to increase the authority amount by Four
23 Hundred Thousand Dollars (\$400,000) for a new not to exceed total amount of Five Million
24 Dollars (\$5,000,000);

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

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

28 "A. Consultant shall furnish specialized services more particularly

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1 described in Exhibit "A", attached to this Agreement and incorporated by this reference, in
2 accordance with the standards of the profession, and City shall pay for these services in
3 the manner described below, not to exceed Five Million Dollars (\$5,000,000), at the rates
4 or charges shown in Exhibit "B-1" in the Eighth Amendment to the Agreement."

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

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

10 KARDENT, a California corporation
11 August 1st, 2023 By Jodi Reese
12 Name JODI REESE
13 Title PRESIDENT

14 August 1st, 2023 By Valerie D'Ordine
15 Name Valerie D'Ordine
16 Title CFO

"Consultant"

17 CITY OF LONG BEACH, a municipal
18 corporation

19 August 21, 2023 By Sonda F. Johnson
20 **EXECUTED PURSUANT** City Manager
21 **TO SECTION 301 OF**

"City"

THE CITY CHARTER.

22 This Twelfth Amendment to Agreement No. 33912 is approved as to form on
23 AUGUST 8, 2023.

24 DAWN MCINTOSH, City Attorney
25 By [Signature]
26 Deputy
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