

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
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1 SECOND AMENDMENT TO AGREEMENT NO. 28361

2 **28361**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 28361 is made and
4 entered, in duplicate as of March 16, 2006 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
6 on March 14, 2006, by and between CBM CONSULTING, INC., California corporation
7 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

8 WHEREAS, the parties entered Agreement No. 28361 and Consultant
9 agreed to provide Construction Management Services ("Project"); and

10 WHEREAS, the parties desire to increase the amount of this Agreement
11 and extend its term;

12 NOW, THEREFORE, in consideration of the mutual terms and conditions
13 in Agreement No. 28361 and herein, the parties agree as follows:

14 1. Section 1.A. of Agreement No. 28361 is amended in its entirety to
15 read as follows:

16 "1. A. SCOPE OF WORK OF SERVICES. Consultant shall furnish
17 services more particularly set forth in Exhibit "A," attached hereto and incorporated
18 herein by this reference, in accordance with the standards of the profession, and City
19 shall pay for said services in the manner described below, at the rates shown on Exhibit
20 "A," not to exceed \$3,000,000.00."

21 2. Section 2.A. of the Agreement is amended in its entirety to read as
22 follows:

23 "2. TERM AND TERMINATION. A. The term of this Agreement shall
24 commence at midnight on June 17, 2003, and shall terminate at 11:59 p.m. on
25 June 16, 2008, unless sooner terminated as provided in this Agreement, or unless the
26 services to be performed hereunder or the Project is completed sooner."

27 3. Except as expressly amended herein, all terms and conditions in
28 Agreement No. 28361 are ratified and confirmed and shall remain in full force and

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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 herein.

CBM CONSULTING, INC., a California
corporation

_____, 2006

By *Chuck Stedman*
President
(Type or Print Name)

_____, 2006

By *Kevin Klaus*
Secretary
(Type or Print Name)

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

June 16, 2006

By *Christine J. Shippy*
City Manager, ASSISTANT

"City"

EXERCISED PURSUANT
TO SECTION 501 OF
THE CITY CHARTER.

This Second Amendment to Agreement No. 28361 is approved as to form
on 5/30, 2006.

ROBERT E. SHANNON, City Attorney

By *DT Heim*
Senior Deputy