

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

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THIRD AMENDMENT TO AGREEMENT NO. 36104

**36104**

THIS THIRD AMENDMENT TO AGREEMENT NO. 36104 is made and entered, in duplicate, as of May 31, 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 September 7, 2021, 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. 36104 (the "Agreement") whereby Consultant agreed to provide as-needed plan review and inspection services; and

WHEREAS, the Parties entered into a First Amendment to increase the contract amount to \$650,000; and

WHEREAS, the Parties entered into a Second Amendment to increase the contract amount to \$1,050,000; and

WHEREAS, the Parties desire to add \$925,000 to the Agreement for a total not to exceed \$1,975,000 and extend the term for 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 these services in the manner described below, for the term ending on October 31, 2023, in an amount not to exceed Six Hundred Fifty Thousand Dollars (\$650,000); for the term ending on October 31, 2023, in an amount not to exceed One Million Fifty Thousand Dollars (\$1,050,000); for the term ending October 31, 2024, in an amount not to exceed One Million Nine Hundred

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1 Seventy-Five Thousand Dollars (\$1,975,000), at the rates or charges shown in Exhibit "B".

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

3 "TERM. The term of this Agreement shall commence at midnight on  
4 November 1, 2021, and shall terminate on October 31, 2024, unless sooner terminated as  
5 provided in this Agreement, or unless the services or the Project is completed sooner. The  
6 term may be extended for two (2) additional one-year periods, at the discretion of the City  
7 Manager."

8 3. Except as expressly amended herein, all terms and conditions in  
9 Agreement No. 36104 are ratified and confirmed and shall remain in full force and effect.

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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 above.

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

\_\_\_\_\_, 2023 By *Tom VanDorp*  
Name Tom VanDorp, SE  
Title President / CEO

\_\_\_\_\_, 2023 By *Gina Birkett*  
Name Gina Birkett  
Title CFO

"Consultant"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

CITY OF LONG BEACH, a municipal corporation

*June 23*, 2023 By *Deirdra J. Latum*  
City Manager

"City"

This Third Amendment to Agreement No. 36104 is approved as to form on June 20, 2023.

DAWN MCINTOSH, City Attorney

By *[Signature]*  
Deputy