

33435

THIRD AMENDMENT
TO AGREEMENT NUMBER **C-123201** OF CITY OF LOS ANGELES CONTRACTS
BETWEEN
THE CITY OF LOS ANGELES
AND
CITY OF LONG BEACH DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH LABORATORY
LABORATORY LEAD AND RADON TESTING

THIS THIRD AMENDMENT to Agreement Number **C-123201** of City of Los Angeles Contract is made and entered into, by and between the City of Los Angeles, hereinafter referred to as the City, and the **City of Long Beach Department of Health and Human Services Public Health Laboratory**, hereinafter referred to as the Contractor.

WITNESSETH

WHEREAS, the City and the Contractor have entered into an Agreement wherein Contractor shall provide certain services, said Agreement effective April 1, 2013 and subsequently amended, which together with all amendments thereto shall hereinafter be referred to as the Agreement; and

WHEREAS, Section §505 of the Agreement provides for amendments to the Agreement; and

WHEREAS, the City and the Contractor are desirous of amending the Agreement as authorized by the Council and Mayor (refer to CF # **16-0068**, approved on March 1, 2016 and concurred by the Mayor on March 8, 2016), which authorizes the General Manager of the Housing and Community Investment Department (HCID), to prepare and execute an amendment to the Agreement for the purpose of: (a) adding additional funds in the amount of Two Thousand Six Hundred Ninety-Three (**\$2,693**) for a new total amount of Sixty Thousand Four Hundred Twenty-Seven Dollars (**\$60,427**); (b) adding an additional Six (6) months for a new ending date of **September 30, 2016**; and (c) making such other changes as are required in connection with the foregoing, all as detailed elsewhere in this Amendment; and

WHEREAS, this Amendment is necessary and proper to continue and/or complete certain activities authorized under the Agreement.

NOW, THEREFORE, the City and the Contractor agree that the Agreement be amended as follows:

THIRD AMENDMENT

- §1. Amend Section 201 Time of Performance by deleting the current ending date of March 31, 2016 and replacing with the new ending date of **September 30, 2016**.

This amendment adds an additional Six (6) months for a total term of Forty-Two (42) months.

- §2. Amend Section 301A Compensation by deleting the total dollar amount of Fifty-Seven Thousand Seven Hundred Thirty-Four Dollars **(\$57,734)** for a new total amount of Sixty Thousand Four Hundred Twenty-Seven Dollars **(\$60,427)**.

This amendment adds an additional Two Thousand Six Hundred Ninety-Three **(\$2,693)** for a new total amount of Sixty Thousand Four Hundred Twenty-Seven Dollars **(\$60,427)**.

- §3. Amend to add §Section 431. Americans with Disabilities Act to read as follows:

In implementing this Agreement, Contractor represents and certifies that it will:

- A. Comply with the Americans with Disabilities Act, as amended, 42 U.S.C. Section 12101 et seq., the Rehabilitation Act of 1973, as amended, 29 U.S.C. Section 701 et seq., the Fair Housing Act, and its implementing regulations and any subsequent amendments; and California Government Code Section 11135.
- B. Not discriminate in the provision of its programs, services or activities on the basis of disability or on the basis of a person's relationship to, or association with, a person who has a disability.
- C. Provide reasonable accommodation upon request to ensure equal access to all of its programs, services and activities.

Contractor represents and certifies that any construction for housing performed with funds provided through this Agreement will be done in accordance with the Uniform Federal Accessibility Standards (UFAS), 24 CFR, Part 40.

Contractor represents and certifies that its buildings, and facilities used to provide services in accordance with this Agreement, are in compliance with the federal and state standards for accessibility as set forth in the 2010 ADA Standards, California Title 24, Chapter 11, or other applicable federal and state law.

Contractor understands that the City is relying upon these certifications and representations as a condition to funding this Agreement.

Contractor will require its subcontractors, if any, to include this language in any subcontract.

- §4. Except as herein amended, all terms and conditions of the Agreement shall remain in full force and effect.
- §5. This Amendment is executed in three (3) originals, each of which is deemed to be an original. This Amendment includes four (4) pages, which constitute the entire understanding and agreement of the parties.

SPACE BELOW LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the City of Los Angeles and the Contractor have caused this Agreement to be executed by their duly authorized representatives.

APPROVED AS TO FORM:

MICHAEL N. FEUER, City Attorney

By: *Michael Feuer*
Deputy / Assistant City Attorney

Date: 4/7/16

ATTEST:

HOLLY L. WOLCOTT, City Clerk

By: *Holly L. Wolcott*
Deputy City Clerk

Date: 6/8/16

(Contractor's Corporate Seal)



Executed this 2nd day of June, 2016

For: THE CITY OF LOS ANGELES

RUSHMORE D. CERVANTES
General Manager
Housing and Community Investment
Department

By: *Laura K. Guglielmo*
LAURA K. GUGLIELMO
Executive Officer

Executed this 20th day of May, 2016

For: CITY OF LONG BEACH DEPARTMENT OF
HEALTH AND HUMAN SERVICES PUBLIC
HEALTH LABORATORY

By: *Patrick H. West* EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.
Print name: **Patrick H. West**
Title: **City Manager**
Assistant City Manager

By: *Gary J. Anderson*
Print name: **Gary J. Anderson**
Title: **Principal Deputy City Attorney**

City Business License Number: 0002402408-0002-1

Internal Revenue Service Number: 95-6000733

CFDA Number: CDBG -14.218, LEAD - 14-900

Contract/Amendments	Council File Number	Council & Mayor Approval Dates
Third Amendment	16-0068	March 1, 2016/March 8, 2016
Second Amendment	14-1382	March 27, 2015/ April 2, 2015
First Amendment	13-1395	April 8, 2014
Original Contract	12-0194	6/12/2013 and 6/18/2013

Said Agreement is Number C-123201 of City Contracts, Amendment 3