

1 FIRST AMENDMENT TO AGREEMENT NO. 32398

2 **32398**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 32398 is made and  
4 entered, in duplicate, as of September 12, 2014 for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 October 4, 2011, by and between TRANSPORTATION & ENERGY SOLUTIONS, INC., a  
7 California corporation, with a place of business at 5475 Brentwood Place, Yorba Linda,  
8 California 92887 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation  
9 ("City").

10 WHEREAS, the City requires specialized services requiring unique skills to  
11 be performed in connection with As-Needed Transportation Engineering, Transportation  
12 Planning, and Related Technical and Professional Services; and

13 WHEREAS, the parties entered Agreement No. 32398 whereby Consultant  
14 agreed to provide these Services; and

15 WHEREAS, the parties desire to extend the term of the Agreement;

16 NOW, THEREFORE, in consideration of the mutual terms, covenants, and  
17 conditions herein contained, the parties agree as follows:

18 1. Section 2 of Agreement No. 32398 is hereby amended to read as  
19 follows:

20 "2. TERM. The term of this Agreement shall commence at midnight on  
21 October 5, 2011, and shall terminate at 11:59 p.m. on October 4, 2015, unless sooner  
22 terminated as provided in this Agreement, or unless the services or the Project is  
23 completed sooner."

24 2. Except as expressly modified herein, all of the terms and conditions  
25 contained in Agreement No. 32398 are ratified and confirmed and shall remain in full  
26 force and effect.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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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.

TRANSPORTATION & ENERGY SOLUTIONS, INC., a California corporation

September 18<sup>th</sup>, 2014

By Nathaniel S. Behura  
Name NATHANIEL S. BEHURA  
Title PRESIDENT

September 18<sup>th</sup>, 2014

By Nathaniel S. Behura  
Name NATHANIEL S. BEHURA  
Title SECRETARY

"Consultant"

CITY OF LONG BEACH, a municipal corporation  
Assistant City Manager

October 15, 2014

By Jim Madden  
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This First Amendment to Agreement No. 32398 is approved as to form on

9/23, 2014.

CHARLES PARKIN, City Attorney

By Flater  
Deputy