

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 33913

2 **33913**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 33913 is made and
4 entered, in duplicate, as of June 24, 2020 for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on June 9, 2020,
6 by and between MARY MCGRATH ARCHITECTS, a California corporation ("Consultant"),
7 with a place of business at 1212 Broadway, Suite 401, Oakland, California 94612, and the
8 CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 33913 (the "Agreement") whereby Consultant agreed to provide as-needed architectural
11 services; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to
13 extend the term to July 19, 2018; and

14 WHEREAS, the Parties entered into a Second Amendment to the Agreement
15 to extend the term to July 19, 2019; and

16 WHEREAS, the Parties entered into a Third Amendment to the Agreement
17 to add \$600,000 to the Agreement for a total not to exceed amount of \$1,000,000; and

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

20 WHEREAS, the Parties desire to extend the term one (1) additional one-year
21 period;

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

- 24 1. Section w of the Agreement is hereby amended to read as follows:
25 "2. TERM. The term of this Agreement shall commence at midnight on
26 July 20, 2015, and shall terminate at 11:59 p.m. on July 19, 2021, unless sooner terminated
27 as provided in this Agreement, or unless the services or the Project is completed sooner."
28 2. Except as expressly modified herein, all of the terms and conditions

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1 contained in Agreement No. 33913 are ratified and confirmed and shall remain in full force
2 and effect.

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

5
6
7 July 7, 2020

MARY MCGRATH ARCHITECTS, a
California corporation
By M. McGrath
Name Mary McGrath
Title President

8
9 _____, 2020

By _____
Name _____
Title _____

“Consultant”

10
11
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13
14 August 3, 2020

CITY OF LONG BEACH, a municipal
corporation
By Linda F. Jatum
City Manager

“City”

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

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17 This Fifth Amendment to Agreement No. 33913 is approved as to form on
18 July 22, 2020.

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20 CHARLES PARKIN, City Attorney
21 By [Signature]
22 Deputy

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ACTION BY WRITTEN CONSENT
OF THE BOARD OF DIRECTORS
OF

MARY MCGRATH ARCHITECTS
A California Corporation

Pursuant to Section 307(b) of the California Corporations Code and the By-laws of this corporation, the undersigned, being the sole Director of Mary McGrath Architects, a California Corporation (the "Corporation"), hereby consents to, adopts and ratifies the following resolution:

WHEREAS, the Director of the Corporation has determined that it would be in the best interests of the Corporation that Mary McGrath AIA, President of the Corporation, be empowered to execute client contracts on behalf of the corporation.

NOW THEREFORE, BE IT RESOLVED, that this Corporation vests the authority for execution of client contracts with Mary McGrath AIA.

When executed this resolution shall have the same force and effect as resolutions adopted at a meeting of the Board of Directors duly called and held.

Dated: July 7, 2020



Mary McGrath, Director