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

THIRD AMENDMENT TO AGREEMENT NO. 34490

THIS THIRD AMENDMENT TO AGREEMENT NO. 34490 is made and entered, in duplicate, as of August 4, 2021, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 3, 2021, by and between KLEINFELDER, INC., a California corporation ("Consultant"), with a place of business at 20411 South Susana Road, Long Beach, California 90813, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34490 (the "Agreement") whereby Consultant agreed to provide as-needed construction materials testing and inspection services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$2,000,000 for a total not to exceed amount of \$5,000,000 and extend the term to December 31, 2020; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to December 31, 2021; and

WHEREAS, the Parties desire to extend the term 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 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on January 1, 2017, and shall terminate at 11:59 p.m. on December 31, 2022, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- Except as expressly amended herein, all terms and conditions in Agreement No. 34490 are ratified and confirmed and shall remain in full force and effect.

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