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FIFTH AMENDMENT TO AGREEMENT NO. 33504

33504

THIS FIFTH AMENDMENT TO AGREEMENT NO. 33504 is made and entered, in duplicate, as of July 26, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 13, 2017, by and between RJM DESIGN GROUP, INC., a California corporation with a place of business at 31591 Camino Capistrano, San Juan Capistrano, California 92675 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33504 (the "Agreement") whereby Consultant agreed to provide as-needed landscape architectural services; and

WHEREAS, the Parties entered a First Amendment to the Agreement to increase the amount by \$750,000 for a total not to exceed amount of \$1,000,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term and add \$50,000 for a total not to exceed amount of \$1,050,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term and add \$50,000 for a total not to exceed amount of \$1,100,000; and

WHEREAS, the Parties entered into a Fourth Amendment to extend the term, update the City Representative and attach a revised rate sheet; 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. TERM. The term of this Agreement shall commence at midnight on August 1, 2014, and shall terminate at 11:59 p.m. on August 1, 2020, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

