

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

EIGHTH AMENDMENT TO AGREEMENT NO. 33498

33498

THIS EIGHTH AMENDMENT TO AGREEMENT NO. 33498 is made and entered, in duplicate, as of July 12, 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 July 6, 2021, by and between HIRSCH & ASSOCIATES, INC., a California corporation, with a place of business at 2221 E. Winston Road, Suite A, Anaheim, California 92806 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33498 (the "Agreement") whereby Consultant agreed to provide as-needed landscape architectural services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$500,000 for a total not to exceed amount of \$750,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to August 1, 2017 and add \$100,000 for a total not to exceed amount of \$850,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$150,000 for a total not to exceed amount of \$1,000,000; and

WHEREAS, the Parties entered into a Fourth Amendment to the Agreement to extend the term to August 1, 2018 and add \$1,000,000 for a total not to exceed amount of \$2,000,000; and

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to extend the term to August 1, 2019 and update the City Representative; and

WHEREAS, the Parties entered into a Sixth Amendment to the Agreement to extend the term to August 1, 2020; and

WHEREAS, the Parties entered into a Seventh Amendment to the Agreement to extend the term to August 1, 2021; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year

1 period and add \$1,000,000 for a total not to exceed amount of \$3,000,000 and attach an
2 updated Rate Sheet;

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

5 1. Section 1.A. of the Agreement is hereby amended to read as follows:

6 "A. Consultant shall furnish specialized services more particularly
7 described in Exhibit "A", attached to this Agreement and incorporated by this
8 reference, in accordance with the standards of the profession, and City shall pay for
9 these services in the manner described below, not to exceed Three Million Dollars
10 (\$3,000,000), at the rates or charges shown in Exhibit "B"."

11 2. Section 2 of the Agreement is hereby amended to read as follows:

12 "2. TERM. The term of this Agreement shall commence at midnight on
13 August 1, 2014, and shall terminate at 11:59 p.m. on August 1, 2022, unless sooner
14 terminated as provided in this Agreement, or unless the services or the Project is
15 completed sooner."

16 3. The Rates in Exhibit "B" to the Agreement are hereby amended in
17 accordance with Exhibit "B-1", attached hereto and incorporated by this reference.

18 4. Except as expressly modified herein, all of the terms and conditions
19 contained in Agreement No. 33498 are ratified and confirmed and shall remain in full force
20 and effect.

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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.

HIRSCH & ASSOCIATES, INC., a California corporation

_____, 2021

By _____
Name CHARLES FILEY
Title VICE PRESIDENT

_____, 2021

By _____
Name PATRICK L. HIRSCH
Title PRESIDENT

"Consultant"

CITY OF LONG BEACH, a municipal corporation

August 3, 2021

By Linda J. Jatum
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Eighth Amendment to Agreement No. 33498 is approved as to form on

August 3, 2021.

CHARLES PARKIN, City Attorney

By _____
Deputy

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EXHIBIT "B-1"

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Rates/Charges

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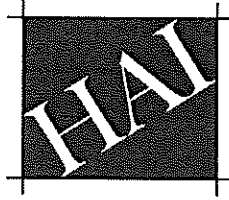
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HIRSCH & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE & PLANNING

Professional Fees

Professional fees for services stated are based upon the scope of work and include all costs for general overhead, profit, communication, travel and incidental expenses valid through the year 2021-2022.

Principle Landscape Architect	\$175/hr
Staff Landscape Architect	\$150/hr
Director of Projects	\$135/hr
Project Manager	\$115/hr
Senior Designer	\$95/hr
Designer	\$85/hr
Clerical	\$70/hr
Project Meetings	\$500/ea
Construction Meetings	\$700/ea
Council/Commission Meetings	\$700/ea
Structural Engineer	\$185/hr
Electrical Engineer	\$185/hr
Geotechnical Engineer	\$150/hr
Civil Engineer	\$210/hr
Aquatic Architect	\$190/hr
Aquatic Engineer	\$190/hr
Reproduction / Printing	Cost

Thank You,

Charles Foley, Vice President
Landscape Architect #5567, ASLA