

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

FOURTH AMENDMENT TO AGREEMENT NO. 35556

35556

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35556 is made and entered, in duplicate, as of February 14, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meetings on May 5, 2020 and October 19, 2021, by and between OVERLAND, PACIFIC & CUTLER, LLC, a Delaware limited liability company ("Consultant"), with a place of business at 3750 Schaufele Avenue, Suite 150, Long Beach, California 90808, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35556 (the "Agreement") whereby Consultant agreed to provide as-needed real property acquisition, relocation, and related services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add \$350,000 for a total not to exceed amount of \$850,000; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add \$350,000 for a total not to exceed amount of \$1,200,000; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$350,000 for a total not to exceed amount of \$1,550,000; and

WHEREAS, the Parties desire to add \$500,000 to the Agreement and 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 1.A. of the Agreement is hereby amended to read as follows:

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, in an amount not to exceed Two Million Fifty Thousand Dollars (\$2,050,000), at the rates or charges shown in Exhibit

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"B".

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

"2. TERM. The term of this Agreement shall commence at midnight on May 1, 2020, and shall terminate at 11:59 p.m. on April 30, 2023, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The Parties have the option to extend the term two (2) additional one-year periods, at the discretion of the City Manager."

3. Except as expressly amended herein, all terms and conditions in Agreement No. 35556 are ratified and confirmed and shall remain in full force and effect.

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.

OVERLAND, PACIFIC & CUTLER, LLC, a Delaware limited liability company

MAR 04 2022, 2022

By [Signature]
Name Brian Everett
Title President/CEO

By _____
Name _____
Title _____

"Consultant"

CITY OF LONG BEACH, a municipal corporation

March 16, 2022

By [Signature]
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Fourth Amendment to Agreement No. 35556 is approved as to form on

March 8, 2022.

CHARLES PARKIN, City Attorney
By [Signature]
Deputy

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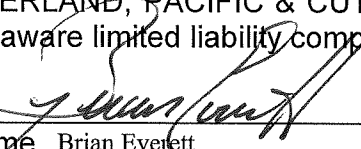
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OVERLAND, PACIFIC & CUTLER, LLC, a Delaware limited liability company

MAR 04 2022, 2022

By 
Name Brian Everett
Title President/CEO

_____, 2022

By _____
Name _____
Title _____

"Consultant"

CITY OF LONG BEACH, a municipal corporation

_____, 2022

By _____
City Manager

"City"

This Fourth Amendment to Agreement No. 35556 is approved as to form on _____, 2022.

CHARLES PARKIN, City Attorney

By _____
Deputy