

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 35112

2 35112

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 35112 is made and
4 entered, as of May 16, 2023, for reference purposes only, pursuant to a minute order
5 adopted by the City Council of the City of Long Beach at its meetings on August 21, 2018
6 and November 9, 2021, by and between LONG BEACH COMMUNITY COLLEGE
7 DISTRICT, a community college duly organized and existing under the laws of the State of
8 California ("College"), whose address is 4901 E. Carson Street, O-5, Long Beach,
9 California 90808, and the CITY OF LONG BEACH, a municipal corporation ("City").

10 WHEREAS, City and College (the "Parties") entered into Agreement No.
11 35112 (the "Agreement") whereby College agreed to provide economic development
12 counseling and educational services through its Small Business Development Center in an
13 annual amount not to exceed \$110,000 for a period of one (1) year with the option to extend
14 for two (2) additional one-year periods; and

15 WHEREAS, the Parties entered into a First Amendment to the Agreement to
16 extend the term to June 30, 2020; and

17 WHEREAS, the Parties entered into a Second Amendment to the Agreement
18 to extend the term to June 30, 2021; and

19 WHEREAS, the Parties entered into a Third Amendment to the Agreement
20 to extend the term to June 30, 2022; and

21 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement
22 to extend the term to June 30, 2023; and

23 WHEREAS, the Parties desire to utilize their final option to extend the term
24 of the Agreement one (1) additional one-year period;

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

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

28 "2. TERM. The term of this Agreement shall commence at midnight on

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1 July 1, 2018, and shall terminate at 11:59 p.m. on June 30, 2024, unless sooner terminated
2 as provided in this Agreement, or unless the services or the Project is completed sooner."

3 2. Except as expressly modified herein, all of the terms and conditions
4 contained in Agreement No. 35112 are ratified and confirmed and shall remain in full force
5 and effect.

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

8 Approved as to form:

9 Mireille Hernandez
10 Mireille Hernandez Date
Deputy Director, Purchasing and Contracts

LONG BEACH COMMUNITY COLLEGE
DISTRICT, a community college duly
organized and existing under the laws of the
State of California

11 July 12, 2023

By John Thompson
Name John Thompson
Title Director, Fiscal Services

12 _____, 2023

By _____
Name _____
Title _____

"College"

CITY OF LONG BEACH, a municipal
corporation

18 July 18, 2023

By Linda F. Johnson
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

21 This Fifth Amendment to Agreement No. 35112 is approved as to form on

22 July 17, 2023.

24 DAWN MCINTOSH, City Attorney

25 By [Signature]
Principal Deputy