

1 FIRST AMENDMENT TO AGREEMENT NO. 28527

2 **28527**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 28527 is made  
4 and entered, in duplicate, pursuant to a minute order adopted by the City Council  
5 of the City of Long Beach at its meeting on October 18, 2005, by and between  
6 ENVIRONMENTAL SCIENCE ASSOCIATES (ESA), a California corporation,  
7 ("Consultant") and the CITY OF LONG BEACH, a municipal corporation ("City").

8 WHEREAS, the parties entered Agreement No. 28527 whereby  
9 Consultant agreed to perform "as needed" services requiring unique skills to be  
10 performed in connection with environmental review ("Project"); and

11 WHEREAS, the parties desire to amend the Agreement to extend the  
12 term of the Agreement;

13 NOW, THEREFORE, in consideration of the mutual terms and conditions  
14 contained in Agreement No. 28527 and herein, the parties agree as follows:

15 1. Paragraph 2. TERM of the Agreement is hereby amended to read,  
16 in its entirety, as follows:

17 "2. TERM. The term of this Agreement shall commence at  
18 midnight on November 1, 2003, and shall terminate at 11:59  
19 p.m. on April 30, 2006, unless sooner terminated as  
20 provided in this Agreement, or unless the services to be  
21 performed hereunder or the Project is completed sooner."  
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23 3. Except as expressly amended herein, all of the terms and conditions in  
24 Agreement No. 28527, as amended, are ratified and confirmed and shall remain in full  
25 force and effect.

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Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

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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.

ENVIRONMENTAL SCIENCE ASSOCIATES,  
a California corporation

12-13, 2005

By Gary W. Oster  
President

12-13, 2005

By [Signature]  
Secretary

"Consultant"

CITY OF LONG BEACH

JAN 4, 2005

By [Signature]  
City Manager

"City"

Approved as to form this 29<sup>th</sup> day of December, 2005.

ROBERT E. SHANNON, City Attorney

By [Signature]  
Assistant City Attorney