

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

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SECOND AMENDMENT TO AGREEMENT NO. 36050

36050

THIS SECOND AMENDMENT TO AGREEMENT NO. 36050 is made and entered, in duplicate, as of May 23, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 23, 2023, by and between KLEINFELDER, INC., a California corporation ("Consultant"), with a place of business at 770 First Avenue, Suite 400, San Diego, California 92101, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed professional engineering services ("Project"); and

WHEREAS, on July 6, 2021, the City Council adopted Specifications No. RFQ PW0-059 and awarded agreements for as-needed professional engineering services for a period of two (2) years, with the option to renew for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36050 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to extend the term of the Agreement to July 31, 2024, attach an updated rates sheet, and update the City's Representative; and

WHEREAS, on May 23, 2023, the City Council authorized an increase to the aggregate contract total in an amount not to exceed Ninety Million Dollars (\$90,000,000) for all agreements created under Specification No. RFQ PW20-059; and

WHEREAS, the Parties desire to increase the authority of this Agreement by Two Hundred Thousand Dollars (\$200,000);

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

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1 described in Exhibit "A", attached to this Agreement and incorporated by this reference, in
2 accordance with the standards of the profession, and City shall pay for these services in
3 the manner described below, in an amount not to exceed Two Million Two Hundred
4 Thousand Dollars (\$2,200,000), at the rates or charges shown in Exhibit "B-1" of the First
5 Amendment to the Agreement."

6 2. Except as expressly modified herein, all of the terms and conditions
7 contained in Agreement No. 36050 are ratified and confirmed and shall remain in full force
8 and effect.

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

KLEINFELDER, INC., a California corporation

11
12
13 May 30, 2023

By [Signature]
Name Dan Brockman
Title Assistant Secretary

14
15 _____, 2023

By _____
Name _____
Title _____

16
17 **EXECUTED PURSUANT
18 TO SECTION 301 OF
19 THE CITY CHARTER.**

"Consultant"

CITY OF LONG BEACH, a municipal corporation

20 June 16, 2023

By [Signature]
City Manager

"City"

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23 This Second Amendment to Agreement No. 36050 is approved as to form on

24 June 6, 2023.

25
26 DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

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