OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4564

SECOND AMENDMENT TO AGREEMENT NO. 36043 36043

THIS SECOND AMENDMENT TO AGREEMENT NO. 36043 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 ARDURRA GROUP, INC., a Florida corporation ("Consultant"), with a place of business at 4921 Memorial Highway, Suite 300, Tampa, Florida 33634, 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

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. 36043 (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 Three Million Dollars (\$3,000,000);

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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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 Seven Million Dollars (\$7,000,000), at the rates or charges shown in Exhibit "B-1" of the First Amendment to the Agreement." Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36043 are ratified and confirmed and shall remain in full force and effect. 8 IN WITNESS WHEREOF, the parties have caused this document to be duly 9 executed with all formalities required by law as of the date first stated above. 10 11 GROUP, INC., a Florida ARDURRA corporation 12 May 31 2023 13 Name Catherine Cahill Title Chief Financial Officer, Secretary & Treasurer 15 May 31 , 2023 16 Title Vice President 17 "Consultant" **EXECUTED PURSUANT** 18 TO SECTION 301 OF CITY OF LONG BEACH, a municipal THE CITY CHARTER. 19 corporation Sinda F. Jahren City Manager 20 21 "City" 22 This Second Amendment to Agreement No. 36043 is approved as to form on 23 24 25 DAWN MCINTOSH, City Attorney 26

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