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

FOURTH AMENDMENT TO AGREEMENT NO. 34736

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34736 is made and entered, in duplicate, as of June 7, 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 June 6, 2023, by and between O'CONNOR CONSTRUCTION MANAGEMENT INC., a California corporation ("Consultant"), with a place of business at 8851 Research Drive, Irvine, California 92618, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34736 (the "Agreement") whereby Consultant agreed to perform as-needed Job Order Contract Program Support Services for a period of three (3) years in an amount not to exceed Three Hundred Thousand Dollars (\$300,000); and

WHEREAS, on March 24, 2020, the City Council approved extending the Agreement for two (2) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to extend the term to of the Agreement to July 31, 2021; and

WHEREAS, the Parties entered into a Second Amendment to extend the term to July 31, 2022; and

WHEREAS, on May 17, 2022, the City Council approved extending the Agreement for one (1) additional one-year period; and

WHEREAS, the Parties entered into a Third Amendment to extend the term to July 31, 2023; and

WHEREAS, on June 6, 2023, the City Council approved extending the Agreement for one (1) additional one-year period and increasing the contract amount; and

WHEREAS, the Parties desire to add One Hundred Fifty Thousand Dollars (\$150,000) to the total authority amount, and extend the term of the Agreement using the authorized one-year period;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and

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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, not to exceed Four Hundred Fifty Thousand Dollars (\$450,000), at the rates or charges shown in Exhibit "B"."
 - 2. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM.</u> The term of this Agreement shall commence at midnight on August 1, 2017 and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34736 are ratified and confirmed and shall remain in full force and effect.

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	1	IN WITNESS WHEREOF, the Parties have caused this document to be duly			
OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor I ond Reach CA 90R02-4664	2	executed with all formalities required by law as of the date first stated above.			
	3 4	O'CONNOR CONSTRUCTION MANAGEMENT INC., a California corporation			
	5 6	June 16, 2023 By			
	7	Name () ques B. Monne Title (FC)			
	8	, 2023 By			
	9	Name Title			
	10	EXECUTED BURGALLA "Consultant"			
	11	TO SECTION 301 OF			
	12	corporation			
	13				
	14				
	15	"City"			
	16	This Fourth Amendment to Agreement No. 34736 is approved as to form on			
	17	104e 20, 2023.			
	18	DAWN MCINTOSH, City Attorney			
	19				
	20	By			
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CERTIFICATE OF INCUMBENCY

O'Connor Construction Management, Inc.

The undersigned Chairman of the Board of O'Connor Construction Management, Inc., a California Corporation (the "Corporation"), hereby certifies that the Corporation's Directors, Officers, and Shareholders with 20% or more ownership, are as of the date signed below the following:

DIRECTORS

- Ciaran O'Connor
- Colm O'Connor
- Justin Peterson
- Neil Murphy

OFFICERS

- Ciaran O'Connor Chairman of the Board and Secretary
- Justin Peterson - President
- Chief Financial Officer and Senior Vice President Neil Murphy
- Colm O'Connor Senior Vice President
- Tom Strandberg Vice President
- Claire O'Connor Vice President

SHAREHOLDERS WITH 20% OR MORE OWNERSHIP

• Ciaran O'Connor

The undersigned further certifies that the following Officers are each singularly authorized and empowered to submit and execute all documents and take all actions on behalf of the Corporation, as may be necessary and required for the business and operations of the Corporation.

- Ciaran O'Connor
- Justin Peterson

This Certificate of Incumbency shall be effective from and after the date below and until the recipient hereof is given notice of its revocation.

EXECUTED on	- Yebidaiy 2	, 2021.	a California Corporation
			By:
			Ciaran O'Connor, Chairman of the Board