OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 111 West Ocean Boulevard, 9th Floor Long Beach, CA 90802-4664

$\frac{\text{NINTH AMENDMENT TO AGREEMENT NO. 33913}}{33913}$

THIS NINTH AMENDMENT TO AGREEMENT NO. 33913 is made and entered, in duplicate, as of July 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 MARY MCGRATH ARCHITECTS, A CALIFORNIA CORPORATION, a California corporation ("Consultant"), with a place of business at 1423 Broadway #1122, Oakland, California 94612, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 33913 (the "Agreement") whereby Consultant agreed to provide as-needed architectural services in an amount not to exceed Four Hundred Thousand Dollars (\$400,000) for a period of two (2) years with the option to extend for three (3) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to extend the term to July 19, 2018; and

WHEREAS, the Parties entered into a Second Amendment to extend the term to July 19, 2019; and

WHEREAS, the Parties entered into a Third Amendment to increase the Agreement authority amount for a total not to exceed One Million Dollars (\$1,000,000); and

WHEREAS, the Parties entered into a Fourth Amendment to extend the term to July 19, 2020; and

WHEREAS, on June 9, 2020, City Council approved extending the Agreement one (1) additional one-year period; and

WHEREAS, the Parties entered into a Fifth Amendment to extend the term to July 19, 2021; and

WHEREAS, the Parties entered into a Sixth Amendment to increase the authority amount for a total not to exceed One Million Eight Hundred Sixty-Nine Thousand

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Eight Hundred Sixteen Dollars and Nineteen Cents (\$1,869,816.19); and

WHEREAS, on June 8, 2021, City Council approved extending the Agreement one (1) additional one-year period; and

WHEREAS, the Parties entered into a Seventh Amendment to increase the authority amount for a total not to exceed Two Million One Hundred Sixty-Nine Thousand Eight Hundred Sixteen Dollars and Nineteen Cents (\$2,169,816.19), and extend the term of the Agreement to July 19, 2022; and

WHEREAS, on July 5, 2022, City Council approved extending the Agreement by one (1) additional one-year period; and

WHEREAS, the Parties entered into an Eighth Amendment to increase the Agreement authority amount for a total not to exceed amount of Four Million One Hundred Sixty-Nine Thousand Eight Hundred Sixteen Dollars and Nineteen Cents (\$4,169,816.19), extend the term to July 19, 2023, update the City Representative, and attach an updated rate sheet; and

WHEREAS, on June 6, 2023, City Council approved to extend the term of the Agreement by one (1) additional one-year period; and

WHEREAS, the Parties desire to extend the term of the Agreement using the authorized one-year period;

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

- 1. Section 2 of the Agreement is hereby amended to read as follows:
- "2. TERM. The term of this Agreement shall commence at midnight on July 20, 2015, and shall terminate at 11:59 p.m. on July 19, 2024, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 33913 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the Parties have caused this document to be duly 1 executed with all formalities required by law as of the date first stated above. 2 3 MARY MCGRATH ARCHITECTS. CALIFORNIA CORPORATION, a California 4 corporation 5 6 Title Presiden 7 8 , 2023 By Name 9 Title 10 "Consultant" **EXECUTED PURSUANT** 11 TO SECTION 301 OF CITY OF LONG BEACH, a municipal THE CITY CHARTER. OFFICE OF THE CITY ATTORNEY DAWN MCINTOSH, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach, CA 90802-4664 12 By Sinda & Jakem City Manager 13 14 "City" 15 This Ninth Amendment to Agreement No. 33913 is approved as to form on 16 , 2023. 17 DAWN MCINTOSH, City Attorney 18 19 20 21 22 23 24 25 26 27 28

ACTION BY WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF

MARY MCGRATH ARCHITECTS A California Corporation

Pursuant to Section 307(b) of the California Corporations Code and the By-laws of this corporation, the undersigned, being the sole Director of Mary McGrath Architects, a California Corporation (the "Corporation"), hereby consents to, adopts and ratifies the following resolution:

WHEREAS, the Director of the Corporation has determined that it would be in the best interests of the Corporation that Mary McGrath AlA, President of the Corporation, be empowered to execute client contracts on behalf of the corporation.

NOW THEREFORE, BE IT RESOLVED, that this Corporation vests the authority for execution of client contracts with Mary McGrath, AlA.

When executed this resolution shall have the same force and effect as resolutions adopted at a meeting of the Board of Directors duly called and held.

Dated: June 15, 2023

Mary McGrath, Director