

FIRST AMENDMENT TO AGREEMENT NO. 23-9951
BETWEEN THE CITY OF LOS ANGELES
TO BURNS & MCDONNELL ENGINEERING COMPANY, INC.

THIS FIRST AMENDMENT to Agreement ("Agreement") is entered into between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board") and BURNS & MCDONNELL ENGINEERING COMPANY, INC., a Missouri corporation ("Consultant") as follows:

1. Section 4.2, Effective Date and Term., is hereby replaced in its entirety and amended to read:

4.2 The term of this Agreement shall not exceed five (5) years, commencing on the Agreement's effective date. This Agreement shall be in full force and effect until:

a. Director determines that Consultant has completed the Scope of Work and provides Consultant written notice thereof; or

b. Board, in its sole discretion, terminates this Agreement, which termination shall become effective five (5) calendar days following Executive Director's transmittal of written notice advising Consultant of such action by Board. Upon receipt of such written notice, Consultant shall cease the performance of the Scope of Work. Consultant shall be entitled to compensation only for services actually performed prior to such termination. Director, in his or her sole reasonable discretion, shall determine the amount of services actually performed and shall allocate a portion of the total compensation due Consultant accordingly. If Board so terminates this Agreement, Consultant shall deliver all drawings, specifications, plans, reports, studies, calculations, estimates, documents and other work product produced pursuant to this Agreement to City in an organized, usable form with all items properly labeled to the degree of detail specified by the Director. No compensation shall be due Consultant until it complies with the requirements of this paragraph; or

c. Five (5) years have elapsed from the effective date of the Agreement.

Except as amended herein, all remaining terms and conditions of this Agreement shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date next to their signatures.

THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners

Date: _____

By: _____
EUGENE D. SEROKA
Executive Director

Attest: _____
AMBER M. KLESGES
Board Secretary

BURNS & MCDONNELL ENGINEERING
COMPANY, INC.

Date: 10/20/2025

By: *John R. Hesemann*

Name: John R. Hesemann

Title: Vice President

By: *Christine Dority*

Name: Christine Dority

Title: Asst. Secretary

APPROVED AS TO FORM AND LEGALITY

October 29, 2025
HYDEE FELDSTEIN SOTO, City Attorney
STEVEN Y. OTERA, General Counsel

By: *Justin Houterman*
JUSTIN HOUTERMAN, Deputy