

FIRST AMENDMENT TO AGREEMENT NO. E6611
BETWEEN THE CITY OF LOS ANGELES AND
JAMES K. WALLACE, MARINE SURVEYOR

THIS FIRST AMENDMENT to Agreement No. E6611 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and JAMES K. WALLACE, MARINE SURVEYOR ("Consultant") as follows:

1. Section III is amended to read:

"III. EFFECTIVE DATE AND TERM OF AGREEMENT

A. Consultant is aware that the City Council, pursuant to Charter Section 245 of the City of Los Angeles, has the right to review this Agreement. Accordingly, in no event shall this Agreement become effective until the sixth Council meeting day after Board action or the City Council's approval of the Agreement.

B. This Agreement shall be in full force and effect commencing from August 26, 2011 and shall continue until the earlier of the following occurs:

1. August 25, 2014, subject to the termination rights of City as set forth in Section IV of this Agreement.

or

2. The Board of Harbor Commissioners, in its sole discretion, terminates and cancels all or part of this Agreement for any reason upon giving to Consultant ten (10) days' notice in writing of its election to cancel and terminate this Agreement."

2. Section V, subsection B is amended to read:

"B. The maximum payable under this Agreement, including reimbursable expenses (see Exhibit "B"), shall be in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000).

3. Section X is amended to read:

"The Board of Harbor Commissioners, in its sole discretion, shall have the right to terminate and cancel all or any part of this Agreement for any reason upon giving the Consultant ten (10) days' advance, written notice of the Board's election to cancel and terminate this Agreement. It is agreed that any Agreement entered into shall not limit the right of the City to hire additional consultants or perform the services described in this Agreement either during or after the term of this Agreement."

Except as amended herein, all remaining terms and conditions of Agreement No. E6611 shall remain in full force and effect.

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. E6611 on the date to the left of their signatures.

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

Dated: _____, 2012

By _____
Executive Director

Attest _____
Board Secretary

JAMES K. WALLACE, MARINE SURVEYOR

Dated: _____, 2012

By _____
PRINCIPAL SURVEYOR
(Print/type name and title)

Attest _____
CINDY L. PHILLIPS, SECRETARY
(Print/type name and title)

APPROVED AS TO FORM

5/30, 2012
CARMEN A. TRUTANICH, City Attorney
THOMAS A. RUSSELL, General Counsel

For By _____
JOHN T. DRISCOLL, Deputy City Attorney

JTD:jpr
Attachments
041212

Account #	54290	W.O. #	
Ctr/Div #	418	Job Fac. #	
Proj/Prog #	000		

Budget FY:	Amount:
2012/13	\$ 50,000
2013/14	\$ 50,000
TOTAL:	\$100,000

For Acct/Budget Div. Use Only:

Verified by: _____
Verified Funds Available: _____
Date Approved: _____
5/30/12