

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 35632

2 **35632**

3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 35632 is made and
4 entered, in duplicate, as of February 7, 2022 for reference purposes only, pursuant to
5 Chapters 2.69 and 2.85 of the Long Beach Municipal Code, by and between KJP II
6 ENTERPRISES, LLC, DBA DAYS INN, a California limited liability corporation, hereinafter
7 called "OWNER", with a place of business at 1500 E Pacific Coast Highway, Long Beach,
8 California, 90806, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City requires specialized services requiring unique skills to be
10 performed in connection with Emergency Occupancy related to COVID-19, and is directly
11 related to that emergency and necessary for the preservation of public health and safety;
12 and

13 WHEREAS, the scope and magnitude of the response necessary to
14 proactively slow the spread of, and combat, COVID-19 in the City is beyond the control of
15 the services, personnel, equipment, and facilities of the City; and

16 WHEREAS, City and Owner (the "Parties") entered into Agreement No.
17 35632 (the "Agreement") whereby Owner agreed to provide these services; and

18 WHEREAS, the Parties entered into a First Amendment to extend the term
19 of the Agreement for an additional six-month period; and

20 WHEREAS, the Parties entered into a Second Amendment extend the term
21 of the Agreement due to additional funding provided by the Federal Emergency
22 Management Agency (FEMA); and

23 WHEREAS, the Parties entered into a Third Amendment to extend the term
24 of the Agreement for an additional six-month period due to another round of additional
25 funding provided by FEMA; and

26 WHEREAS, the Parties to entered into a Fourth Amendment to increase the
27 rate per room by Six Dollars (\$6), for a total of One Hundred and Twenty-Six Dollars
28 (\$126.00) per room; and

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

1 WHEREAS, the Parties desire to extend the term of the Agreement for an
2 additional three-month period; and

3 WHEREAS, pursuant to Chapter 2.85 of the Long Beach Municipal Code, the
4 City Manager and Purchasing Agent have the authority to approve purchases, rentals, or
5 leases of goods or services related to a proclaimed emergency;

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

8 1. Section 2. of the Agreement is hereby amended to read as follows:

9 "2. TERM The term of this Agreement shall commence on October 1,
10 2020, and shall terminate at 11:59 p.m. on September 30, 2022."

11 2. Except as expressly modified herein, all of the terms and conditions
12 contained in Agreement No. 35632 are ratified and confirmed and shall remain in full force
13 and effect.

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

KJP II ENTERPRISES, LLC, DBA DAYS INN, a California limited liability company

06-02- 2022

By [Signature]
Name JITENDRA PATEL
Title MEMBER

_____, 2022

By _____
Name _____
Title _____

"Owner"

CITY OF LONG BEACH, a municipal corporation

June 15, 2022

By [Signature]

City of Long Beach
PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This Fifth Amendment to Agreement No. 35632 is approved as to form on

June 6th, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy