

1 THIRD AMENDMENT TO AGREEMENT NO. 34384

2 **34384**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 34384 is made and
4 entered, in duplicate, as of August 4, 2021, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on August
6 3, 2021, by and between KOA CORPORATION, a California corporation ("Consultant"),
7 with a place of business at 1100 Corporate Center Drive, Suite 201, Monterey Park,
8 California 91754, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
10 34384 (the "Agreement") whereby Consultant agreed to provide as-needed public works
11 construction management and inspection services; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to
13 extend the term to August 31, 2020; and

14 WHEREAS, the Parties entered into a Second Amendment to the Agreement
15 to extend the term to August 31, 2021; and

16 WHEREAS, the Parties desire to add \$300,000 to the Agreement for a total
17 not to exceed amount of \$1,300,000 and extend the term one (1) additional one-year
18 period;

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

21 1. Section 1.A. of the Agreement is hereby amended to read as follows:

22 "A. Consultant shall furnish specialized services more particularly
23 described in Exhibit "A", attached to this Agreement and incorporated by this
24 reference, in accordance with the standards of the profession, and City shall pay for
25 these services in the manner described below, not to exceed One Million Three
26 Hundred Thousand Dollars (\$1,300,000), at the rates or charges shown in Exhibit
27 "B".

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

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

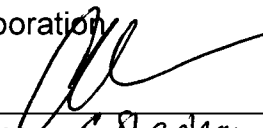
1 "2. TERM. The term of this Agreement shall commence at midnight on
2 August 31, 2016, and shall terminate at 11:59 p.m. on August 31, 2022, unless sooner
3 terminated as provided in this Agreement, or unless the services or the Project is
4 completed sooner."

5 3. Except as expressly modified herein, all of the terms and conditions
6 contained in Agreement No. 34384 are ratified and confirmed and shall remain in full force
7 and effect.

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

10 _____, 2021

KOA CORPORATION, a California corporation

By 
Name C. Stephan
Title Vice President

14 _____, 2021

By _____
Name _____
Title _____

"Consultant"

19 September 30, 2021

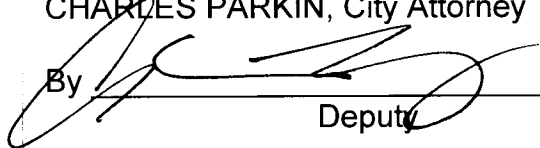
CITY OF LONG BEACH, a municipal corporation

By Linda J. Iatum
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

"City"

22 This Third Amendment to Agreement No. 34384 is approved as to form on
23 September 7, 2021.

25 CHARLES PARKIN, City Attorney
26 By 
27 Deputy



Certificate of Corporate Secretary

To Whom It May Concern:

I hereby certify that I am the Secretary of KOA Corporation, a California Corporation. The following is a true copy of a resolution duly adopted by the Board of Directors of the corporation at a meeting of the Board held on January 6, 2020, and entered in the minutes of such meeting in the minute's book of the corporation.

"Be it resolved that the Board of KOA Corporation hereby grants authority to bind this corporation in professional services agreements to each of the following individuals:"

Min Zhou, President
Jimmy Lin, Management Executive
Joel Falter, Vice President, Corporate Secretary
Juan Gutierrez, CFO, Treasurer
Walter Okitsu, Vice President

Ming Guan, Vice President
Chuck Stephan, Vice President
Doug Yeh, Vice President
Stephen Bise, Vice President
Diana Skidmore, Managing Director

For professional services agreements less than \$100,000, a single signature of any of the above is sufficient. For agreements of \$100,000 or more, two signatures are required.

Certified this 6th day of January 2020 by the Board of Directors. A Board quorum was present.

The resolution is in conformity with the articles of incorporation and bylaws of the corporation, has never been modified or repealed, and is now in full force and effect.

Dated: January 6, 2020

Joel Falter
Digitally signed
by Joel Falter
Date: 2020.01.08
11:10:03 -08'00'

Joel Falter
Corporate Secretary

(Corporate seal)