

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

1 FIRST AMENDMENT TO AGREEMENT NO. 36048

2 **36048**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 36048 is made and
4 entered, in duplicate, as of April 13, 2023, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on July 6, 2021,
6 by and between KOA CORPORATION, a California corporation ("Consultant"), with a place
7 of business at 1100 Corporate Center Drive, Suite 201, Monterey Park, California 91754,
8 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 as-needed professional engineering services ("Project"); and

11 WHEREAS, on July 6, 2021, the City Council adopted Specifications No.
12 RFQ PW0-059 and awarded agreements for as-needed professional engineering services
13 for a period of two (2) years, with the option to renew for three (3) additional one-year
14 periods, at the discretion of the City Manager; and

15 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
16 36048 (the "Agreement") whereby Consultant agreed to provide these services; and

17 WHEREAS, the Parties desire to extend the term of the Agreement using the
18 first one-year period option, and update the City's Representative in Exhibit C;

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

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

22 "2. TERM. The term of this Agreement shall commence at midnight on
23 August 1, 2021, and shall terminate at 11:59 p.m. on July 31, 2024, unless sooner
24 terminated as provided in this Agreement, or unless the services or the Project is
25 completed sooner. The term may be extended for two (2) additional one-year periods, at
26 the discretion of the City Manager."

27 2. The City's Representative in Exhibit "C" to the Agreement is hereby
28 amended in accordance with Exhibit "C-1", attached hereto and incorporated by this

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1 reference.

2 3. Except as expressly modified herein, all of the terms and conditions
3 contained in Agreement No. 36048 are ratified and confirmed and shall remain in full force
4 and effect.

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

7 KOA CORPORATION, a California
8 corporation

9 April 24, 2023

By 
Name C. Stephan
Title Principal

11 _____, 2023

By _____
Name _____
Title _____

14 EXECUTED PURSUANT
15 TO SECTION 301 OF
16 THE CITY CHARTER.

“Consultant”

17 May 19, 2023

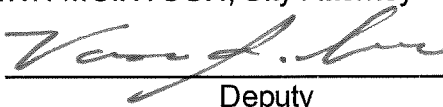
18 CITY OF LONG BEACH, a municipal
19 corporation

By 
City Manager

“City”

20 This First Amendment to Agreement No. 36048 is approved as to form on
May 16, 2023.

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DAWN MCINTOSH, City Attorney
By 
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)

Exhibit C-1

City's Representative

Keith Hoey, Acting City Engineer
Keith.Hoey@longbeach.gov
562/570-6586