

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

FOURTH AMENDMENT TO AGREEMENT NO. 35632

35632

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

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with Emergency Occupancy related to COVID-19 through the State's Project Roomkey Program, and is directly related to that emergency and necessary for the preservation of public health and safety; and

WHEREAS, Project Roomkey gives people who are experiencing homelessness and are recovering from COVID-19 or have been exposed to COVID-19 a place to recuperate and properly quarantine outside of a hospital. It also provides a safe place for isolation for people who are experiencing homelessness and at high risk for medical complications should they to become infected; and

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

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

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

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

WHEREAS, the Parties entered into a Third Amendment to extend the term

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

1 of the Agreement for an additional six-month period due to another round of additional
2 funding provided by FEMA; and

3 WHEREAS, the Parties desire to enter into a Fourth Amendment to increase
4 the rate per room by Six Dollars (\$6), for a total of One Hundred and Twenty-Six Dollars
5 (\$126.00) per room; and

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

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

11 1. Section 4. of the Agreement is hereby amended to read as follows.

12 "4. Rental payments shall be paid by CITY, from legally available
13 funds and subject to the California Constitution, in arrears on the last day of each
14 month during said terms as follows:

15 **THE DAILY ROOM RATE SHALL BE ONE HUNDRED AND**
16 **TWENTY-SIX 00/100 DOLLARS (\$126.00) DURING THE TERM OF THIS**
17 **AGREEMENT.**

18 OWNER shall provide a monthly or bi-monthly invoice to CITY at the
19 address below based on the above listed daily room rate. Invoice must be
20 submitted by the fifth business day following the period that the OWNER is
21 invoicing for. Invoice may be submitted electronically to Erica.Valencia-
22 Adachi@longbeach.gov or by mail the address listed below. Rental shall be paid
23 to OWNER at the address specified in Paragraph 5 or to such other address as
24 OWNER may designate by a notice in writing.

25 Invoices to CITY may be sent to:

26 City of Long Beach

27 Attn: Erica Valencia-Adachi

28 2525 Grand Ave, Suite 235

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

Long Beach, CA 90815"

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

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

02/08/, 2022

By [Signature]
Name JITENDRA PATEL
Title MEMBER

02/08/, 2022

By [Signature]
Name JITENDRA PATEL
Title OWNER

"Owner"

CITY OF LONG BEACH, a municipal corporation

2/15/, 2022

By [Signature]
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fourth Amendment to Agreement No. 35632 is approved as to form on February 15, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy