

1 THIRD AMENDMENT TO AGREEMENT NO. 33843

2 **33843**

3 THIS THIRD AMENDMENT TO AGREEMENT NO. 33843 is made and
4 entered, in duplicate, as of January 31, 2019 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 April
6 7, 2015, by and between KOA CORPORATION, a California corporation ("Consultant"),
7 with a place of business at 2141 West Oranewood Avenue, Suite A, Orange, California
8 92868, 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 traffic engineering, transportation planning and
11 related technical and professional services; and

12 WHEREAS, City and Consultant (the "Parties") entered into Agreement No.
13 33843 (the "Agreement") whereby Consultant agreed to provide these services; and

14 WHEREAS, the Parties entered into a First Amendment to the Agreement
15 to increase the amount by \$200,000 for a total not to exceed amount of \$800,000; and

16 WHEREAS, the Parties entered into a Second Amendment to the
17 Agreement to increase the amount by \$300,000 for a total not to exceed amount of
18 \$1,100,000 and extend the term to May 31, 2019; and

19 WHEREAS, the Parties desire to increase the amount by \$350,000 for a
20 total not to exceed amount of \$1,450,000 and extend the term one (1) additional one-year
21 period;

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

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

25 "A. Consultant shall furnish specialized services more particularly
26 described in Exhibit "A", attached to this Agreement and incorporated by this
27 reference, in accordance with the standards of the profession, and City shall pay
28 for these services in the manner described below, not to exceed One Million Four

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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1 Hundred Fifty Thousand Dollars (\$1,450,000), at the rates or charges shown in
2 Exhibit "B".

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

4 "2. TERM. The term of this Agreement shall commence at midnight on
5 June 1, 2015, and shall terminate at 11:59 p.m. on May 31, 2020, unless sooner
6 terminated as provided in this Agreement, or unless the services or the Project is
7 completed sooner."

8 3. Except as expressly modified herein, all of the terms and conditions
9 contained in Agreement No. 33843 are ratified and confirmed and shall remain in full
10 force and effect.

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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.

KOA CORPORATION, a California corporation

2/12/, 2019

By [Signature]
Name Min Zhou
Title Deputy CEO

2/12/, 2019

By [Signature]
Name C. Stepha
Title City President

Tom Modica
Assistant City Manager

"Consultant"

**EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER**

CITY OF LONG BEACH, a municipal corporation

April 5, 2019

By [Signature]
City Manager

"City"

This Third Amendment to Agreement No. 33843 is approved as to form on
March 28, 2019.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy