

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4684

1 THIRD AMENDMENT TO CONTRACT NO. 34018

2 **34018**

3 THIS THIRD AMENDMENT TO CONTRACT NO. 34018 is made and
4 entered, in duplicate, as of June 20, 2017, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 June 2, 2015, by and between KRA CORPORATION, a Maryland, for-profit corporation
7 (“Contractor”) with offices located at 11830 West Market Place, Suite M, Fulton, MD 20759,
8 and the CITY OF LONG BEACH, a municipal corporation (“City”) and administering entity
9 for Pacific Gateway Workforce Investment Network.

10 WHEREAS, City requires specialized services requiring unique skills to be
11 performed in providing Workforce Investment Act/Workforce Innovation and Opportunity
12 Act (WIA/WIOA) program services to out-of-school youth; and

13 WHEREAS, City and Contractor (the “Parties”) entered into Contract No.
14 34018 (the “Contract”) whereby Contractor agreed to provide such services; and

15 WHEREAS, the Parties entered into a First Amendment to the Contract to
16 extend the term and increase the not to exceed amount; and

17 WHEREAS, the Parties entered into a Second Amendment to the Contract
18 to increase the not to exceed amount; and

19 WHEREAS, the Parties desire to extend the term an additional one (1) year
20 period and add \$147,500 for a total not to exceed amount of \$1,115,000;

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

23 1. Section 2 of the Contract is hereby amended to read as follows:

24 “SECTION 2. TERM.

25 The term of this Contract shall be deemed to have commenced as of June 4,
26 2015, and unless sooner terminated pursuant to the provisions hereof, shall terminate on
27 June 30, 2018. Either of the Parties hereto shall have the right to terminate this Contract
28 in its entirety at any time during the Term for any or no reason whatsoever by giving fifteen

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

1 (15) days prior written notice of termination to the other party. City shall have the additional
2 right to cancel any part of this Contract at any time during the Term for any reason
3 whatsoever by giving fifteen (15) days' notice of such cancellation to the Contractor.

4 Notwithstanding the foregoing, the City shall have the right to terminate and
5 cancel this Contract without notice, in its sole discretion, if the actions or non-action of
6 Contractor subjects the City to liability, legal obligations or program operation obligations
7 beyond the liability and obligations under the Contract Documents. If this Contract is
8 terminated prior to the expiration of the term, Contractor shall be reimbursed for all eligible
9 program allowable costs which have been accrued but not paid through the effective date
10 of termination. Contractor agrees to accept such amount, plus all amounts previously paid,
11 as full payment and satisfaction of all obligations of City to Contractor."

12 2. The first paragraph to Section 5 of the Contract is hereby amended to
13 read as follows:

14 "SECTION 5. CONTRACT AMOUNT AND PAYMENT.

15 The total amount which shall be payable by City to Contractor for Contractor's
16 allowable services during the term shall not exceed One Million One Hundred Fifteen
17 Thousand Dollars (\$1,115,000)."

18 3. Except as expressly amended in this Third Amendment, all terms and
19 conditions in Contract No. 34018 are ratified and confirmed and shall remain in full force
20 and effect.

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

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 hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

KRA CORPORATION, a Maryland, for-profit corporation

September 13th, 2017

By [Signature]
Name Patrick Boxall
Title VP & COO

September 13th, 2017

By [Signature]
Name Knowlton Atterberry
Title President & CEO

"Contractor"

CITY OF LONG BEACH, a municipal corporation

Sept. 27, 2017

By [Signature] Tom Modica
Assistant City Manager
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This Third Amendment to Contract No. 34018 is approved as to form on

Sept. 21, 2017.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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