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. 34384

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34384 is made and entered, as of July 25, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 19, 2022, by and between KOA CORPORATION, a California corporation ("Consultant"), with a place of business at 1100 Corporate Center Drive, Suite 201, Monterey Park, California 91754, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34384 (the "Agreement") whereby Consultant agreed to provide as-needed public works construction management and inspection services in an amount not to exceed One Million Dollars (\$1,000,000) for a period of three (3) years with the option to extend for two (2) additional one-year periods, at the discretion of the City Manager; and

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

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

WHEREAS, on August 3, 2021, the City Council authorized increasing the aggregate not to exceed amount by Ten Million Dollars (\$10,000,000) for a revised aggregate amount not to exceed Forty-Nine Million Dollars (\$49,000,000) and extended the term to August 31, 2022, for as-needed construction management and inspection services for all public works projects; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add Three Hundred Thousand Dollars (\$300,000) for a total not to exceed amount of One Million Three Hundred Thousand Dollars (\$1,300,000) and extend the term to August 31, 2022; and

WHEREAS, on July 19, 2022, the City Council authorized increasing the aggregate not to exceed amount by Six Million Dollars (\$6,000,000) for a revised aggregate

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amount not to exceed Fifty-Five Million Dollars (\$55,000,000) and extended the term to August 31, 2023, for as-needed construction management and inspection services for all public works projects; and

WHEREAS, the Parties desire to add One Million Dollars (1,000,000) to the Agreement for a total not to exceed amount of Two Million Three Hundred Thousand Dollars (\$2,300,000), extend the term one (1) additional one-year period and update the City Representative;

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

- Section 1.A. of the Agreement is hereby amended to read as follows: 1.
- Consultant shall furnish specialized services more particularly "A. described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000), at the rates or charges shown in Exhibit "B"."
 - Section 2 of the Agreement is hereby amended to read as follows: 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, 2023, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- The City Representative in Exhibit "C" to the Agreement is hereby 3. amended in accordance with Exhibit "C-1", attached hereto and incorporated by this reference.
- Except as expressly modified herein, all of the terms and conditions 4. contained in Agreement No. 34384 are ratified and confirmed and shall remain in full force and effect.

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| | 1 | IN WITNESS WHEREOF, the Partice have | |
| | 2 | IN WITNESS WHEREOF, the Parties have caused this document executed with all formalities required by law as of the date first stated above. | to be duly |
| | 3 | as of the date first stated above. | |
| | 4 | KOA CORPORATION, a (corporation | California |
| , | 5 | - Din D | |
| | 6 | Name Jimmen Jimmen | |
| | 7 | Avril 8 | ive |
| | 8 | , 2022 By () On Name | |
| | 9 | Title Vie Prosidice | , |
| | 10 | "Consultant" | |
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| RNEY vrney h Flooi 64 | 12 | CITY OF LONG BEACH, a mu | unicipal |
| ATTO ity Affe 302-46 | 13 - | August 19, 2022 By Junda J. Jahren | |
| CITY KIN, C Soulev CA 900 | 14 | City Manager | |
| OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach, CA 90802-4664 | 15 | "City" EXECUTED PURSUANT | |
| ICE O ARLES West O ong Be | 6 | This Fourth Amendment to Agreement No. 343816 is CALCOTED PURSUANT TO SECTION 301 OF AUGUST 16, 2022. | orm on |
| P. 4. 4. 1 | 7 | , 2022. | |
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| 19 | 9 | CHARLES PARKIN, City Attorney | |
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Exhibit C-1

City's Representative:

Keith Hoey

Assistant City Engineer

Keith.Hoey@LongBeach.Gov

562/570-6586