

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

1 **ASSIGNMENT, ASSUMPTION, CONSENT, AND SECOND AMENDMENT TO**
2 **AGREEMENT NO. 34453**

3 **34453**

4 THIS ASSIGNMENT BY CHP ENTERPRISES DBA KEN PORTER
5 AUCTIONS TO AND ASSUMPTION BY J.J. KANE ASSOCIATES, INC., A SUBSIDIARY
6 OF ALTEC, INC., OF THE RIGHTS AND OBLIGATIONS OF CHP ENTERPRISES DBA
7 KEN PORTER AUCTIONS UNDER AGREEMENT NO. 34453 BETWEEN THE CITY OF
8 LONG BEACH AND CHP ENTERPRISES DBA KEN PORTER AUCTIONS, is made and
9 entered, in triplicate, as of November 19, 2019, for reference purposes only, pursuant to
10 a minute order adopted by the City Council of the City of Long Beach at its meeting on
11 November 12, 2019;

12 WHEREAS, City requires specialized services requiring unique skills to be
13 performed in connection with auctioneering services ("Project"); and

14 WHEREAS, the CITY and CHP entered Agreement No. 34453 whereby
15 CHP agreed to provide these services ("Agreement"); and

16 WHEREAS, the City and CHP executed a First Amendment to Agreement
17 No. 34453 to extend the term for an additional year; and

18 WHEREAS, CHP now desires to amend the agreement a second time to
19 extend the agreement for an additional year and assign to JJKA, a subsidiary of Altec,
20 Inc., all of CHP's right, title, and interest in the Agreement and JJKA desires to assume
21 all of the obligations of CHP under the Agreement; and

22 WHEREAS CITY desires to consent to such assignment, assumption, and
23 extension.

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

26 1. CHP hereby assigns all of its right, title and interest in the Agreement
27 to JJKA, a subsidiary of Altec, Inc. and agrees to this Second Amendment. JJKA accepts
28 the assignment from CHP, assumes all of the obligations under the Agreement, and

1 agrees to this Second Amendment. CITY hereby consents to the foregoing assignment
2 and assumption and agrees to this Second Amendment. The CITY's consent to this
3 assignment will not waive any restriction or requirement in the Agreement relating to any
4 further assignment.

5 2. This Agreement may be executed in two or more counterparts, each
6 of which shall be deemed an original, but all of which together shall constitute one and
7 the same instrument.

8 3. Section 2. of Agreement No. 34453 is hereby amended to read as
9 follows:

10 "2. TERM. The term of this Agreement shall commence at
11 midnight on November 1, 2016, and shall terminate at 11:59 p.m. on October 31,
12 2020, unless sooner terminated as provided in this Agreement, or unless the
13 services or the Project is completed sooner."

14 4. Except as expressly modified herein, all of the terms and conditions
15 contained in Agreement No. 34453 are ratified and confirmed and shall remain in full
16 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.

CHP ENTERPRISES DBA KEN PORTER AUCTIONS, a California corporation

By [Signature]
Name RAYMOND CLARIDGE
Title PRESIDENT

_____, 2019

By _____
Name _____
Title _____

_____, 2019

"CHP"
JS Kane Assoc, Inc, New Jersey Corp
~~ALTEC INDUSTRIES, INC., an Alabama corporation~~ and a subsidiary to Altec Inc

By _____
Name _____
Title _____

_____, 2019

By _____
Name _____
Title _____

_____, 2019

"ALTEC"

CITY OF LONG BEACH, a municipal corporation

By Rebecca M. Garner
City Manager

January 29, 2019²⁰

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

"CITY" The foregoing document is hereby approved as to form on

January 27, 2019.

CHARLES PARKIN, City Attorney
By [Signature]
Deputy

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