CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

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THIRD AMENDMENT TO AGREEMENT NO. 34895

34895

THIS THIRD AMENDMENT TO AGREEMENT NO. 34895 is made and entered, in duplicate, as of December 9, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on December 8, 2020, by and between LAZ PARKING CALIFORNIA, LLC, a Connecticut limited liability company ("Operator"), with a place of business at 10635 Santa Monica Blvd., Suite 145, Los Angeles, California 90025, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Operator (the "Parties") entered into Agreement No. 34895 (the "Agreement") whereby Operator agreed to provide Citywide parking operations and management services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add additional parking locations and add \$4,522,813 to the Agreement for a total not to exceed amount of \$13,971,791; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add additional parking locations and upgrades and add \$1,171,884 to the Agreement for a total not to exceed amount of \$15,143,675; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and add \$3,761,076 to the Agreement;

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.
- "A. Operator shall provide all parking management services necessary to operate, maintain and manage the parking facilities ("Parking Facilities") more particularly described in Exhibit "A-2" and referenced appendices, attached to this Agreement and incorporated herein 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

Eighteen Million Nine Hundred Four Thousand Seven Hundred Fifty-One Dollars (\$18,904,751), at the rates or charges shown in Exhibit "B" (the "Cost Proposal")."

- 2. Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on January 1, 2018, and shall terminate at 11:59 p.m. on December 30, 2021, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34895 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the Parties have caused this document to be duly 1 executed with all formalities required by law as of the date first stated above. 2 3 LAZ PARKING CALIFORNIA, LLC, a Connecticut limited liability company 4 , 2020 5 Name Michael Harth Title President, west Region 6 7 _____, 2020 By_____ Name _____ 8 Title 9 "Operator" 10 CITY OF LONG BEACH, a municipal 11 corporation OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664 12 , 2020 City Manager 13 14 "City" This Third Amendment to Agreement No. 34895 is approved as to form on 15 16 , 2020. 17 CHARLES PARKIN, City Attorney 18 By _____ 19 Deputy 20 21 22 23 24 25 26 27 28

	1	IN WITNESS WHEREOF, the Parties have caused this document to be duly
OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4684	2	executed with all formalities required by law as of the date first stated above.
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	4	LAZ PARKING CALIFORNIA, LLC, a Connecticut limited liability company
	5	, 2020 By Wilte
	6	Name Michael Harth Title Projection, west legion
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	8	Name
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	10	"Operator"
	11	CITY OF LONG BEACH, a municipal corporation
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	13	City Manager
	14	"City"
	15	This Third Amendment to Agreement No. 34895 is approved as to form on
	16	Dec. 21, 2020.
	17	
	18	CHARLES PARKIN, City Attorney
	19	By Deputy
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RESOLUTION

OF

MEMBERS OF LAZ PARKING CALIFORNIA, LLC

THE UNDERSIGNED, LAZ KARP Associates, LLC, being the sole member of LAZ PARKING CALIFORNIA, LLC, a limited liability company organized and existing under the laws of the State of Connecticut and authorized to do business in the State of California (the "Company") hereby represents that:

A Meeting of the Members of the Company was held on December 17, 2020.

At said meeting after motion duly made and seconded, the following Resolutions were unanimously adopted:

RESOLVED, that the Company is hereby authorized to execute and deliver a certain Third Amendment to Agreement No. 34895 to the City of Long Beach (the "Amendment");

FURTHER RESOLVED, that Michael Harth as President, West Region of the Company is authorized to sign such Amendment and such Amendment shall binding upon the Company.

DATED at Hartford, Connecticut, this 17th day of December, 2020.

LAZ KARP Associate

Name: Glenn T. Terk

its: Corporate Counsel