OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

SECOND AMENDMENT TO AGREEMENT NO. 36046

36046

THIS SECOND AMENDMENT TO AGREEMENT NO. 36046 is made and entered, in duplicate, as of May 23, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 23, 2023, by and between KOA CONSULTING, INC., a California corporation ("Consultant"), with a place of business at 419 Main Street, NO 320, Huntington Beach, California 92648, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed professional engineering services ("Project"); and

WHEREAS, on July 6, 2021, the City Council adopted Specifications No. RFQ PW0-059 and awarded agreements for as-needed professional engineering services for a period of two (2) years, with the option to renew for three (3) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36046 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to extend the term of the Agreement to July 31, 2024, and update the City's Representative; and

WHEREAS, on May 23, 2023, the City Council authorized an increase to the aggregate contract total in an amount not to exceed Ninety Million Dollars ($90,000,000) for all agreements created under Specification No. RFQ PW20-059; and

WHEREAS, the Parties desire to increase the authority of this Agreement by Three Million Dollars ($3,000,000);

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

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

"A. Consultant shall furnish specialized services more particularly 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, in an amount not to exceed Five Million Dollars ($5,000,000), at the rates or charges shown in Exhibit "B"."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36046 are ratified and confirmed and shall remain in full force and effect.

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 CONSULTING, INC., a California corporation

May 30, 2023

By
Name Kekoa Anderson
Title CEO

May 30, 2023

By
Name Traci Gleason
Title President

"Consultant"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

CITY OF LONG BEACH, a municipal corporation

6-16, 2023

By Linda F. Tatum
City Manager

"City"

This Second Amendment to Agreement No. 36046 is approved as to form on June 6, 2023.

DAWN MCINTOSH, City Attorney

By
Deputy

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