

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

1 THIRD AMENDMENT TO CONTRACT NO. 35080

2 **35080**

3 THIS THIRD AMENDMENT TO CONTRACT NO. 35080 is made and
4 entered, in duplicate, as of July 7, 2021 for reference purposes only, pursuant to Resolution
5 No. RES-18-0079, adopted by the City Council of the City of Long Beach at its meeting on
6 June 12, 2018, by and between METER, VALVE & CONTROL, INC., a California
7 corporation ("Contractor"), with a place of business at 1499 Sunnybrook Road, Alamo,
8 California 94507, and the CITY OF LONG BEACH ("City"), a municipal corporation.

9 WHEREAS, City and Contractor (the "Parties") entered into Contract No.
10 35080 (the "Contract"), pursuant to Resolution No. RES-18-0079, to purchase gas meters
11 and related services and parts; and

12 WHEREAS, the Parties entered into a First Amendment to the Contract to
13 extend the term to July 31, 2021 and clarify the authorized not to exceed annual amount;
14 and

15 WHEREAS, the Parties entered into a Second Amendment to the Contract
16 to increase the annual not to exceed amount; and

17 WHEREAS, the Parties desire to add the authorized annual amount and
18 extend the term one (1) additional one-year period;

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

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

22 "2. City shall pay Contractor in due course of payments, following receipt
23 of an invoice from Contractor and upon acceptance from City, for gas meters and related
24 services and parts, at the prices shown on Exhibit "A" attached to the Contract and
25 incorporated by this reference, a sum not to exceed One Hundred Thousand Dollars
26 (\$100,000) annually from August 1, 2018 to July 31, 2020, and an annual sum not to
27 exceed Two Hundred Thousand Dollars (\$200,000) from August 1, 2020 to July 31, 2022."

28 2. Section 3 of the Contract is hereby amended to read as follows:

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1 "3. The term of this Contract shall commence on August 1, 2018, and
2 shall terminate at midnight on July 31, 2022, unless sooner terminated as provided herein.
3 The City may terminate this Contract by giving thirty (30) days prior notice of termination
4 to Contractor."

5 3. Except as expressly modified herein, all of the terms and conditions
6 contained in Contract No. 35080 are ratified and confirmed and shall remain in full force
7 and effect.

8 IN WITNESS WHEREOF, the Parties have signed this document with all the
9 formalities required by law as of the date first stated above.

METER, VALVE & CONTROL, INC., a
California Corporation

10
11
12 August 11, 2021

By Karen Hennrich
Name Karen Hennrich
Title President

13
14 August 11, 2021

By Scott K. Hemp
Name Scott K. Hemp
Title VP

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

15
16
17
18
19 8/26, 2021

By Linda J. Tatum
Name Linda J. Tatum
Title City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

"City"

This Third Amendment to Contract No. 35080 is approved as to form on

20
21
22
23 August 19, 2021.

CHARLES PARKIN, City Attorney

24
25
26 By [Signature]
Deputy

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9 formalities required by law as of the date first stated above.

10 METER, VALVE & CONTROL, INC., a
11 California corporation

12 August 11, 2021

By Karen C Henrich
Name Karen Henrich
Title President

14 August 11, 2021

By [Signature]
Name Scott K Henrich
Title VP

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

19 _____, 2021

By _____
City Manager

"City"

22 This Third Amendment to Contract No. 35080 is approved as to form on
23 _____, 2021.

CHARLES PARKIN, City Attorney

26 By _____
27 Deputy