

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

1 FIFTH AMENDMENT TO AGREEMENT NO. 34352

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3 THIS FIFTH AMENDMENT TO AGREEMENT NO. 34352 is made and
4 entered, in duplicate, as of August 5, 2021, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on August
6 3, 2021, by and between UNITED STORM WATER, INC., a California corporation
7 (“Contractor”), with a place of business at 14000 E. Valley Boulevard, City of Industry,
8 California 91746, and the CITY OF LONG BEACH, a municipal corporation (“City”).

9 WHEREAS, City and Contractor (the “Parties”) entered into Agreement No.
10 34352 (the “Agreement”) whereby Contractor agreed to provide storm drain routine
11 maintenance and repair; and

12 WHEREAS, the Parties entered into a First Amendment to the Agreement to
13 add a one-time amount of \$710,000 to cover the many emergency storm calls that took
14 place December 2016 to February 2017; and

15 WHEREAS, the Parties entered into a Second Amendment to the Agreement
16 to extend the term to July 31, 2020 and add the annual agreement amount plus
17 contingency; and

18 WHEREAS, the Parties entered into a Third Amendment to the Agreement
19 to add \$1,269,045 to the Agreement; and

20 WHEREAS, the Parties entered into a Fourth Amendment to the Agreement
21 to extend the term to July 31, 2021; and

22 WHEREAS, the Parties desire to add \$1,000,000 to the Agreement for a total
23 not to exceed amount of \$4,704,045, extend the term, and attach an updated rate sheet;

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

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

27 “A. Contractor shall furnish specialized services more particularly
28 described in Exhibit “B”, attached to the Agreement and incorporated by this

1 reference, in accordance with the standards of the profession, and City shall pay for
2 these services in the manner described below, in a total amount not to exceed Four
3 Million Seven Hundred Four Thousand Forty-Five Dollars (\$4,704,045), at the rates
4 or charges shown in Exhibit "B".

5 2. Section 2 of the Agreement is hereby amended to read as follows:

6 "2. TERM. The term of this Agreement shall commence at midnight on
7 August 1, 2016, and shall terminate at 11:59 p.m. on April 30, 2022, unless sooner
8 terminated as provided in this Agreement, or unless the services or the Project is
9 completed sooner."

10 3. The Rates in Exhibit "B" to the Agreement are hereby amended in
11 accordance with Exhibit "B-1", attached hereto and incorporated by this reference

12 4. Except as expressly modified herein, all of the terms and conditions
13 contained in Agreement No. 34352 are ratified and confirmed and shall remain in full force
14 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.

UNITED STORM WATER, INC., a California corporation

10/1/21, 2021

By [Signature]
Name EDUARDO PEREZ JR
Title PRESIDENT

10/1/21, 2021

By [Signature]
Name Daniel C. Bell
Title V.P.

"Contractor"

CITY OF LONG BEACH, a municipal corporation

October 8, 2021

By [Signature]
City Manager

"City" EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fifth Amendment to Agreement No. 34352 is approved as to form on

10-5, 2021.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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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.

UNITED STORM WATER, INC., a California corporation

10/1/21, 2021

By [Signature]
Name EDUARDO PERRY JR.
Title PRESIDENT

10/1/21, 2021

By [Signature]
Name Daniel C Perri
Title [Signature]

"Contractor"

CITY OF LONG BEACH, a municipal corporation

_____, 2021

By _____
City Manager

"City"

This Fifth Amendment to Agreement No. 34352 is approved as to form on

_____, 2021.

CHARLES PARKIN, City Attorney

By _____
Deputy

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EXHIBIT "B-1"

OPERATED EQUIPMENT - INCLUDES OPERATOR

ITEM NO.	EQUIPMENT	RATES	UNIT
1	Vacuum Truck, 50 BBLs Mild Steel	\$78.00	Hourly
2	Vacuum Truck, 50 BBLs Stainless Steel	\$81.00	Hourly
3	Vacuum Truck, 120 BBLs Mild Steel	\$83.00	Hourly
4	Vacuum Truck, 120 BBLs Stainless Steel	\$89.00	Hourly
5	Vacuum Truck, 120 BBLs Fiberglass Lined	\$110.00	Hourly
6	Vacuum Truck, 142 BBLs 3-Compartment Stainless Steel	\$113.00	Hourly
7	Water Truck	\$78.00	Hourly
8	45' Enclosed Van	\$81.00	Hourly
9	48' Drop Deck	\$81.00	Hourly
10	End Dump Truck	\$94.00	Hourly
11	Dump Truck 2-Axle	\$75.00	Hourly
12	Roll-off Truck	\$89.00	Hourly
13	Roll-off Truck & Trailer (Tandem)	\$94.00	Hourly
14	Vactor/Guzzler	\$185.00	Hourly
15	Vactor/Guzzler-High Rail	\$185.00	Hourly
16	Combo Vactor/Jetter Truck	\$190.00	Hourly
17	Vactron with operator	\$100.00	Hourly
18	Tractor for Spill Response Trailer (mobilization & demobilization)	\$76.00	Hourly
19	Mini-me	\$78.00	Hourly
20	Cushion Truck	\$98.00	Hourly
21	Backhoe/Cat 950 Loader Transport	\$108.00	Hourly
22	Fuel/Insurance Surcharge	20%	Transportation
23	Overnight Demurrage on Vacuum Tanker	\$250.00	Day
24	Overnight Demurrage on End Dump or Dry Van	\$50.00	Day

NOTES: *4Hrs minimum will apply to Operated Equipment and Personal

Prevailing Wage Surcharge \$	\$40.00
Fuel Surcharge/Insurance Surcharge Applies	23.0 % of Transportation Costs
Overtime - please describe:	Applies to vehicles listed above during any period worked in Excess of 8 hours per day Monday through Friday and from Friday midnight through Sunday Midnight
Holidays - please submit on separate sheet.	

**** Note: Overtime = Rate Plus \$16.00/Hr *** Doubletime = Rate plus \$32.00/Hr

****Prevailing Overtime= Overtime Rate + Prevailing wage + \$16.00/Hr *** Doubletime Rate + Prevailing rate +\$32.00/Hr

UNOPERATED EQUIPMENT - OPERATOR BILLED SEPARATELY

ITEM NO	EQUIPMENT	RATES	UNIT
TRAFFIC CONTROL EQUIPMENT			
25	Arrow Board	\$60.00	Day
26	Traffic Cones	\$.50	Day each
27	Traffic Signs	\$1.00	Day each

PERSONNEL/EMERGENCY RESPONSE UNITS

28	Pick-up Truck	\$22.00	Hourly
29	Utility Truck (E.R.)	\$40.00	Hourly
30	Company Auto	\$15.00	Hourly
31	Stakebed Truck w/Liftgate	\$35.00	Hourly
32	Stakebed Truck w/Liftgate (40 Mile Radius)	\$250.00	Day
33	Biowaste Trailer	\$200.00	Day
34	50' Incident Response Trailer	\$800.00	Day
35	36' Incident Command Center Trailer	\$700.00	Day

LOADING/EXCAVATING EQUIPMENT

36	950 Loader	\$125.00	Hourly
37	446 Backhoe	\$75.00	Hourly
38	Backhoe Breaker or Compactor Attachment	\$325.00	Day Each
39	Excavator (Cat 330)	\$100.00	Hourly
40	Mini Excavator with Trailer	\$65.00	Hourly
41	Bobcat Loader with Trailer	\$55.00	Hourly
42	Bobcat Loader Auger Attachment	\$75.00	Day
43	Bobcat Loader Sweeper Attachment	\$75.00	Day
44	Bobcat Loader Backhoe Attachment	\$75.00	Day
45	Bobcat Loader Grappler Attachment	\$75.00	Day
46	Bobcat Loader Breaker Attachment	\$75.00	Day
47	Shovel, push broom, squeegee, or scraper	\$5.00	Day
48	Wheelbarrow	\$5.00	Day

CORING/SAMPLING EQUIPMENT

49	Concrete Coring Machine (6' max. dia.)	\$100.00	Day
50	Hand Auger Kit (excluding brass sleeves)	\$100.00	Day
51	Brass Sample Sleeve	\$1.00	Day

PERSONNEL

ITEM NO.	STAFF POSITION	RATES	UNIT
52	Environmental Safety Coordinator	\$50.00	Hourly
53	Supervisor	\$70.00	Hourly
54	Equipment Operator	\$70.00	Hourly
55	Technician	\$60.00	Hourly
56	Administrative Clerk	\$20.00	Hourly
57	Industrial Hygienist	\$100.00	Hourly
58	Project Manager	\$50.00	Hourly
59	Osha Required Confined Space Rescue Trained Specialist	\$64.00	Hourly
60	Confined Space Gear	\$250.00	Day

NOTES:

Prevailing Wage Surcharge \$ 40.00
Straight Time - please describe: The first 8 hours worked between 7:00 am and 5:00pm Monday through Friday
Overtime - please describe: Any period worked more than 8 hours
Double Time - please describe: Any period worked more than 12 hours Monday through Sat and all day Sunday

UNOPERATED EQUIPMENT - MISCELLANEOUS

ITEM NO.	EQUIPMENT	RATES	UNIT
61	Forklift (4000 thru 6000 lbs. Capacity) with Trailer	\$100.00	Day
62	110-150 CFM Air Compressor	\$100.00	Day
63	375 CFM Air Compressor	\$100.00	Day
64	9.2 CFM Air Compressor	\$75.00	Day
65	Extension Ladder 28'	\$10.00	Day
66	Folding Ladder 32'	\$10.00	Day
67	Folding Ladder 8'	\$10.00	Day
68	Plasma Cutter	\$75.00	Day
69	Cutting Torch	\$100.00	Day
70	Chain Saw (16")	\$50.00	Day
71	Miscellaneous Tools (ropes, buckets, wrenches)	\$25.00	Day
72	Concrete Saw (includes 1-blade)	\$75.00	Day
73	Concrete Saw Additional Blade	\$25.00	Day
74	Gas Cut Off Saw	\$50.00	Day
75	Gas Cut Off Saw Additional Blades	\$25.00	Each
76	Hydraulic Drum Turner	\$75.00	Day
77	Gasoline Soil Tamper	\$25.00	Day
78	Jack Hammer (electric)	\$50.00	Day
79	Jack Hammer (air activated)	\$50.00	Day
80	Rivet Buster/Chipper (includes 1 bit)	\$50.00	Day
81	Rivet Buster/Chipper Extra Bits	\$5.00	Day
82	Rotary Hammer	\$25.00	Day
83	Hazcat Test	\$25.00	Each
84	Roll-About Tool Box (includes assorted tools)	\$75.00	Day
85	Sawzall/Skill Saw	\$25.00	Day
86	Sawzall/Skill Saw Extra Blade	\$5.00	Day
87	10 K Generator	\$25.00	Day
88	3.6 K Generator	\$25.00	Day
89	3 Inch Trash Pump	\$25.00	Day
90	Wilden M Series Diaphragm Pump	\$25.00	Day
91	1 1/2" Submersible Pump	\$50.00	Day
92	Disposable Hand Pump	\$25.00	Each
93	Bypass Plug 1 1/2 - 4"	\$75.00	Week
94	Bypass Plug 4 1/2 - 12"	\$75.00	Week
95	Bypass Plug 13"-24"	\$100.00	Week
96	Bypass Plug 25" - 40"	\$100.00	Week
97	Magnetic Patch - Small	\$250.00	Day
98	Magnetic Patch - Large	\$350.00	Day
99	Auxillary Lighting - Excluding Power Source	\$25.00	Day
100	Portable Light Plant	\$100.00	Day
101	Fire Hose 50' x 2 1/2"	\$10.00	Each
102	Discharge Host 25' x 3"	\$20.00	Each

UNOPERATED EQUIPMENT - MISCELLANEOUS CONTINUED

ITEM NO.	EQUIPMENT	RATES	UNIT
103	Jetter Unit, Towable (4000 psi)	\$70.00	Hourly
104	Hydrotech High Pressure Wash Unit	\$50.00	Hourly
105	Hydro-Dig Attachment	\$100.00	Day
106	Steam Cleaner	\$35.00	Hourly
107	Pressure Washer - Hot Water (3600 psi)	\$175.00	Hourly
108	Pressure Washer (2500 - 3000 psi)	\$175.00	Hourly
109	Mercury Vacuum (Hepa Vac)	\$50.00	Day
110	Wet Dry Vacuum - 16 gal	\$25.00	Day
111	Dustless Bead blaster, Walk Behind (media not included)	\$50.00	Day
112	Hard Broom	\$1.00	Day

UNOPERATED CLEANING EQUIPMENT

ITEM NO.	EQUIPMENT	RATES	UNIT
113	Jetter Unit, Towable (4000 psi)	\$70.00	Hourly
114	Hydrotech High Pressure Wash Unit	\$50.00	Hourly
115	Hydro-Dig Attachment	\$100.00	Day
116	Steam Cleaner	\$35.00	Hourly
117	Pressure Washer - Hot Water (3600 psi)	\$175.00	Hourly
118	Pressure Washer (2500 - 3000 psi)	\$175.00	Hourly
119	Mercury Vacuum (Hepa Vac)	\$50.00	Day
120	Wet Dry Vacuum - 16 gal	\$25.00	Day
121	Dustless Bead blaster, Walk Behind (media not included)	\$50.00	Day
122	Hard Broom	\$1.00	Day

UNOPERATED SAFETY EQUIPMENT

ITEM NO.	EQUIPMENT	RATES	UNIT
123	Bottled Air, 300 cu. Ft. Cylinder	\$75.00	Day
124	Self-Contained 60 Minute Scott Air Pack	\$75.00	Day
125	Extra 60 Minute Scott Air Cylinder	\$50.00	Day
126	300 Cubic Feet or 60 Minute Cylinder Recharge	\$50.00	Day
127	Hazardous/Acid Suit (Level A)	\$150.00	Day
128	Hazardous Suit (Level B)	\$75.00	Day
129	Positive Pressure Mask w/Egress & Air Line	\$35.00	Day
130	Tripod Manlift	\$25.00	Day
131	Lifeline & Safety Harness	\$25.00	Day
132	Air Gas Monitor	\$25.00	Day
133	Dual Cartridge Half-Face Respirator	\$10.00	Each
134	Dual Cartridge Full-Face Respirator	\$10.00	Each
135	Respirator Cartridge	\$10.00	Each
136	Air Blower (Electric)	\$35.00	Day
137	Venturi Air Blower (air compressor not included)	\$50.00	Day
138	Draeger Tester Pump	\$10.00	Day
139	Draeger Test Tubes	\$5.00	Each
140	Pre & Post Lead Exposure Blood Test	\$25.00	Each

RENTAL EQUIPMENT

ITEM NO.	EQUIPMENT	RATES	UNIT
141	Roll-off Bin Rental, 10-15 Yard Bins	\$8.00	Day
142	Dewatering Bin Rental	\$10.00	Day
143	Roll-off Bin Rental, 20-40 Yard Bins	\$5.00	Day
144	Roll-off Bin Liner, Plastic	\$30.00	Each
145	Bin Dewater Liner: Fabric (130 micron)	\$225.00	Each
146	Portable Black Iron Tank Rental, Skid Mounted (7500-10000 gal)	\$20.00	Day
147	Roll-off Bin Delivery (40 mile radius)	\$250.00	Each
148	Overnight Demurrage on Vacuum Tanker	\$250.00	Day
149	Overnight Demurrage on End Dump or Dry Van	\$50.00	Day
150	Ramp Rental	\$1.00	Day
151	Towable Ramp Rental	\$5.00	Day

DISPOSAL CHARGES

152	Disposal Fee	Cost plus 0%	0%
153	Disposal Service Charge	Cost plus 20 %	Each
154	Washout Fee, Hazardous Waste	\$200.00	Each
155	Washout Fee, Non-Hazardous Waste	\$135.00	Each
156	Facility Washout Fee	Cost plus 20%	Each

LABORATORY CHARGES

157	Laboratory Analysis	Cost plus 20%	Each
158	U.P.S. profile charge (Administrative)	\$1.00	Each

CONSUMMABLES

ITEM NO.	ITEM	RATES	UNIT
159	Cement - Regular (90 lb. Bag)	\$10.00	Each
160	Cement - Ready Mix (60 lb. Bag)	\$5.00	Each
161	Rubber Gloves	\$6.50	Pair
162	Gloves - Viton (for PCBs)	\$75.00	Pair
163	Disposable Tyvek Suit	\$12.00	Each
164	Disposable Tyvek Suit (Poly)	\$15.00	Each
165	Sigel Suit (Acid Suit)	\$50.00	Each
166	Rain Gear - Heavyweight	\$22.00	Each
167	P.P.E. (gloves, tyvek, and respirator)	\$50.00	Each
168	Absorbent (Superfine)	\$10.00	Each
169	Sorbent Pads	\$100.00	bale
170	Sorbent Brooms (3" or 4" diameter)	\$200.00	bale
171	95-gallon Overpack Poly Drum (new)	\$260.00	Each
172	95-gallon Overpack Poly Drum (reconditioned)	\$160.00	Each
173	85-gallon Overpack Drum (reconditioned)	\$125.00	Each
174	55-gallon D.O.T. Poly Drum Open Top (new)	\$70.00	Each
175	55-gallon D.O.T. Poly Drum Open Top (reconditioned)	\$50.00	Each
176	55-gallon D.O.T. Poly Drum Closed Top (reconditioned)	\$45.00	Each
177	30-gallon D.O.T. Poly Drum Open Top (new)	\$65.00	Each
178	30-gallon D.O.T. Poly Drum Open Top (reconditioned)	\$53.00	Each
179	15-gallon Poly Drum	\$35.00	Each
180	85-gallon Overpack Steel Drum (reconditioned)	\$125.00	Each
181	275-gallon D.O.T. Poly Tote	\$275.00	Each
182	55-gallon D.O.T. Steel Drum (reconditioned)	\$45.00	Each
183	55-gallon D.O.T. Fiber Drum (reconditioned)	\$50.00	Each
184	55-gallon D.O.T. Fiber Drum (new)	\$75.00	Each
185	30-gallon D.O.T. Fiber Drum	\$70.00	Each
186	20-gallon D.O.T. Fiber Drum	\$50.00	Each
187	5-gallon D.O.T. Pail (with snap/screw lid)	\$25.00	Each
188	Super Sack	\$65.00	Each
189	Cubic Yard Box With pallet	\$140.00	Each
190	Soda Ash	\$2.00	Lb
191	Citric Acid	\$5.00	Lb
192	Caustic Soda (flake)	\$2.25	Lb
193	Caustic Soda (bead)	\$7.50	Lb
194	Vermiculite	\$50.00	Bag
195	Sample Tubes (glass)	\$4.50	Each
196	Harris Caution Tape	\$35.00	Roll
197	Duct Tape	\$12.00	Each
198	Plastic Sheeting	\$68.00	Roll
199	Plastic Bags (heavy duty)	\$5.00	Each
200	55-gallon Drum Liner	\$2.00	Each

CONSUMMABLES - CONTINUED

ITEM NO.	ITEM	RATES	UNIT
201	20" Stretch Film (shrink wrap)	\$70.00	Roll
202	Respirator Cartridge	\$20.00	Each
203	Hazardous Waste Labels	\$.50	Each
204	Patch Kit	\$40.00	Each
205	Sample Jar	\$2.00	Each
206	Rags (box)	\$55.00	Box
207	Rags (half box)	\$30.00	1/2 box
208	Subsistence: No Layover (8 hour period)	\$12.00	Per person
209	Subsistence: With Layover	\$75.00	Per person
210	Portable Eyewash	\$25.00	Each
211	Chlor-D-Tects	\$31.00	Each
212	Roll Off Bin Liner: Plastic	\$25.00	Each
213	Hudson Sprayer	\$25.00	Each
214	Bin Dewater Liners: Fabric (130 micron)	\$250.00	Each
215	Kleen Green/Simple Green	\$12.00	Gallon
216	Sand Bag	\$4.00	Each
217	Disposable Flex Hose - 6"	\$2.25	Ft
218	Disposable Flex Hose - 4"	\$1.50	Ft
219	Neozyme	\$55.00	Gallon
220	Gold Crew	\$55.00	Gallon

HOLIDAYS

On the following holidays there will be an additional charge of \$50.00 per man hour.

New Year's Day
President's Day
Memorial Day
Fourth of July
Good Friday
Veteran's Day

Labor Day
Thanksgiving Day
Day after Thanksgiving
December 24th
Christmas Day

SPECIAL NOTES

- Repair or replacement costs shall be charged for equipment damaged by customer.
- Minimum charge of four (4) hours is applicable to all equipment and personnel.
- All personnel are radio/cell phone equipped.

TERMS

Terms are net 30 days with approved credit otherwise C.O.D is required. Service Charge of 1.5 % is charged against past due accounts.