

AMENDMENT NO. ONE TO CONTRACT NO. 31394 31394

RE: Renewal One of PA-02109, Contract No. 31394 for Providing Elevator Maintenance, Repair, Inspection & Emergency Response Service to the City of Long Beach (BPLB10000016)

This Amendment to Contract No. 31394 is made and entered as of October 14, 2010, by and between the CITY OF LONG BEACH, a municipal corporation, and **Excelsior Elevator** (Contractor)

Contract No. 31394 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. The term is extended to December 1, 2011
- 2. \$14,000 has been added to the 1st renewal term for a total amount of \$28,000.
- 3. Prices during this period shall remain firm.
- 4. The price for certain items shall be increased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
- 5. The price for certain items shall be decreased as shown on Exhibit "B", which is attached hereto and incorporated herein by this reference.
- 6. The discount offered to the City is increased by ____ %
- 7. The items or locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby deleted from the Contract.
- 8. The locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby added to the Contract.
- 9. Current permits, licenses, insurance and other required information are attached as Addendum No. 1.

Except as expressly amended above, all terms and conditions in this Contract are ratified and confirmed and remain in full force and effect. Executed with all formalities required by law as of the date first stated above.

Attach Notary if Out-of-State Contractor

CONTRACTOR:

Vic Rough
(Signature)

VICTOR ROUGH
(Print / Type Name)

President / Vice President / Secretary / Treasurer
(circle one)

CONTRACTOR:

Lina Rough
(Signature)

LINA ROUGH
(Print / Type Name)

President / Vice President / Secretary / Treasurer
(circle one)

THE CITY OF LONG BEACH:

By: [Signature] Assistant City Manager
City Manager
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

Approved as to form:
ROBERT E. SHANNON, City Attorney

By: [Signature] Deputy

U.S. Specialty Insurance Company



9841 Airport Blvd. 9th Floor, Los Angeles, CA 90045 (310) 649-0990 FAX: (310) 649-0416

Continuation Certificate

Bond Number	Bond Description	Effective Date	Expiration Date
1000850746	Contract-Performance	12/09/2010	12/09/2011

Principal:

Excelsior Elevator Corporation
2219 S. Grand Ave.,
Santa Ana, CA 92705

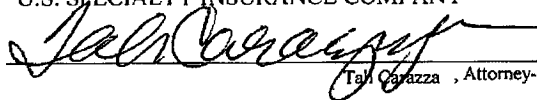
Obligee:

City of Long Beach
333 W. Ocean Blvd., 7th Floor
Long Beach, CA 90802

THIS BOND CONTINUES IN FORCE TO THE ABOVE EXPIRATION DATE CONDITIONED AND PROVIDED THAT THE LOSSES OR RECOVERIES ON IT AND ALL ENDORSEMENTS SHALL NEVER EXCEED THE PENALTY SET FORTH IN THE BOND AND WHETHER THE LOSSES OR RECOVERIES ARE WITHIN THE FIRST AND/OR SUBSEQUENT OR WITHIN ANY EXTENSION OR RENEWAL PERIOD, PRESENT, PAST OR FUTURE. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

SIGNED AND DATED THIS 19th DAY OF November, 2010.

U.S. SPECIALTY INSURANCE COMPANY


Tal Cavazza, Attorney-in-fact

Agent:

HCCS - H.O. Branch office
601 S. Figueroa Blvd., Suite 1600
Los Angeles, CA 90017

California All-Purpose Acknowledgement

State of California }
County of Los Angeles

On 11-19-10 before me, Jennifer Ceron, a Notary Public
personally appeared Tah Carazza, Attorney-In-Fact



Notary Public Seal

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Handwritten signature of Jennifer Ceron over a line.

Notary Public Signature

OPTIONAL

Description of Attached Document

Title or Type of Document: Continuation Certificate

Document Date: 11-19-10 Number of Pages: 1

Signer(s) Other than Named Above:

Capacity(ies) Claimed by Signer(s)

Thumbprint of Signer 1

- Individual
Corporate Officer:
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer is Representing:

Thumbprint of Signer 2

- Individual
Corporate Officer:
Partner - Limited General
Attorney-in-Fact
Trustee
Guardian or Conservator
Other:

Signer is Representing:

VOID VOID VOID

POWER OF ATTORNEY
AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company of the State of California, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, A Texas corporation (collectively, the "Companies"), do by these presents make, constituted and appoint:

Frank Mester, Ariel T. Heredia, Tah Carazza, Michael Chalekson or Adam Feinberg
of Los Angeles, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed Three Million Dollars (\$ 3,000,000.00).

This Power of Attorney shall expire without further action on December 8, 2012. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

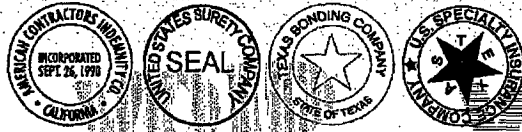
Attorney-In-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of June, 2009.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals

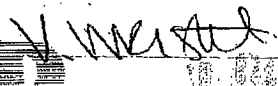


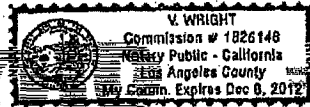
By: 
Daniel P. Aguilar, Vice President

State of California
County of Los Angeles SS:

On this 15th day of June, 2009, before me, V. Wright, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person(s), of the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

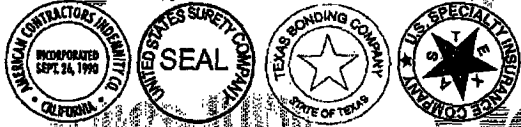
Signature  (Seal)

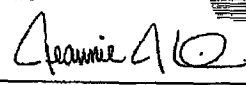


I, Jeannie J. Kim, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 19th day of November 2010.

Corporate Seals




Jeannie J. Kim, Assistant Secretary

Bond No. 1008850746
Agency No. 9012

BID NO: PA-02109
BOND NO: 1000850746
PREMIUM: \$ 420.00

BOND FOR FAITHFUL PERFORMANCE

KNOW ALL MEN BY THESE PRESENTS: That we, EXCELSIOR ELEVATOR CORPORATION
as PRINCIPAL, and U.S. SPECIALITY INSURANCE COMPANY, located at
601 S. FIGUEROA ST., SUITE 1600, LOS ANGELES, CA 90017, a corporation, incorporated under the laws of the
State of CALIFORNIA, admitted as a surety in the State of California and authorized to transact business in the State of California, as
SURETY, are held and firmly bound unto the CITY OF LONG BEACH, CALIFORNIA, a municipal corporation. In the sum of
FOURTEEN THOUSAND AND 00/100 DOLLARS
(\$14,000.00), lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind
ourselves, our respective heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal has been awarded and is about to enter the annexed contract (incorporated herein by this reference) with
said City of Long Beach for the MAINTENANCE AND REPAIR OF CITY ELEVATORS IN THE CITY OF LONG BEACH, CALIFORNIA, and
is required by said City to give this bond in connection with the execution of said contract;

NOW, THEREFORE, if said Principal shall well and truly keep and faithfully perform all of the covenants, conditions, agreements and
obligations of said contract on said Principal's part to be kept, done and performed, at the times and in the manner specified therein, then this
obligation shall be null and void, otherwise it shall be and remain in full force and effect; **

PROVIDED, that any modifications, alterations, or changes which may be made in said contract, or in the work to be done, or in the
services to be rendered, or in any materials or articles to be furnished pursuant to said contract, or the giving by the City of any extension of
time for the performance of said contract, or the giving of any other forbearance upon the part of either the City or the Principal to the other,
shall not in any way release the Principal or the Surety, or either of them, or their respective heirs, administrators, executors, successors or
assigns, from any liability arising hereunder, and notice to the Surety of any such modifications, alterations, changes, extensions or
forbearances is hereby waived. No premature payment by said City to said Principal shall release or exonerate the Surety, unless the officer of
said City ordering the payment shall have actual notice at the time the order is made that such payment is in fact premature, and then only to
the extent that such payment shall result in actual loss to the Surety, but in no event in an amount more than the amount of such premature
payment.

IN WITNESS WHEREOF, the above named Principal and Surety have executed, or caused to be executed, this instrument with all
of the formalities required by law on this 19th day of NOVEMBER, 2009.

EXCELSIOR ELEVATOR CORPORATION
CONTRACTOR / PRINCIPAL
By: [Signature] 11-24-09
Name: VICTOR G. ROUGH
Title: President
By: [Signature] 11-24-09
Name: LINA ROUGH
Title: C.E.O.

U.S. SPECIALITY INSURANCE COMPANY
SURETY
By: [Signature]
Name: KATHI L. GAGLIANO
Title: ATTORNEY-IN-FACT
Telephone: (310) 957-3179

SEE ATTACHED FOR NOTARY

Approved as to form this 1st day of December, 2009
ROBERT E. SHANNON, City Attorney
By: [Signature] Deputy

Approved as to sufficiency this 9 day of December, 2009
By: [Signature] Assistant City Manager
City Manager / ~~City Engineer~~

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

- NOTE: 1. Execution of this bond must be acknowledged by both PRINCIPAL and SURETY before a Notary Public and a Notary's
certificate of acknowledgment must be attached.
2. A corporation must execute the bond by 2 authorized officers and, if executed by a person not listed in Sec. 313, Calif.
Corp. Code, then a certified copy of a resolution of its Board of Directors authorizing execution must be attached.

DFG:mb(12-18-01)
BONDFAITHPUL3-02

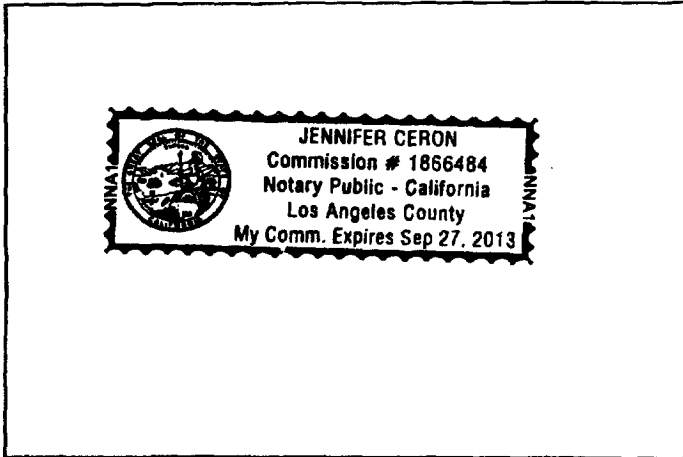
** Coverage under this bond shall commence 12/1/09 and shall cease 12/1/2010. Coverage under this bond may be continued
for an additional period, solely at the option of the Surety, by the issuance of a continuation certificate issued by the Surety.

California All-Purpose Acknowledgement

State of California }
County of LOS ANGELES

On NOV 19 2009 before me, JENNIFER CERON, a Notary Public

personally appeared KATHI L. GAGLIANO, ATTORNEY-IN-FACT



Notary Public Seal

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Handwritten signature of Jennifer Ceron

Notary Public Signature

OPTIONAL

Description of Attached Document

Title or Type of Document: 1000850746

Document Date: NOV 19 2009 Number of Pages:

Signer(s) Other than Named Above:

Capacity(ies) Claimed by Signer(s)

Form for Capacity(ies) Claimed by Signer(s) - Left side, including checkboxes for Individual, Corporate Officer, Partner, Attorney-in-Fact, Trustee, Guardian or Conservator, and Other.

Form for Capacity(ies) Claimed by Signer(s) - Right side, including checkboxes for Individual, Corporate Officer, Partner, Attorney-in-Fact, Trustee, Guardian or Conservator, and Other.

POWER OF ATTORNEY
AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company of the State of California, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, A Texas corporation (collectively, the "Companies"), do by these presents make, constituted and appoint:

Kathi L. Gagliano of Los Angeles, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed *****Three Million***** Dollars (\$ ***3,000,000.00***).

This Power of Attorney shall expire without further action on December 8, 2012. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

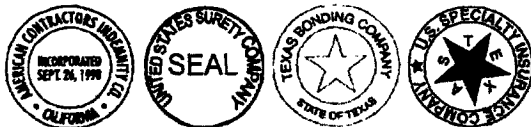
Attorney-In-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 15th day of June, 2009.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



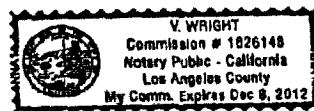
By: [Signature]
Daniel P. Aguilar, Vice President

State of California
 County of Los Angeles SS:

On this 15th day of June, 2009, before me, V. Wright, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Signature [Signature] (Seal)



I, Jeannie J. Kim, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 19th day of November 2009.

Corporate Seals



[Signature]
Jeannie J. Kim, Assistant Secretary

Bond No. 1004850746
 Agency No. 9012

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State Of California
County Of Orange

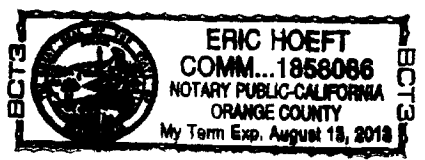
On November 24, 2009 before me, Eric Hoeft, a notary public, personally appeared
Victor B. Raugh and Lina Raugh

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/they executed the same in ~~his~~/~~her~~/their authorized capacity (ies), and that by ~~his~~/~~her~~/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Eric Hoeft



(Optional)

Title/Type of the document: Bond For Faithful Performance

Document Date: _____

Number of Pages _____

Signer(s) other than named above _____

Signer's Capacity: _____