

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

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SEVENTH AMENDMENT TO AGREEMENT NO. 34352

34352

THIS SEVENTH AMENDMENT TO AGREEMENT NO. 34352 is made and entered, in duplicate, as of January 27, 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 April 12, 2022, by and between UNITED STORM WATER, INC., a California corporation ("Contractor"), with a place of business at 14000 E. Valley Boulevard, City of Industry, California 91746, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34352 (the "Agreement") whereby Contractor agreed to provide storm drain routine maintenance and repair in an annual amount not to exceed Two Hundred Seventy-Six Thousand Dollars (\$276,000) for a period of three (3) years, with the option to renew for two (2) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add a one-time amount of Seven Hundred Ten Thousand Dollars (\$710,000) to cover the many emergency storm calls that took place December 2016 to February 2017; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to July 31, 2020; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add One Million Two Hundred Sixty-Nine Thousand Forty-Five Dollars (\$1,269,045) for the term expiring in 2020; and

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

WHEREAS, the Parties entered into a Fifth Amendment to the Agreement to add One Million Dollars (\$1,000,000) for a total not to exceed amount of Four Million Seven Hundred and Four Thousand and Forty-Five Dollars (\$4,704,045), extend the term to April 30, 2022, and attach an updated rate sheet; and

WHEREAS, the Parties entered into a Sixth Amendment to extend the term

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1 to September 30, 2022, and attached an updated rate sheet;

2 WHEREAS the parties desire to extend the term of the Agreement to April  
3 30, 2023, and attach an updated rate sheet,

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

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

7 "2. TERM. The term of this Agreement shall commence at midnight on  
8 August 1, 2016, and shall terminate at 11:59 p.m. on April 30, 2023, unless sooner  
9 terminated as provided in this Agreement, or unless the services or the Project is  
10 completed sooner."

11 2. The Rates in Exhibit "B-2" to the Sixth Amendment to the Agreement  
12 are hereby amended in accordance with Exhibit "B-3", attached hereto and incorporated  
13 by this reference.

14 3. Except as expressly modified herein, all of the terms and conditions  
15 contained in Agreement No. 34352 are ratified and confirmed and shall remain in full force  
16 and effect.

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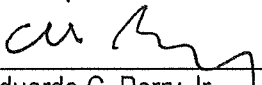
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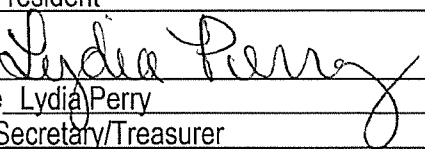
IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

UNITED STORM WATER, INC., a California corporation

March 3, 2023

By   
Name Eduardo C. Perry Jr.  
Title President

March 3, 2023

By   
Name Lydia Perry  
Title Secretary/Treasurer

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"Contractor"

CITY OF LONG BEACH, a municipal corporation

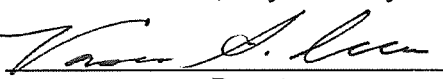
April 12, 2023

By   
City Manager

"City"

This Seventh Amendment to Agreement No. 34352 is approved as to form on MARCH 7, 2023.

DAWN MCINTOSH, City Attorney

By   
Deputy

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# EXHIBIT "B-3"

**REVISED RATES**  
EFFECTIVE 1/1/2023 THROUGH 6/30/2023

**OPERATED EQUIPMENT - INCLUDES OPERATOR**

ITEM NO.	EQUIPMENT	RATES *	UNIT
1	Vacuum Truck, 50 BBLs Mild Steel	\$94.00	Hourly
2	Vacuum Truck, 50 BBLs Stainless Steel	\$81.00	Hourly
3	Vacuum Truck, 120 BBLs Mild Steel	\$99.00	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	\$102.00	Hourly
13	Roll-off Truck & Trailer (Tandem)	\$108.00	Hourly
14	Vactor/Guzzler	\$211.00	Hourly
15	Vactor/Guzzler-High Rail	\$211.00	Hourly
16	Combo Vactor/Jetter Truck	\$220.00	Hourly
17	Vactron with operator	\$114.00	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	29%	Transportation
23	Overnight Demurrage on Vacuum Tanker	\$250.00	Day
24	Overnight Demurrage on End Dump or Dry Van	\$50.00	Day

NOTES: \* 4-hour minimum will apply to all Operated Equipment and Personnel

Prevailing Wage Surcharge \$ <u>65.00</u> Invoiced for onsite and disposal time only
Fuel Surcharge/Insurance Surcharge Applies <u>29%</u> % 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.

Additional Notes:

Overtime = Straight Time Rate + \$25.00/hr

Double Time = Straight Time Rate + \$50.00/hr

Prevailing Overtime = Overtime Rate + Prevailing Wage Surcharge + \$25.00/hr

Prevailing Double Time = Double Time Rate + Prevailing Wage Surcharge + \$50.00/hr

UNOPERATED EQUIPMENT - OPERATOR BILLED SEPARATELY

ITEM NO	EQUIPMENT	RATES	UNIT
<b>TRAFFIC CONTROL EQUIPMENT</b>			
25	Arrow Board	\$130.00	Day
26	Traffic Cones	\$.50	Day each
27	Traffic Signs	\$1.00	Day each

**PERSONNEL/EMERGENCY RESPONSE UNITS**

28	Pick-up Truck	\$35.00	Hourly
29	Utility Truck (E.R.)	\$40.00	Hourly
30	Company Auto	\$15.00	Hourly
31	Stakebed Truck w/Liftgate	\$50.00	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	\$80.00	Hourly
54	Equipment Operator	\$80.00	Hourly
55	Technician	\$69.00	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: \* 4-hour minimum will apply to all Operated Equipment and Personnel

Prevailing Wage Surcharge \$ 65.00 Invoiced for onsite and disposal time only
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

Additional Notes:

Overtime = Straight Time Rate + \$25.00/hr

Double Time = Straight Time Rate + \$50.00/hr

Prevailing Overtime = Overtime Rate + Prevailing Wage Surcharge + \$25.00/hr

Prevailing Double Time = Double Time Rate + Prevailing Wage Surcharge + \$50.00/hr

**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)	\$90.00	Hourly
104	Hydrotech High Pressure Wash Unit	\$78.00	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)	\$90.00	Hourly
114	Hydrotech High Pressure Wash Unit	\$78.00	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	\$13.00	Day
142	Dewatering Bin Rental	\$46.00	Day
143	Roll-off Bin Rental, 20-40 Yard Bins	\$17.00	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 25%	Each
154	Washout Fee, Hazardous Waste	Cost plus 25%	Each
155	Washout Fee, Non-Hazardous Waste	Cost plus 25%	Each
156	Facility Washout Fee	Cost plus 25%	Each

**LABORATORY CHARGES**

157	Laboratory Analysis	Cost plus 25%	Each
158	U.P.S. profile charge (Administrative)	\$60.00	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)	\$ .50	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	Fl
218	Disposable Flex Hose - 4"	\$1.50	Fl
219	Neozyme	\$55.00	Gallon
220	Gold Crew	\$55.00	Gallon

\*\*\*\* Materials not listed and/or outside services will be invoiced at cost plus 25% markup



## 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 24<sup>th</sup>  
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.