

1 SECOND AMENDMENT TO CONTRACT NO. 35022

2 **35022**

3 THIS SECOND AMENDMENT TO CONTRACT NO. 35022 is made and
4 entered, in duplicate, as of August 10, 2020 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 August 14, 2018, by and between PARKWOOD LANDSCAPE MAINTENANCE, INC., a
7 California corporation ("Contractor"), whose address is 16443 Hart Street, Van Nuys,
8 California 91406, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City and Contractor (the "Parties") entered into Contract No.
10 35022 (the "Contract") whereby Contractor agreed to provide grounds maintenance
11 services in the City of Long Beach; and

12 WHEREAS, the Parties entered into a First Amendment to the Contract to
13 increase the annual not to exceed amount and attach an additional scope of work; and

14 WHEREAS, the Parties again desire to increase the annual not to exceed
15 amount and attach an additional scope of work;

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

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

19 "2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s)
20 for work and services identified in Contractor's Bid for Ground Maintenance Services in the
21 City of Long Beach, California, attached to the Contract as Exhibit "A", for the period of
22 September 1, 2018 to August 31, 2019 an annual amount of One Million Thirty-Eight
23 Thousand Five Hundred Ninety-Four Dollars (\$1,038,594); for the term of September 1,
24 2019 to August 31, 2020 an annual amount of One Million Forty-Five Thousand Nine
25 Hundred Seventy-Three Dollars and Seventy-Five Cents (\$1,045,973.75); and for the
26 period of September 1, 2020 to August 31, 2021, an annual amount of One Million One
27 Hundred Twenty Thousand Eight Hundred Seventy-Three Dollars and Ninety-Nine Cents
28 (\$1,120,873.99)."

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

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2. The Scope of Work in Exhibit "A" to the Contract and in Exhibit "A-1" to the First Amendment are hereby amended to include additional services more particularly described in Exhibit "A-2", attached hereto and incorporated by this reference.

3. Except as expressly modified herein, all of the terms and conditions contained in Contract No. 35022 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.

PARKWOOD LANDSCAPE
MAINTENANCE, INC., a California
corporation

August 12, 2020

By David Melito
Name DAVID MELITO
Title PRESIDENT

_____, 2020

By _____
Name _____
Title _____

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

August 31, 2020

By Sandra J. Iatun
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

This Second Amendment to Contract No. 35022 is approved as to form on August 25, 2020.

CHARLES PARKIN, City Attorney

By Anthony J. Wilson
Deputy

SHAREHOLDERS' CORPORATE RESOLUTION

OF

PARKWOOD LANDSCAPE MAINTENANCE, INC.

We, the undersigned, constituting all the Shareholders of Parkwood Landscape Maintenance, Inc. (the "**Corporation**") and by necessary written consent in lieu of a meeting in accordance with all applicable laws, Corporate Bylaws, and any other appropriate authorities, **THEREFORE RESOLVE AS FOLLOWS:**

1. Corporate officers are hereby authorized and empowered to enter into negotiations and a specific and material contract with The City of Long Beach regarding Contract No. 35022, Amendment No. 2, in the name of, and on behalf of the Corporation.
2. Unless otherwise specified and restricted within the resolution, any one Director or Officer of Corporation is authorized to sign all documents and perform such acts as may be necessary or desirable to give effect to the above resolutions.
3. The Secretary is directed to update the corporate records with this resolution, as appropriate.
4. This resolution may be executed in counterparts. Facsimile or scanned signatures are binding and are considered to be original signatures.
5. This resolution is adopted on August 12, 2020.

Signatures

David L Melito
David L Melito

8-12-2020
Date

President
Title

David L Melito
David L Melito

8-12-2020
Date

Secretary
Title

CHANGE RIDER

To be attached to and form a part of Bond No. 57BSBHT6557
in the amount of \$ 1,045,973.75 issued by Hartford Fire Insurance Company
on behalf of Parkwood Landscape Maintenance, Inc.

in favor of City of Long Beach

It is understood and agreed that the bond described above is hereby modified so as to

Increase bond amount fomr \$1,045,973.75 to \$1,120,873.99

It is further expressly understood and agreed that the aggregate liability of the Parkwood Landscape Maintenance, Inc. under said bond to the obligee herein mentioned shall not exceed the amount stated above.


Nothing herein contained shall be held to vary, alter, waive, or extend any of the terms, agreements, conditions or limitations of the above-mentioned bond, other than as above stated.

Signed, sealed and dated this 12th day of August, 2020.

Parkwood Landscape Maintenance, Inc.

By:

Hartford Fire Insurance Company

BY: 
Catherine A. Pinney **Attorney-in-Fact**

Surety Phone No. 860-547-5000

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

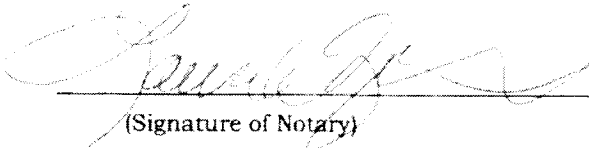
On September 10, 2019 before me, Laura K. Zierhut, Notary Public,

Personally appeared David L. Melito,

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 who 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 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.


(Signature of Notary)



(Notary Seal)

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

City of Los Bank Corp. Resolution

Number of Pages _____ Document Date 9/17/19

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Sonoma)

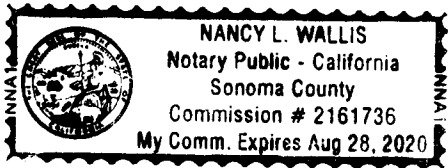
On August 12, 2020 before me, Nancy L. Wallis, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Catherine A. Pinney
Name(s) of Signer(s)

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.



Signature *Nancy L. Wallis*
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
BOND, T-12
One Hartford Plaza
Hartford, Connecticut 06155
Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: USI INSURANCE SVCS NATIONAL INC
Agency Code: 57-141110

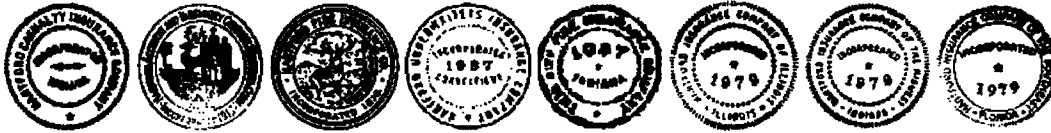
- Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of Unlimited** :

Natalie Ann Horder, Stacy M. Clinton, Nancy L. Wallis, K. Dixon Wright, Tammy Carpenter, Catherine A. Pinney, Kenneth A. Keeney, Lacey Torkelson Smith, Mark Stokes of PETALUMA, California

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray, Assistant Secretary

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT }
 } ss. Hartford
COUNTY OF HARTFORD }

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard
Notary Public
My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of August 12, 2020

Signed and sealed at the City of Hartford.



Kevin Heckman, Assistant Vice President