

**AMENDMENT NO. ONE TO CONTRACT NO. 29581      29581**

**RE: Renewal of Contract No. 29581 for Furnishing and Delivering Sprinkler and Irrigation Materials to the City of Long Beach (PA-01006; BPLB06000053)**

This Amendment to Contract is made and entered as of February 6, 2007 by and between the CITY OF LONG BEACH, a municipal corporation, and Aqua Flo Supply. (Contractor)

Contract No. 29581 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 May 1, 2008.
- 2. \$130,000.00 has been added to the 1<sup>st</sup> renewal term for a total ("not to exceed") amount of \$260,000.00.
- 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 "A", 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 enclosed 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:**

Barry Fay  
(Signature)

Barry Fay  
(Print / Type Name)

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

Sharon Fay  
(Signature)

Sharon Fay  
(Print / Type Name)

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

**THE CITY OF LONG BEACH:**

By: Mark Quinn  
City Manager

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

By: Low A. Conway  
Senior Deputy

2/12/07

# EXHIBIT "A" PAGE 1

## SUMMARY OF BID ITEMS (cont.)

ITEM	MFG. BRAND OR LINE	PRICE LIST NO./DATE/COLUMN (IF APPLICABLE)	% DISCOUNT ALLOWED THE CITY
	<b>BUCKNER (Royal Coach)</b>	BUCKNER/SUPERIOR FEBRUARY 1, 2007	
A. Complete Line		<del>MARCH 31, 2006</del>	<u>60</u> %
B. Repair Parts		<u>KITS INCLUDED IN ABOVE</u>	<u>65</u> %
	<b>CHAMPION</b>	FEBRUARY 1, 2007	
A. Complete Line		<del>FEBRUARY 1, 2006</del>	<u>57</u> %
B. Repair Parts		JULY 17, 2006 <del>FEBRUARY 1, 2006</del>	<u>60</u> %
	<b>TORO</b>	RES./COM 2007	
A. Complete Line		<del>RES./COM. 2006</del>	<u>58</u> %
B. Repair Parts		RES./COM NOVEMBER 1, 2006 <del>RES./COM NOVEMBER 1, 2006</del>	<u>58</u> %
	<b>NELSON</b>	2007	
A. Complete Line		<del>JANUARY 1, 2006</del>	<u>50</u> %
B. Repair Parts		<u>NO PUBLISHED LIST</u>	<u>60</u> %
	<b>RAIN BIRD</b>	T-2007, JANUARY 1, 2007	
A. Complete Line		<del>T-2006 JANUARY 7, 2006</del>	<u>55</u> <u>53</u> %
B. Repair Parts		JANUARY 1, 2007 <del>JANUARY 1, 2006</del>	<u>42</u> <u>44</u> %
	<b>IRRITROL</b>	2007, EFFECTIVE DEC. 1, 2006	
A. Complete Line		<del>2006, EFFECTIVE 12/1/05</del>	<u>54</u> %
B. Repair Parts		EFFECTIVE DEC. 1, 2006 <del>2006, EFFECTIVE 12/1/05</del>	<u>45</u> %
	<b>SUPERIOR</b>	BUCKNER/SUPERIOR EFFECTIVE FEB 11, 2007	
A. Complete Line		<del>EFFECTIVE 4/1/06</del>	<u>60</u> %
B. Repair Parts		2006 <del>JUNE 1, 2003</del>	<u>65</u> %

EXHIBIT "A" PAGE 2

SUMMARY OF BID ITEMS (cont.)

ITEM	MFG. BRAND OR LINE	PRICE LIST NO./DATE/COLUMN (IF APPLICABLE)	% DISCOUNT ALLOWED THE CITY
<b><u>WILKINS</u></b>			
A. Complete Line		SEPTEMBER 1, 2006 <del>NOVEMBER 1, 2005</del>	46 %
B. Repair Parts		(KITS INCLUDED IN ABOVE)	48 %
<b><u>WEATHERMATIC</u></b>			
A. Complete Line		2006 NOVEMBER 1, <del>2005</del>	46 %
B. Repair Parts		2006 NOVEMBER 1, <del>2005</del>	65 %
<b><u>WATER CONSERVATION SYSTEMS</u></b>			
A. Complete Line		JANUARY 1, 2007 WCS HYDROSAVER <del>FEB 1, 2007</del>	8 %
B. Repair Parts		N/A	8 %
<b><u>CLA-VAL</u></b>			
A. Complete Line		JUNE <del>JANUARY 15, 2006</del>	15 %
B. Repair Parts		JUNE <del>JANUARY 15, 2006</del>	15 %
<b><u>CALSENSE</u></b>			
A. Complete Line		2007 <del>JANUARY 1, 2006</del>	2 %
B. Repair Parts		(INCLUDED IN ABOVE)	2 %
<b><u>HUNTER IND.</u></b>			
A. Complete Line		SEPTEMBER <del>JANUARY 1, 2006</del>	58 - 56 %
B. Repair Parts		NOVEMBER 1, 2006 <del>OCTOBER 1, 2005</del>	65 %

**SUMMARY OF BID ITEMS (cont.)**

ITEM	MFG. BRAND OR LINE	PRICE LIST NO./DATE/COLUMN (IF APPLICABLE)	% DISCOUNT ALLOWED THE CITY
<b>Repair Kits only for BACKFLOW PREVENTERS (FEBCO)</b>			
A. Complete Line		<del>NOVEMBER 2003</del> SEPTEMBER 15, 2006	62 %
B. Repair Parts		<del>NOVEMBER 2003</del> SEPTEMBER 15, 2006	15 %

**IRRIGATION WIRE UF 600V E 26240**

- A. (UL) AGW 12/1 ~~870~~ per hundred feet \$11.70/100'
- B. (UL) AGW 14/1 ~~571~~ per hundred feet \$7.75/100'

**STATE LABOR RATE FOR REPAIR OF MISCELLANEOUS IRRIGATION CONTROLLERS:**

Shop: \$ 40.<sup>00</sup> /HR.

On-Site: \$ 50.<sup>00</sup> /HR.

**ADDITIONAL COST FOR "OVERNIGHT" OR "NEXT DAY" DELIVERY:**

NO CHARGES BY AQUA FLO BUT WE WOULD PASS ON ANY SPECIAL FREIGHT OR OTHER EXPENSES INCURRED IN PROCESSING THE RUSH ORDER.

DELIVERY: 4 days after receipt of order. (If time shown is more than five (5) calendar days after receipt of order, the bid may be rejected).

PAYMENT TERMS: 290 25TH PROX.

WARRANTY: Parts 365 (days) Labor 30 (days)

NOTE: AQUA FLO SUPPLY IS A WHOLESALE DISTRIBUTOR THAT WILL EXERCISE WHATEVER WARRANTY APPLIES TO EACH PARTICULAR MANUFACTURER'S PRODUCTS. THEY RANGE FROM ONE YEAR AND UP DEPENDING ON THE BRAND NAME QUOTED.

<b>ACORD CERTIFICATE OF LIABILITY INSURANCE</b>		CSR GC AQUAF-1	DATE (MM/DD/YYYY) 02/16/07
PRODUCER  <b>Ogilvy-Hill Insurance</b> P. O. Box 929 Santa Barbara CA 93102 Phone: 805-966-4101 Fax: 805-966-7810		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED		INSURERS AFFORDING COVERAGE	NAIC #
Aqua-Flo Supply Inc. 30 S. La Patera #10 Goleta CA 93117		INSURER A: Golden Eagle Insurance Corp.	
		INSURER B: Netherlands Insurance Co.	
		INSURER C:	
		INSURER D:	
		INSURER E:	

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADDL INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	BOP9880650	09/01/06	09/01/07	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 5,000
						PERSONAL & ADV INJURY	\$ included
						GENERAL AGGREGATE	\$ 2,000,000
						PRODUCTS - COMP/OP AGG	\$ 1,000,000
						Emp Ben.	1,000,000
B		AUTOMOBILE LIABILITY	BOP9880650	09/01/06	09/01/07	COMBINED SINGLE LIMIT (Ea accident)	\$ 1000000
		<input checked="" type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
		<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS						
	<input type="checkbox"/> NON-OWNED AUTOS						
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
A		EXCESS/UMBRELLA LIABILITY	CU9880950	09/01/06	09/01/07	EACH OCCURRENCE	\$ 3,000,000
		<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$ 3,000,000
		<input type="checkbox"/> DEDUCTIBLE					\$
		<input checked="" type="checkbox"/> RETENTION \$ -0-					\$
							\$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below						<input type="checkbox"/> W/C STATUTORY LIMITS <input type="checkbox"/> OTHER	
OTHER						E.L. EACH ACCIDENT	\$
						E.L. DISEASE - EA EMPLOYEE	\$
						E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

**Proof of Insurance.**

**CERTIFICATE HOLDER**

**CANCELLATION**

CIT-333

City of Long Beach  
 333 W. Ocean Blvd/Plaza Level  
 Long Beach CA 90802

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Mark Shupp*