

1 FOURTH AMENDMENT TO CONTRACT NO. 33664

2 **33664**

3 THIS FOURTH AMENDMENT TO CONTRACT NO. 33664 is made and
4 entered, in duplicate, as of July 17, 2020, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on July 14, 2020,
6 by and between FERGUSON ENTERPRISES, LLC, a Virginia limited liability company,
7 formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation
8 (“Contractor”), whose address is 12500 Jefferson Avenue, Newport News, Virginia 23602,
9 and the CITY OF LONG BEACH, a municipal corporation (“City”).

10 WHEREAS, City and Contractor (the “Parties”) entered into Contract No.
11 33664 (the “Contract”) whereby Contractor agreed to provide as-needed plumbing
12 supplies; and

13 WHEREAS, the Parties entered into a First Amendment to the Contract to
14 extend the term to January 25, 2018 and add \$910,000 for a total not to exceed amount of
15 \$2,730,000; and

16 WHEREAS, the Parties entered into a Second Amendment to the Contract
17 to extend the term to January 25, 2019 and attach an updated rate sheet; and

18 WHEREAS, the Parties entered into a Third Amendment to extend the term
19 and add \$300,000 to the Contract to allow for the completion of a new procurement
20 process; and

21 WHEREAS, the Parties desire to extend the term to December 31, 2020 and
22 add \$641,500 for a total not to exceed amount of \$3,671,500;

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

- 25 1. The extended term of this Contract shall commence at midnight on
26 January 26, 2019, and shall terminate at 11:59 p.m. on December 31, 2020, unless sooner
27 terminated as provided in this Contract, or unless the services or the Project is completed
28 sooner.

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

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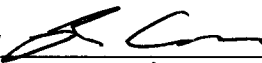
2. Six Hundred Forty-One Thousand Five Hundred Dollars (\$641,500) is hereby added to the Contract extension terminating on December 31, 2020.

3. Except as expressly amended herein, all terms and conditions in Contract No. 33664 are ratified and confirmed and shall remain in full force and effect.

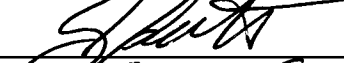
IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

FERGUSON ENTERPRISES, LLC, a Virginia limited liability company, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation

_____, 2020

By 
Name Randy Cross
Title Director of Branch Support

_____, 2020

By 
Name GARY Crosslight
Title DIRECTOR

"Contractor"

CITY OF LONG BEACH, a municipal corporation

August 24, 2020

By Sunda J. Jatum
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

"City"

This Fourth Amendment to Contract No. 33664 is approved as to form on

AUG. 20, 2020.

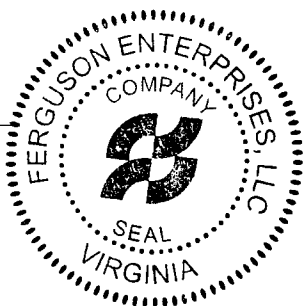
CHARLES PARKIN, City Attorney

By 
Deputy

**SECRETARIAL CERTIFICATE
OF
AUTHORIZATION**

The undersigned Assistant Secretary of Ferguson Enterprises, LLC, a Virginia limited liability company (the “Company”), hereby certifies that: i) certain of the Company’s facilities in Pomona, California are doing business as Ferguson Enterprises, LLC, and ii) Randy Cross is Director of Branch Management in Pomona, California and iii) that the resolutions adopted by the Company’s Board of Directors effective July 31, 2018, duly authorize certain of the Company’s officers, including the Assistant Secretary, to designate, and I hereby do so designate Randy Cross as an authorized representative of the Company to act for and on behalf of the Company to prepare and submit bids and proposals to the Company’s customers, to enter into contracts, agreements or other documents, and to execute such documents and undertake all such acts as may be deemed in the best interest of the Company, including the execution of bonds and in doing so, to contractually bind the Company. Unless withdrawn sooner, this certification of authorization shall be effective until July 31, 2020.

Dated: 5/13/19



FERGUSON ENTERPRISES, LLC

By: 

Wesley E. Rice, Assistant Secretary

Commonwealth of Virginia)
)
City of Newport News)

Sworn to subscribed and acknowledged before me this 13th day of May, 2019, by Wesley E. Rice, personally known to me, in his capacity as Assistant Secretary of Ferguson Enterprises, LLC, a Virginia Company, on behalf of such Company.


Notary – Casey Mehlhoff

My commission expires: July 31, 2022

