

AMENDMENT NO. FIVE TO CONTRACT NO. 34822

34822

RE: Amendment Five of ITB FS 18-019, Contract No. 34822 for furnishing and delivering heavy Duty Equipment Rental to the City of Long Beach (Munis Contract #3182200042)

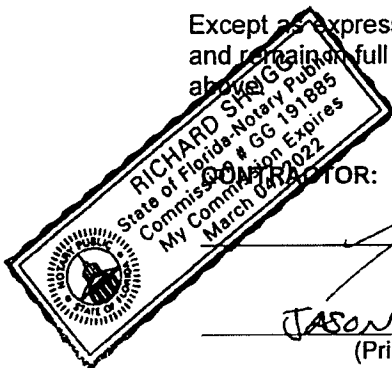
This Amendment to Contract No. 34822 is made and entered as of November 8, 2021, by and between the CITY OF LONG BEACH, a municipal corporation, and Herc Rentals Inc.

Contract No. 34822 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. 3rd renewal option for the term 1/1/2022 – 12/31/2022
- 2. \$350,000 added for this term
- 3. Prices during this period shall remain firm.
- 4. The price for certain items shall be increased as shown on Exhibit "B", which is attached hereto and incorporated herein by this reference.
- 5. The price for certain items shall be decreased as shown on Exhibit "C", 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:  
 \_\_\_\_\_  
 (Signature)  
 \_\_\_\_\_  
 JASON CASTERBEK  
 (Print / Type Name)  
 \_\_\_\_\_  
 President / Vice President / Secretary / Treasurer  
 (circle one)

\_\_\_\_\_  
 (Signature)  
 \_\_\_\_\_  
 (Print / Type Name)  
 \_\_\_\_\_  
 President / Vice President / Secretary / Treasurer  
 (circle one)

THE CITY OF LONG BEACH:

By: Linda J. Iatun  
 THOMAS B. MODICA, City Manager

Approved as to form:  
 CHARLES PARKIN, City Attorney

By: [Signature]  
 Deputy

EXECUTED PURSUANT  
 TO SECTION 301 OF  
 THE CITY CHARTER.

**AMENDMENT NO. FIVE TO CONTRACT NO. 34822**

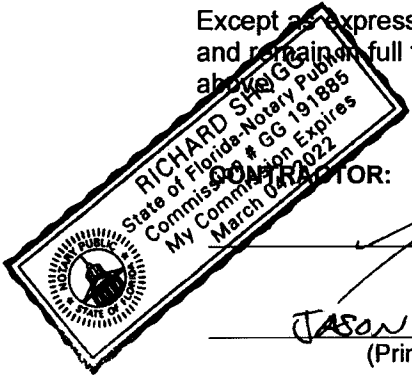
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**Attach Notary if Out-of-State Contractor**

CONTRACTOR:

[Signature]  
(Signature)

JASON CARTER  
(Print / Type Name)

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

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print / Type Name)

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

**THE CITY OF LONG BEACH:**

By: THOMAS B. MODICA, City Manager

Approved as to form:  
**CHARLES PARKIN, City Attorney**

By: \_\_\_\_\_  
Deputy



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

411 W. Ocean Blvd., 6<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • FAX (562) 570-5099

PURCHASING AND BUSINESS SERVICES BUREAU/PURCHASING DIVISION

November 8, 2021

Herc Rentals Inc.  
22422 S. Alameda St.  
Carson, CA 90810

ATTENTION: Donovan Martinez Email: [Donovan.martinez@hercrentals.com](mailto:Donovan.martinez@hercrentals.com)  
Jason Oosterbeek [hercbids@hercrentals.com](mailto:hercbids@hercrentals.com)  
Kyle Scott

Subject: Amendment No. 5 and 3<sup>rd</sup> Renewal option of Munis Contract #3182200042 for furnishing and delivering heavy equipment rental per Contract No. 34822 (Bid No. ITB FS 18-019)

Dear Contract Team Staff,

Can you please send this to your corporate office and have this document signed by 2 corporate officers and return to me.

In accordance with the terms and conditions set forth in this contract, the City of Long Beach requesting to extend this contract to 12/31/2022. Any proposed price increases will be reviewed by the City and will be approved or denied. Per your bid price increases shall not exceed the most recent available month for the Los Angeles-Riverside-Orange County, CA Consumer Price Index (CPI) for All Urban Consumers for non-labor

If you will be increasing, you will need to attach an exhibit with old price and new price.

Please ensure that your Corporate Officers or persons authorized to sign contracts do so. **(SEE THE ATTACHED INSTRUCTIONS CONCERNING SIGNATURES.)**

Please mail email your response to:

[Michelle.King@Longbeach.gov](mailto:Michelle.King@Longbeach.gov) and [Purchasingbids@longbeach.gov](mailto:Purchasingbids@longbeach.gov)

Please put "Amendment documents for HERC Rentals for Michelle King" in the subject matter.

If you have any questions regarding this matter, please do not hesitate to contact me at (562) 570-6020 or our main # at 562-570-6200. The City of Long Beach appreciates your continued business.

Respectfully,

Michelle King  
Buyer II, Procurement Services

Attachments

**HERC RENTALS INC.**

**Assistant Secretary's Certificate**

I, Derek Lively, an Assistant Secretary of Herc Rentals Inc. (the "Officer"), a Delaware corporation (the "Corporation"), DO HEREBY CERTIFY, on behalf of the Corporation as follows:

1. Each of the following named individuals is a duly elected or appointed, qualified and acting officer of the Corporation who holds the office set forth opposite such individual's name below.

<b><u>Name</u></b>	<b><u>Office</u></b>
Lawrence H. Silber	President and Chief Executive Officer
Aaron Birnbaum	Senior Vice President and Chief Operating Officer
Christian J. Cunningham	Senior Vice President and Chief Human Resources Officer
Mark H. Irion	Senior Vice President and Chief Financial Officer
Tamir Peres	Senior Vice President and Chief Information Officer
S. Wade Sheek	Senior Vice President, Chief Legal Officer and Secretary
Carlo Cavecchi	Senior Vice President, Specialty Solutions
Paul Dickard	Vice President, Communications
Jennifer Brandeis	Vice President, Asst. General Counsel, Chief Compliance Officer and Assistant Secretary
Matthew Gavin	Vice President, Product Support and Fleet Operations
Elizabeth Higashi	Vice President, Investor Relations
Mark Humphrey	Vice President, Controller and Chief Accounting Officer
Mustally Hussain	Vice President, Treasurer
Jennifer Laudermilch	Vice President, Internal Audit
Charles Miller	Vice President, Operations
Jason Oosterbeek	Vice President, Pricing and Sales Strategy
Sharon Petrosino	Vice President, Deputy General Counsel and Assistant Secretary
Kyle Scott	Vice President, Finance
Marlin Shaw	Vice President, Tax
Sunil Gupta	Vice President, IT
Edward Fritz	Vice President, Infrastructure and Enterprise Applications
Mark Arell	Vice President, Talent and Organizational Development
Derek Lively	Assistant Secretary

[Continued on the next page]

2. Set forth below is a true and correct copy of resolutions adopted by the Board of Directors of the Corporation dated October 1, 2013 (the "Unanimous Written Consent"), which resolutions were duly and validly authorized:

RESOLVED, that in addition to the authority granted pursuant to the Chairman General Authorization and the Real Estate Signing Authorization, authority to execute contracts, agreements, bonds, distributor appointments, deeds, bills of sale, powers of attorney, certificates, assignments, contracts for the purchase or sale of real property and interests in real property, leases, subleases, guarantees, pleadings and other documents and instruments that individually involve amounts of less than \$10 million, is hereby conferred upon, the President, each Vice President, the Treasurer and the Controller of the Corporation and any other officer of the Corporation designated by the Chairman of the Board or the President, provided that such dollar limit shall not apply to (i) any transaction the maximum dollar amount of which cannot be ascertained when the transaction is entered into and (ii) any transaction solely (A) between or among the Corporation and one or more of its affiliates or subsidiaries or (B) between or among any affiliates or subsidiaries of the Corporation (the "Executive Officer General Authorization").

3. The Board of Directors of the Corporation, approved at its August 18, 2016 meeting a delegation of authority to the President and CEO to approve expenditures up to \$20 million, including for acquisitions. Such delegation is now in full force and effect.

**IN WITNESS WHEREOF**, the undersigned has executed this certificate on behalf of the Corporation on and as of the 4<sup>th</sup> day of February 2021.

**HERC RENTALS INC.**

By: 

Name: Derek Lively

Title: Assistant Secretary

Herc Rentals Inc. Exhibit "B" 1-1-22 to 12-31-22

Bid Item #	Cat Class	Description	Cust Desc	Previous Week	Previous Day	New Week	New Day	Week Increase	Day Increase
1A	250-1100	DOZER STD TRACK 70-79 HP ROPS	70HP, diesel, with 7' blade and torque converter with power shift	751	349	773.53	359.47	3.00%	3.00%
1B	250-1450	DOZER WIDE TRACK 106-130 HP ROPS	120 HP, diesel, with 10' blade and torque converter with power shift	1401	469	1443.03	483.07	3.00%	3.00%
2A	265-1110	COMPACT LOADER 1.0-1.4 YD STD BKT DSL	90 HP, diesel, 1.75 yard bucket, ROPS/FOPS, windshield, with steering behind articulation point	971	391	1000.13	402.73	3.00%	3.00%
2B	265-1310	WHEEL LOADER 3.0-3.4 YD STD BKT DSL	150 HP, 3 yard bucket, ROPS/FOPS, windshield, with steering behind articulation point	1400	427	1442.00	439.81	3.00%	3.00%
3B	275-2200	TRACTOR LOADER 60-90HP 4WD DSL	80 HP, diesel, with loader bucket, 5/8 cubic yard capacity, power-shift transmission, PTO and 3-point hitch and ROPS/FOPS	435	208	448.05	214.24	3.00%	3.00%
4A	210-3205	BACKHOE 70-97HP 4WD ROPS EXTENDAHOE DSL	55 HP, diesel, with loader bucket, 7/8 cu yd capacity, power-shift transmission, 14' reach and ROPS/FOPS	650	240	669.50	247.2	3.00%	3.00%
4B	210-3205	BACKHOE 70-97HP 4WD ROPS EXTENDAHOE DSL	80 HP, diesel, with loader bucket, 1.25 cu yd capacity, power-shift transmission, 23.5' reach and ROPS/FOPS	650	240	669.50	247.2	3.00%	3.00%
5A	No Bid		90 HP, diesel, 12' blade, with cab	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
6B	450-2020	WAREHOUSE FORKLIFT 3000LB PNEU DF	Gas or propane, 3000lb, 10' lifting height, pneumatic or semi-pneumatic-tires, with ROPS/FOPS	450	180	463.50	185.4	3.00%	3.00%
6C	450-2270	WAREHOUSE FORKLIFT 8000LB PNEU DF	Gas or propane, 8000lb, 14' lifting height, pneumatic or semi-pneumatic-tires, with ROPS/FOPS	490	200	504.70	206	3.00%	3.00%
6D	450-2310	WAREHOUSE FORKLIFT 10000LB PNEU DSL	Gas or propane, 10,000lb, 14' lifting height, pneumatic or semi-pneumatic-tires, with ROPS/FOPS	525	215	540.75	221.45	3.00%	3.00%
7A	455-1050	STRAIGHTMAST RT FORKLIFT 10000LB 2WD	Gas-or-diesel, 10,000-lb: 25' lifting height with ROPS/FOPS	675	230	695.25	236.9	3.00%	3.00%
8A	460-1010	TELEHANDLER 5500LB 16-20FT LIFT ROPS	Gas or diesel, 2 or 4 wheel drive, 4000lb, 28' lifting height	691	279	711.73	287.37	3.00%	3.00%
8B	460-1040	TELEHANDLER 8000LB 42-44FT LIFT ROPS	Gas or diesel, 2 or 4 wheel drive, 8000lb, 34' lifting height	879	309	905.37	318.27	3.00%	3.00%
9A	610-1170	TRAILER FLATBED 18000 LB	20' deck, 8' width, lunette hitch, surge brakes, 18,000 lb cap	400	119	412.00	122.57	3.00%	3.00%
10	659-6380	TRUCK CRANE SINGLE DSL 18 T	Truck Mounted Crane, Mounted on Heavy Duty Chassis	1350	520	1390.50	535.6	3.00%	3.00%
10A	659-6380	TRUCK CRANE SINGLE DSL 18 T	12 Ton	1350	520	1390.50	535.6	3.00%	3.00%
10B	659-6380	TRUCK CRANE SINGLE DSL 18 T	15 Ton	1350	520	1390.50	535.6	3.00%	3.00%
10C	659-6380	TRUCK CRANE SINGLE DSL 18 T	17 Ton	1350	520	1390.50	535.6	3.00%	3.00%
11A	659-6310	TRUCK BUCKET DSL 31 FT	30 Foot	1350	425	1390.50	437.75	3.00%	3.00%
11B	Re-Rent		48 Foot	1900	1475	1957.00	1519.25	3.00%	3.00%
12A	150-2860	ROLLER RIDE-ON 47IN SMOOTH DRM 3 TON DSL	Vibratory, 3 ton to 5 ton	500	125	515.00	128.75	3.00%	3.00%
12B	150-2760	ROLLER RIDE-ON SMOOTH 66IN SNG 8 TON	Vibratory, 8 ton to 10 ton	725	175	746.75	180.25	3.00%	3.00%
13	No Bid		Hydrahammer	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
14A	659-6120	TRUCK DUMP DSL 3-4 YD	Dump Truck, Two Axle Asphalt	520	165	535.60	169.95	3.00%	3.00%
14B	659-6180	TRUCK DUMP DSL 5-6 YD NON CDL	Dump Truck, Two Axle	650	190	669.50	195.7	3.00%	3.00%
14C	659-6200	TRUCK DUMP DSL 12-14 YD MANUAL	Dump Truck, Three Axle	1600	495	1648.00	509.85	3.00%	3.00%
15A	Re-Rent		12 yard to 17 yard	3795	1380	3908.85	1421.40	3.00%	3.00%
16	No Bid		Two Axle Box Truck	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
18	659-5620	TRUCK STKBD 2WD STD GAS 3/4-1 T 12 FT	Stake Bed Truck with lift gate, two axle	435	135	448.05	139.05	3.00%	3.00%
19	659-5020	TRUCK PICKUP 2WD STD GAS 1/2 T	1/2 Ton Pick Up Truck	350	90	360.50	92.7	3.00%	3.00%
20	659-5070	TRUCK PICKUP 4WD STD GAS 3/4 T	3/4 Ton Pick Up Truck	400	125	412.00	128.75	3.00%	3.00%
21	659-5200	TRUCK PICKUP 4WD STD GAS 1 T	1 Ton Pick Up Truck	525	165	540.75	169.95	3.00%	3.00%
22A	410-2020	BOOM ARTICULATED 30FT NAR ROT JIB ELEC	Man Lift - up to 25' Reach	425	155	437.75	159.65	3.00%	3.00%
22B	410-4030	BOOM STRAIGHT 40FT 4WD DF	Man Lift - up to 40' Reach	535	210	551.05	216.3	3.00%	3.00%
22C	410-4090	BOOM STRAIGHT 45FT JIB 4WD DSL	Man Lift - up to 50' Reach	535	210	551.05	216.3	3.00%	3.00%
22D	410-4140	BOOM STRAIGHT 60FT 4WD DSL	Man Lift - up to 60' Reach	720	285	741.60	293.55	3.00%	3.00%
22E	410-4240	BOOM STRAIGHT 80FT 4WD DSL	Man Lift - up to 80' Reach	1125	425	1158.75	437.75	3.00%	3.00%
22F	410-4400	BOOM STRAIGHT 120FT JIB 4WD DSL	Man Lift - up to 100' Reach	2495	895	2569.85	921.85	3.00%	3.00%
22G	410-4400	BOOM STRAIGHT 120FT JIB 4WD DSL	Man Lift - up to 120' Reach	2495	895	2569.85	921.85	3.00%	3.00%
23	280-1020	TRENCHER W/B TRACK 24IN GAS	Trencher: Walk Behind - Gas	200	90	206.00	92.7	3.00%	3.00%
24	115-1550	TILLER 4-5 HP 20-26IN WIDTH FRONT TINE	Rototiller: Walk Behind - Gas	119	45	122.57	46.35	3.00%	3.00%
25	105-2020	WASHER 2000-2999 PSI GAS	Pressure Washer, Portable, Electric Motor, Hot Water, Gas-Propane	140	45	144.20	46.35	3.00%	3.00%
26	240-1500	MINI-EXCAVATOR 9000-11999 LBS DSL ROPS	Mini Excavator: 10,000 - 14,000 lbs Backfill Blade, Joystick Controls, Thumb on Boom	575	235	592.25	242.05	3.00%	3.00%
3A	275-1160	TRACTOR 40-49HP 4WD DSL	50 HP, diesel, with loader bucket, 5/8 cubic yard capacity, power-shift transmission, PTO and 3-point hitch and ROPS/FOPS	395	185	406.85	190.55	3.00%	3.00%