OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach. CA 90802-4664

SECOND AMENDMENT TO AGREEMENT NO. 34744

THIS SECOND AMENDMENT TO AGREEMENT NO. 34744 is made and entered, in duplicate, as of January 30, 2019 for reference purposes only, pursuant to Resolution No. RES-17-0094 adopted by the City Council of the City of Long Beach at its meeting on September 12, 2017, by and between FASTENAL COMPANY, a Minnesota corporation ("Contractor"), whose address is 2001 Theurer Blvd., Winona, Minnesota 55987, and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, City desires to purchase fasteners and miscellaneous hardware; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 34744 (the "Agreement") whereby Consultant agreed to furnish and deliver fasteners and miscellaneous hardware; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to March 31, 2019; and

WHEREAS, the Parties desire to exercise their second and final option to extend the term one (1) additional one-year period;

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

- 1. Section 1.D of the Agreement is hereby amended to read as follows:
- "D. The term of this Agreement shall commence at midnight on October 1, 2017, and shall terminate at 11:59 p.m. on March 31, 2020. In the event the underlying Agreement expires prior to the renewal term, Contractor will enter into a new Agreement with substantially similar terms and conditions."
- Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34744 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the Parties have caused this document to be duly 1 executed with all formalities required by law as of the date first stated above. 2 3 FASTENAL COMPANY, a Minnesota corporation 4 2-6 5 Name 6 Title EVP 7 , 2019 By___ Name 8 * See attached Title 9 Notarial Certificate "Contractor" 10 CITY OF LONG BEACH, a municipal 11 corporation 12 City Manager 13 Tom Modice 14 This Second Amendment to Agreement No. 34744 is approved as to form on 15 16 , 2019. 17 CHARLES PARKIN, City Attorney 18 19 20 21 22 23 24 25 26 27 28

EXECUTED PURSUANT

TO SECTION 301 OF

Notarial Certificate

Re: Second Amendment to Agreement No. 34744

State of Minnesota

County of Winona

Signed or attested before me on 2/16/2019 by NickLundquist.

Heather Jean Fransen **Notary Public** State of Minnesota Ay Commission Expires January 31, 2024

Signature: Seally Fublic
Title: Notary Public

My commission expires: $\frac{1/31/2024}{}$



RESOLUTION OF BOARD OF DIRECTORS OF FASTENAL COMPANY

The undersigned, being all of the Directors of Fastenal Company, hereby adopt the following resolutions and take the following actions by unanimous consent.

WHEREAS, the Board of Directors in a meeting on July 11, 2006 established specific levels of authority for certain officers of the Company to contractual relationships with vendors and customers.

WHEREAS, the Board of Directors desires to amend the authority granted in connection with the execution of agreements and contracts with governmental agencies or bodies and replace the prior resolution with the following resolution.

RESOLVED, that the Senior Vice President and any Executive Vice President of the Company has the authority to negotiate and execute on behalf of the Company agreements and contracts with governmental agencies or bodies.

Dated: April 17, 2007

Robert A. Kierlin

Stephen M. Slaggie

Michael M. Midder

Henry K. McConnon

Robert A. Hansen

Michael M. Gostomski

Willard D. Oberton

Reyne K. Wisecup