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

FIRST AMENDMENT TO AGREEMENT NO. 34210

THIS FIRST AMENDMENT TO AGREEMENT NO. 34210 is made and entered, in duplicate, as of November 2, 2016 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on November 1, 2016, by and between LOS ANGELES TRUCK CENTERS, LLC DBA LOS ANGELES FREIGHTLINER, a limited liability company ("Contractor"), with a place of business at 2429 S. Peck Road, Whittier, California 90601, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor entered into Agreement 34014 to purchase ten (10), Autocar ACX 64, CNG-fueled, refuse collection trucks ("Trucks"); and

WHEREAS, the City desires to purchase ten (10) additional Autocar ACX 64, CNG-powered refuse collection trucks; and

Resolution No. RES-16-0011, authorizes the purchase ten (10) additional Autocar ACX 64, CNG-fueled, refuse collection trucks;

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

- 1. Section 1.B. of Agreement No. 34210 is hereby amended to read as follows:
 - "A. Contractor shall sell, furnish, and deliver to the City twenty (20), Autocar ACX 64, CNG-fueled, refuse collection trucks, of substantially the same type and kind purchased under the City of Claremont, except as modified by Exhibit "B", attached hereto and incorporated by this reference, in an annual amount not to exceed Six Million Six Hundred Seven Thousand Three Hundred Sixteen Dollars (\$6,607,316), including taxes and fees. To the extent that the Claremont Purchase Order and this Agreement are inconsistent, the following priority shall govern: (1) this Agreement and (2) the Claremont Purchase Order."
 - C. Payment for the twenty (20), Autocar ACX 64, CNG-fueled,

refuse collection trucks, purchased from Contractor by the City shall be made by the City on delivery to and acceptance of the twenty (20), Autocar ACX 64, CNGfueled, refuse collection trucks, by the City and submittal of an invoice to the City. Payment is due thirty (30) days after the date of the invoice."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34210 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.

November 15, 2016	LOS ANGELES TRUCK CENTERS, LLC DBA LOS ANGELES FREIGHTLINER, a limited liability company By Name Bradley C. FAUVRE Title President
Novembr 15_, 2016	By April Robis Title CF2
	"Consultant"
<u>Jec.</u> , 2016	CITY OF LONG BEACH, a municipal corporation By City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.
This First Amendment to Ag	reement No. 34210 is approved as to form on
November 28, 2016.	
	CHARLES PARKIN, City Attorney By Deputy