

FOURTH AMENDMENT TO AGREEMENT NO. 34352

**34352**

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34352 is made and entered, in duplicate, as of July 27, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 2, 2016, by and between UNITED STORM WATER, INC., a California corporation ("Contractor"), with a place of business at 14000 E. Valley Boulevard, City of Industry, California 91746, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34352 (the "Agreement") whereby Contractor agreed to provide storm drain routine maintenance and repair; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add a one-time amount of \$710,000 to cover the many emergency storm calls that took place December 2016 to February 2017; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to July 31, 2020 and add the annual agreement amount plus contingency; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to add \$1,269,045 to the Agreement; and

WHEREAS, the Parties desire to exercise their 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 2 of the Agreement is hereby amended to read as follows:

"2. TERM. The term of this Agreement shall commence at midnight on August 1, 2016, and shall terminate at 11:59 p.m. on July 31, 2021, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34352 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.

UNITED STORM WATER, INC., a  
California corporation

7/31, 2020

By EU  
Name EDUARDO PERRY JR  
Title PRESIDENT

7/31, 2020

By Robert Pina  
Name Robert Pina  
Title Secretary Treasurer

"Contractor"

CITY OF LONG BEACH, a municipal  
corporation

August 24, 2020

By Linda F. Iatun  
Name Linda F. Iatun  
Title EXECUTIVE MANAGER  
"City" TO SECTION 301 OF THE CITY CHARTER

This Fourth Amendment to Agreement No. 34352 is approved as to form on  
August 10, 2020.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy