

1 FIRST AMENDMENT TO AGREEMENT NO. 35671

2 **35671**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35671 is made and
4 entered, in duplicate, as of May 31, 2022 for reference purposes only, pursuant to
5 Resolution No. RES-20-0097 adopted by the City Council of the City of Long Beach at its
6 meetings on August 11, 2020 and additional funding authority provided by the City
7 Council on May 24, 2022, by and between W.W. GRAINGER, INC., an Illinois corporation
8 ("Contractor"), whose address is 100 Grainger Parkway, Lake Forest, IL 60045, and the
9 CITY OF LONG BEACH ("City"), a municipal corporation.

10 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
11 35671 (the "Agreement") to purchase maintenance, repair, and operations supplies and
12 related materials for a wide range of fieldwork needs; and

13 WHEREAS, the Parties desire to increase the annual amount by \$300,000
14 with a twenty percent contingency in the amount of \$60,000, for a revised total
15 agreement amount not to exceed \$1,560,000;

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

18 1. Section 1.B. of the Agreement is hereby amended to read as follows:

19 "B. Contractor shall sell, furnish and deliver to the City
20 maintenance, repair, and operations supplies and related materials of substantially
21 the same type and kind purchased under the Tucson Contract, as modified by
22 Exhibit "B" attached to the Agreement and incorporated by this reference, in an
23 annual amount not to exceed One Million Three Hundred Thousand Dollars
24 (\$1,300,000), with a twenty percent (20%) contingency of Two Hundred Sixty
25 Thousand Dollars (\$260,000), for a total annual amount not to exceed One Million
26 Five Hundred Sixty Thousand Dollars (\$1,560,000) including tax and fees. To the
27 extent that the Tucson Contract and this Agreement are inconsistent, the following
28 priority shall govern: (1) this Agreement and (2) the Tucson Contract."

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. Except as expressly amended herein, all terms and conditions in Agreement No. 35671 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.

W.W. GRAINGER, INC., an Illinois corporation

June 16, 2022

By Ben Nichols
Name Ben Nichols
Title Group Vice President
Government & Healthcare

_____, 2022

By _____
Name _____
Title _____

"Contractor"

CITY OF LONG BEACH, a municipal corporation

June 29, 2022

By Linda J. Tatum
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This First Amendment to Agreement No. 35671 is approved as to form on

June 22, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

**CERTIFICATE OF DESIGNATION
FOR SALES OF PRODUCTS AND SERVICES**

Pursuant to resolutions adopted on July 25, 2018 by the Board of Directors of W.W. Grainger, Inc. (the "Corporation"), which resolutions relate to the execution and delivery of certain documents for and on behalf of the Corporation, I, Deidra Merriwether, Senior Vice President and Chief Financial Officer of the Corporation, hereby (i) designate the following persons affiliated with the Corporation as individuals duly empowered to execute and deliver, for and on behalf of the Corporation, bids, quotations, purchase orders and other documents relating to the sale or proposed sale of products and services associated with the business of the Corporation, and (ii) authorize the following persons to designate, subject to such conditions, limitations and restrictions as the Senior Vice President and Chief Financial Officer may from time to time impose, other persons affiliated with the Corporation as individuals likewise duly empowered to execute and deliver, for and on behalf of the Corporation, bids, quotations, purchase orders and other documents as aforesaid:

<u>Name</u>	<u>Title</u>
Samuel Johnson	Vice President, Sales Operations
Rudy Juarez	Vice President and General Manager, Mexico, LATAM and Global Export
David Lagoner	Vice President and General Manager, Grainger Canada
Robert Laughlin	Vice President, U.S. Direct Sales
Paige Robbins	Senior Vice President and President, Grainger Business Unit
Michael Murphy	Vice President, Healthcare
Benjamin Nichols	Vice President, Government
Richard Sigler	Vice President, Services and Solutions
Michael Vassalotti	Vice President, Cross Border and International Sales

This Certificate of Designation supersedes all prior Certificates of Designation pursuant to the above-mentioned resolutions relating to the sale or proposed sale of products and services associated with the business of the Corporation.

[Signature Page Follows]

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Designation to be effective as of the 4th day of February 2021.

Deidra C. Merriwether
Deidra C. Merriwether (Feb 4, 2021 10:10 CST)

Deidra Merriwether
Senior Vice President
and Chief Financial Officer