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. 34352

THIS SECOND AMENDMENT TO AGREEMENT NO. 34352 is made and entered, in duplicate, as of June 5, 2019, 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 requires specialized services requiring unique skills to be performed in connection with storm drain routine maintenance and repair; and

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34352 (the "Agreement") whereby Contractor agreed to provide these services; 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 desire to extend the term one (1) additional one-year period and add the annual agreement amount plus contingency;

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

- Section 2 of the Agreement is hereby amended to read as follows:
- "2. <u>TERM.</u> The term of this Agreement shall commence at midnight on August 1, 2016, and shall terminate at 11:59 p.m. on July 31, 2020, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The Parties have the option to extend the term for one (1) additional one-year period, at the discretion of the City Manager."
- 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 JULY 02, 2019 By Name EDUARDO PERRY JR. Title PRESIDENT Tom Modica Assistant City Manager EXECUTED PURSUANT "Contractor" TO SECTION 301 OF THE CITY CHARTER CITY OF LONG BEACH, a municipal corporation My 23, 2019 By Color Perry JR. TREASURER EXECUTED PURSUANT "Contractor" TO SECTION 301 OF THE CITY CHARTER CITY OF LONG BEACH, a municipal corporation City Manager
***************************************	"City"
***************************************	This Second Amendment to Agreement No. 34352 is approved as to form on July 8, 2019.
	CHARLES PARKIN, City Attorney By Deputy