

1 B. Contractor shall sell, furnish and deliver to the City one (1) 44-
2 foot Tactical Emergency Response Vessel (TERV) and one 35-foot Critical
3 Incident Response/Patrol Boat of substantially the same type and kind under the
4 U.S. General Services Administration Cooperative Purchasing Program GSA
5 Federal Supply Schedule 84, for an amount not to exceed One Million Five
6 Hundred Forty-Eight Thousand Three Hundred Seventy-One Dollars (\$1,548,371),
7 including tax and fees, for a period extending until the warranty on the Patrol Boats
8 expires. To the extent that the GSA Contract and this Agreement are inconsistent,
9 the following priority shall govern: (1) this Agreement and (2) the GSA Contract.

10 C. Payment for one (1) 44-foot Tactical Emergency Response
11 Vessel (TERV) and one (1) 35-foot Critical Incident Response/Patrol Boat
12 purchased from Contractor by the City shall be made by the City by the following
13 payment plan:

- 14 i. Seven Hundred Twenty-Five Thousand Dollars
15 (\$725,000) - initial payment;
- 16 ii. Four Hundred Eleven Thousand Six Hundred Eighty-
17 Five Dollars (\$411,685) - seventy-five percent (75%) complete progress
18 payment;
- 19 iii. Four Hundred Eleven Thousand Six Hundred Eighty-
20 Six Dollars (\$411,686) - final payment upon acceptance of the Patrol Boats
21 by City.

22 D. All warranties shall accrue to the City of Long Beach.

23 E. The parties may, by mutual agreement, amend this
24 Agreement with the approval of the City's City Council.

25 2. Neither this Agreement nor any money that becomes due to
26 Contractor under this Agreement may be assigned by Contractor without the prior written
27 consent of the City Manager or his designee.

28 3. Any notice given under this Agreement shall be in writing and

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

1 personally delivered or deposited in the U.S. Postal Service, return receipt, and shall be
2 delivered or mailed to Contractor at the relevant address first stated above, and to the
3 City at 333 West Ocean Boulevard, Long Beach, California 90802 Attn: City Manager.
4 Notice shall be deemed given three days after deposit in the mail.

5 4. The terms appearing on the GSA Contract are incorporated in this
6 Agreement.

7 5. Contractor shall cooperate with the City in all matters relating to self-
8 accrual of use tax. Contractor shall contact the City Treasurer for additional information
9 regarding self-accrual.

10 6. This Agreement and all documents which are incorporated by
11 reference in this Agreement constitute the entire understanding between the parties and
12 supersede all other agreements, oral or written, with respect to the subject matter of this
13 Agreement. If there is any legal proceeding between the parties to enforce or interpret
14 this Agreement, or to protect or establish any rights or remedies, the prevailing party shall
15 be entitled to its costs and expenses, including reasonable attorney's fees.

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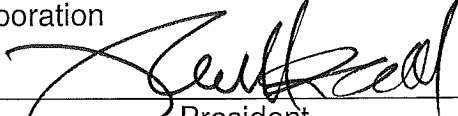
OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

MOOSE BOATS, INC., a California corporation

March 6, 2012

By 
President
Roger N. Fleck
Type or Print Name

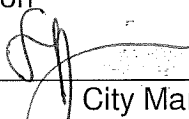
March 6, 2012

By 
Secretary
Catherine Fleck
Type or Print Name

"Contractor"

CITY OF LONG BEACH, a municipal corporation

4.11. 2012

By  Assistant City Manager
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This Agreement is approved as to form on April 2, 2012.

ROBERT E. SHANNON, City Attorney

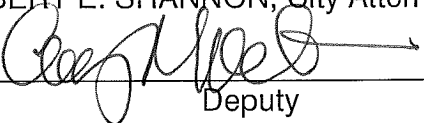
By 
Deputy

EXHIBIT "A"

GSA Schedule
GSA Contract # GS-07F-0507M
Moose Boats, Inc.
Long Beach Police Dept.
M1-44 Diesel/Water-Jet Patrol Boat Proposal
Draft

rev 12.9.11

| Part # | Description | GSA Price | Commercial Price |
|-----------|---|------------------|------------------|
| MB DJ442C | 44" Standard Boat Hull with Twin Cummins QSC8.3 600HP Marine Diesels with Twin Disc 5075SC Marine Gear & Hamilton (HJ-322) Water Jets. Hydraulic Steering, Manual Controls for Bucket & Marine Gear. Length- 43' - 8" Beam - 16'-0" Dead Rise - 15° Displacement - 30,000 LBS Max Speed - 39 kts Cruise Speed - 27 kts <u>Hull Includes:</u> 1/4" 5086 Alloy Hull Plating (2) 240 Gal, Aluminum Fuel Tanks with Gauges (2) Racor Fuel Filters (4) 2000 GPH Bilge Pumps (2) 12V Batteries (In Series) for Port & Stbd Engine Starting (4) 12V Batteries In Series/Parallel for House Loads 24V DC Electrical System Complete DC Distribution System (12V & 24V) Water Tight Deck Hatches - oversized forward for hull access Deck and Cabin Raised 7" Flush Gunwales In Cockpit Large Deck Scuppers Large Jet Guard Platform Air/Foam Composite Collar Grab Rails & Handholds Throughout Integral 4 Point Lifting Lugs Extruded Aluminum Rub Strake (3) Welded Bollards (for & aft) (6) Welded Spring-Line Cleats (4) Zinc Anodes (bolted to hull) Anchor Rode Locker Non Skid Deck Coating Engine Room Insulation Automatic Engine Room Fire Extinguisher System Engine Room Lighting <u>Cabin</u> | \$522,487 | |
| MB 616 | X-Large, Fully enclosed, 10'-6" Wide Cabin, Seating for a crew of (3), Additional seating for 8 passengers. Also includes plenty of storage, work table, space to accommodate full galley, fully enclosed head and other elements to complete the cabin. <u>Cabin Includes:</u> 5052 Alloy Construction Center Helm Station & Instrument Console Accessible from Port and Stbd Sides (4) Shoxx 6300 Shock Mitigating Seats with Optional Standing Position (3) Heavy Duty Windshield Wipers with Washers Electric Horn Dimmable LED Red/White Interior Lighting L.E.D. Navigation Lights Thermal & Sound Insulation Grey Starboard Headliner Strategically Placed Grab Rails Commercial Rubber Flooring | \$135,406 | |
| | Total for Base Boat & Cabin | \$657,893 | |

GSA Schedule
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Long Beach Police Dept.
M1-44 Diesel/Water-Jet Patrol Boat Proposal
Draft

rev 12.9.11

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|--|---|-----------|------------------|
| <u>Cabin Additions</u> | | | |
| MB 680 | Cuddy Cabin Configured for storage & sleeping with foam berth cushions, stowage lockers, insulated wall & lighting throughout | \$11,281 | |
| NG | Upgrade Cabin width to 11-8" and provide step up walk around. | | \$8,600 |
| NG | Window and Cabin Door Upgrade- (5) pilot windows over helm and navigators seats. Cabin extended aft over dual sliding access doors. Roof access ladders port and starboard with cabin roof storage area and tie-down points. Note: see vessel rendering attachment. | | \$10,100 |
| MB 632 | (4) Windshield & Cabin Fans | \$814 | |
| MB 885 | Heated Glass Windshield Upgrade (3 Window Frames) | \$4,506 | |
| MB 643 | Electronics Mast Platform - Includes Running lights, Flag Mast & Mounting Surfaces for Radar, Antennas, Spot Light, IR Camera and Light Bar. | \$3,738 | |
| NG | (2) Fixed Chart Lights at helm and work table | | \$425 |
| <u>Electronics and Navigation Equipment</u> | | | |
| MB 201 | SmartCraft™ Vessel View Display | \$1,849 | |
| MB 210 | FURUNO NavNet 3D Radar, GPS, Depth Sounder, & 4kw Radar Dome (includes MFD-12 display) | \$15,061 | |
| MB 215 | FURUNO Heading Sensor for GPS Overlay | \$2,200 | |
| NG | Additional FURUNO MFD-12 NavNet 3D Multifunction Display (Quantity 2) | | \$10,400 |
| MB 883 | 6kW Open Array Radar Antenna Upgrade | \$3,200 | |
| MB 879 | FURUNO FA150 AIS Receiver & Transponder | \$4,300 | |
| NG | FLIR M626-L Thermal Imaging Camera with Two Controllers | | \$24,500 |
| MB 205 | Marine VHF Radio - ICOM M504 (Quantity 2) | \$1,174 | |
| NG | Simrad ATD-L1650A Self Contained Auto Direction Finder with Adcock Antenna | | \$4,650 |
| MB 208 | Magnetic Compass | \$171 | |
| MB 325 | ACR RCL300A Remote Spotlight | \$5,764 | |
| NG | Marine Stereo with (2) Speakers | | \$950 |
| NG | Restricted Maneuvering (RAM) Red/White/Red Lights with 1m Separation | | \$2,800 |
| MB 212 | Installation of Radio Equipment Supplied by LBPD - Budget for 2 radios | \$1,280 | |
| <u>Law Enforcement Equipment</u> | | | |
| MB 800 | Siren & Loud Hailer | \$789 | |
| MB 801 | 122dB Speaker | \$293 | |
| MB 802 | LED Blue Light Pursuit Lights - 44" Wide | \$1,550 | |
| NG | (4) Big Sky Electric weapons mount with timer release mounted in main cabin - stowage for (2) AR15/AR10 Rifles (2) Remington 870 Shotguns. | | \$3,600 |
| MB 570 | Gun Mount Foundation for Fwd Removable & Aft Fixed Posts | \$3,234 | |
| <u>Cabin Climate Control System</u> | | | |
| MB 867 | 9 kw Generator (Northern Lts) | \$17,687 | |
| NG | Air Conditioning & Heating System 27,000 BTU Marine Air Reverse Cycle Water-cooled System | | \$11,285 |
| MB 315 | Electric 1500w Baseboard Heater - (Quantity 2) | \$1,580 | |
| <u>Electrical Equipment</u> | | | |
| MB 950 | 240V 50amp Shore Power & Distribution System - | \$1,612 | |
| MB 1024 | 50 amp Shore Power Cord (50ft) | \$655 | |
| MB 1023 | 240V 50A Isolation Transformer (240v) | \$2,418 | |
| MB 310 | (6) Red LED Courtesy Lights on External Cabin Walkways | \$829 | |
| NG | (6) Whelen LED Flood/Deck Lights - 2 Forward, 1 Port, 1 Starboard, 2 Aft | | \$4,800 |
| MB 309 | Engine Compartment Lighting - Quantity 2 | \$974 | |
| NG | LED Lighting below Swim Grid for Rescue/Response Incidents | | \$1,600 |
| MB 304 | 2.5kW Inverter/Charger with remote monitoring panel | \$4,911 | |
| MB 903 | Power Assisted Steering Upgrade | \$2,447 | |
| <u>Plumbing & Mechanical Options</u> | | | |
| MB 405 | Fresh Water Windshield Washing System | \$1,019 | |
| NG | Reverso™ Oil Pump system for both engines, both gears and gen set oil change | | \$1,760 |
| NG | Deck Shower at Aft Cockpit -incl. 6 Gal. water heater and 30 Gal. supply tank | | \$3,550 |
| MB 123 | Engine Room Heaters - 700W each in both engine rooms (1400W total) | \$1,169 | |

GSA Schedule
GSA Contract # GS-07F-0507M
Moose Boats, Inc.
Long Beach Police Dept.
M1-44 Diesel/Water-Jet Patrol Boat Proposal
Draft

rev 12.9.11

| Part # | Description | GSA Price | Commercial Price |
|--|---|----------------------|------------------|
| Deck Outfit Items | | | |
| MB 504 | Custom Ladder on Transom Grid with Brackets Port & Stbd. | \$824 | |
| MB 312 | Electric Anchor Windlass with Helm & Deck Controls Including Anchor & Rode | \$4,133 | |
| NG | Heavy Duty Aluminum Tow Post & Rope Reel (Includes: 300 feet of 1/2" Samson Amsteel Line with Thimble) | | \$3,406 |
| MB 510 | Heavy Duty Replaceable Bow Fendering System | \$2,200 | |
| NG | Reinforced Rubstrake for Wing Collar | | \$5,000 |
| NG | Davit with 900lb winch including deck sockets port, starboard and cabin roof. | | \$4,300 |
| NG | Removable PWC Chocks with Threaded Sockets for Swim Platform | | \$2,500 |
| Finishing | | | |
| MB 551 | 2 Coats Anti-Fouling Bottom Paint over Barrier Coat Primers | \$3,725 | |
| MB 556 | Paint Entire Boat (Awlgrip) | \$14,033 | |
| NG | Water Jet Cut Raised and Painted Side Graphics | | \$800 |
| Commissioning Items | | | |
| NG | 120V Electric Dewatering Pump | | \$350 |
| MB 708 | System Manuals, Electrical & Maintenance Plans | \$1,015 | |
| MB 703 | Ring Buoy & Mount | \$209 | |
| MB 706 | (4) Fenders (Ball Type) | \$237 | |
| NG | Flare Kit & (2) ABC 5lb. Fire Extinguishers | | \$340 |
| NG | (4) 3/4" x 30 ft. Dock Lines | | \$292 |
| MB 1018 | First Aid Kit- Type III | \$151 | |
| MB 720 | Telescopic Boat Hook & Stowage | \$168 | |
| MB 863 | Pre-delivery Inspection and Wet Trials in Petaluma, CA | \$2,100 | |
| Vessel Subtotal | | \$ 657,893.00 | |
| GSA Equipment Subtotal | | \$ 125,300.00 | |
| Non-GSA Equipment Subtotal | | \$ 106,008.00 | |
| Total Vessel Cost (FOB Petaluma, CA) | | <u>\$ 889,201.00</u> | |
| Sales Tax 8.75%, City of Long Beach | | \$ 77,805.09 | |
| Transit Prep, Delivery Incl. Launch Services to 1249 Pier F Long Beach CA 90802 | | \$ 8,598.00 | |
| NG | 2-day Vessel Training at Delivery covering familiarization, operational procedures and maintenance requirements of all ship board systems. Vessel handling and maneuvering training for twin diesel water jet operation. | \$ 2,600.00 | |
| Contract TOTAL with Tax and Delivery | | \$ 978,204.09 | |
| Performance Bond | | \$ 13,383.00 | |
| Vessel Total with Tax, Delivery, Training and Performance Bond | | \$ 991,587.09 | |

Standards

- 1) Moose Boats are USCG / ABYC Standards & U.L. Listing where applicable
- 2) 5-Year Structural Warranty
- 3) Other Manufacturer Warranties available at Delivery of Vessel

GSA Schedule
GSA Contract GS-07F-0507M
Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

| Part # | Description | GSA Price | Commercial Price |
|-----------------------------------|---|------------------|------------------|
| MB DJ352C | 35'-0" Aluminum Jet Catamaran with Twin Cummins QSB5.9 380H Marine Turbo Diesels with Twin Disc (5075SC) Marine Gear & Hamilton HJ 292 Water Jets. Throttle bucket & transmission controls and a complete instrument package for each engine. The following items and specs are included in the basic boat: 5086 Alloy Hull Plating (2) 150 Gal. Aluminum Fuel Tanks with Gauges Fuel Water Separator / Filter for Each Engine (4) 2000 GPH Bilge Pumps (2) Engine Starting Batteries (2) Deep Cycle House Batteries DC Distribution System (24V) Water Tight Deck Hatches Jet Guard Platform Large Deck Scuppers Grab Rails & Handholds Throughout Integral 4 Point Lifting Lugs Extruded Aluminum Rub Strake (1) Bow Bollard (2) Bollards (Aft) (6) Spring-Line Cleats (4) Zinc Anodes (bolted to hull) Anchor Rode Locker Non Skid Deck Coating on Exterior Walking Flats Engine Room Insulation 5-Year Structural Warranty | \$371,254 | |
| MB 611 | Cabin Fully Enclosed, Full Walk-Around 8 ft. Wide & 12 ft. Long Cabin with Forward Sloping Windows, Sliding Side Windows, Aft Windows, 32" Watertight Door. Cabin Extended Aft Over Rear Access Door. Cabin Includes: 5052 Alloy Construction Helm Station & Instrument Console Hydraulic Steering (4) Shoxs 6300 Shock Mitigating Seats with Flip Down Base (3) Heavy-Duty Windshield Wipers (2-Speed & Self-Parking) Electric Horn LED Red/White Interior Lights Navigation Lights Thermal & Sound Insulation Vinyl Padded Headliner Strategically Placed Grab Rails Commercial Rubber Flooring | \$61,012 | |
| Total for Boat & Cabin | | \$432,266 | |

price valid for 90 days

GSA Schedule
GSA Contract GS-07F-0507M
Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

| Part # | Description | GSA Price | Commercial Price |
|--|--|-----------|------------------|
| <u>Cabin Additions</u> | | | |
| NG | Cabin Extension Aft Over Rear Access Door | | \$3,500 |
| MB 406 | Windshield Defrost System (Engine Heat Source) | \$989 | |
| MB 632 | Twin Windshield Fans | \$407 | |
| MB 643 | Electronics Mast Platform Mounted & Hinged to Roof - Includes Running lights, Flag Mast & Mounting Surfaces for Radar, Antennas, Spot Light, Thermal Imaging Camera & Law Enforcement Lighting | \$3,783 | |
| MB 405 | Fresh Water Windshield Washing System | \$1,019 | |
| <u>Electronics and Navigation Equipment</u> | | | |
| MB 210 | FURUNO NavNet 3D Radar, GPS, Depth Sounder & 4kw Radar Dome (includes 13" display) | \$15,061 | |
| MB 215 | Heading Sensor for GPS/Radar Overlay | \$2,200 | |
| MB 205 | Marine VHF Radio (ICOM or Standard) | \$587 | |
| MB 206 | 6DB VHF Antenna (MORAD) | \$343 | |
| MB 208 | Magnetic Compass | \$171 | |
| MB 212 | Installation of Customer Supplied (2) Police Radios & Antennas | \$1,280 | |
| <u>Electrical Equipment</u> | | | |
| MB 301 | 120V Shore Power System with (5) Circuits & (4) Outlets | \$2,179 | |
| MB 307 | Remote Spotlight- RCL100 ACR Unit (200,000 cp) | \$1,515 | |
| MB 304 | 2.5kw Inverter/Charger with remote monitoring panel | \$4,911 | |
| MB 308 | (2) Halogen Stern Deck Lights | \$1,034 | |
| MB 309 | Engine Room Lighting | \$487 | |
| <u>Law Enforcement Equipment</u> | | | |
| MB 800 | Siren and Loud Hailer (Whelen) | \$789 | |
| MB 801 | 120dB Speaker | \$293 | |
| MB 802 | WHELEN Lightbar - Blue Pursuit Lights | \$1,550 | |
| NG | (4) Big Sky Electric weapons mount with with timer release mounted in main cabin - stowage for (2) AR15/AR10 Rifles (2) Remington 870 Shotguns. | | \$3,600 |
| <u>Deck Equipment & Outfit Items</u> | | | |
| MB 504 | Detachable Dive Ladder with Brackets Port & Stbd Brackets at Swim Grid | \$824 | |
| MB 508 | 22lb. Plow Type Anchor with 30ft. Of Anchor Chain & 150ft of Anchor Rode | \$899 | |
| MB 502 | Heavy Duty Aluminum Tow Post & Rope Reel (includes 300 ft of 1/2" Samson Amsteel line) | \$2,499 | |
| <u>Finishing</u> | | | |
| MB 551 | 2 Coats Anti-Fouling Bottom Paint over Barrier Coat Primers | \$3,725 | |
| MB 556 | Vessel Paint with Finishing and Deck Coatings | \$14,033 | |
| NG | Water Jet Cut Raised and Painted Side Graphics | | \$800 |
| <u>Commissioning Items</u> | | | |
| MB 720 | Telescopic Boat Hook & Stowage | \$168 | |
| MB 302 | 50 ft. 30 AMP Shore Power Cord | \$83 | |
| MB 703 | Ring Buoy & Mount | \$209 | |
| MB 704 | Flare Kit & 2 ABC 5lb. Fire Extinguishers | \$240 | |
| MB 706 | (4) Fenders (Ball Type) | \$237 | |
| MB 707 | (4) 5/8" x 35 ft. Dock Lines | \$258 | |
| MB 708 | System Manuals, Electrical & Maintenance Plans in Binders | \$1,015 | |
| MB 863 | Pre-delivery Inspection and Wet Trials in Petaluma, CA | \$2,100 | |

price valid for 90 days

GSA Schedule
GSA Contract GS-07F-0507M
Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

| Part # | Description | GSA Price | Commercial Price |
|--------|---|----------------------|------------------|
| | Subtotal for Boat & Cabin* | \$ 432,266.00 | |
| | Subtotal for GSA Additions & Equipment* | \$ 64,888.00 | |
| | Subtotal for NON-GSA Items | \$7,900 | |
| | Total Vessel Cost (FOB Petaluma, CA) | \$ 505,054.00 | |
| | 8.75% Sales Tax, Long Beach, CA | \$ 44,192.23 | |
| | Transit Prep & Delivery incl. Launch to 1249 Pier F Long Beach CA 90802 | \$ 4,936.00 | |
| NG | 2-day Vessel Training at Delivery covering familiarization, operational procedures and maintenance requirements of all ship board systems. Vessel handling and maneuvering training for twin diesel water jet operation. | \$ 2,600.00 | |
| | Vessel Total with Tax and Delivery | \$ 556,782.23 | |

Standards

- 1) Moose Boats are USCG / ABYC Standards & U.L. Listing where applicable
- 2) 5-Year Structural Warranty
- 3) Other Manufacturer Warranties available at Delivery of Vessel

price valid for 90 days

GSA Schedule
GSA Contract GS-07F-0507M
Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

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Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

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| MB 208 | Magnetic Compass | \$171 | |
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| MB 801 | 120dB Speaker | \$293 | |
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| MB 508 | 22lb. Plow Type Anchor with 30ft. Of Anchor Chain & 150ft of Anchor Rode | \$899 | |
| MB 502 | Heavy Duty Aluminum Tow Post & Rope Reel (includes 300 ft of 1/2" Samson Amsteel line) | \$2,499 | |
| <u>Finishing</u> | | | |
| MB 551 | 2 Coats Anti-Fouling Bottom Paint over Barrier Coat Primers | \$3,725 | |
| MB 556 | Vessel Paint with Finishing and Deck Coatings | \$14,033 | |
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GSA Contract GS-07F-0507M
Long Beach Police Dept.
M2-35 Diesel/WaterJet Patrol Vessel
Moose Boats

rev 3/8/12

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| | Total Vessel Cost (FOB Petaluma, CA) | <u>\$ 505,054.00</u> | |
| | 8.75% Sales Tax, Long Beach, CA | \$ 44,192.23 | |
| | Transit Prep & Delivery incl. Launch to 1249 Pier F Long Beach CA 90802 | \$ 4,936.00 | |
| NG | 2-day Vessel Training at Delivery covering familiarization, operational procedures and maintenance requirements of all ship board systems. Vessel handling and maneuvering training for twin diesel water jet operation. | \$ 2,600.00 | |
| | Vessel Total with Tax and Delivery | \$ 556,782.23 | |

Standards

- 1) Moose Boats are USCG / ABYC Standards & U.L. Listing where applicable
- 2) 5-Year Structural Warranty
- 3) Other Manufacturer Warranties available at Delivery of Vessel

price valid for 90 days

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

1 RESOLUTION NO. RES-12-0011

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH AUTHORIZING THE CITY
5 MANAGER TO PURCHASE TWO DIESEL/WATER JET
6 PATROL BOATS FROM MOOSE BOATS, INC. ON THE
7 SAME TERMS AND CONDITIONS AS THE AGREEMENT
8 WITH THE UNITED STATES GENERAL SERVICES
9 ADMINISTRATION (GSA)

10
11 WHEREAS, the Charter of the City of Long Beach (the "City"), Section
12 1802, permits the City to purchase services, supplies, materials, equipment and labor
13 with other government agencies by purchasing under their contracts on a voluntary and
14 selective basis when authorized by resolution; and

15 WHEREAS, the City desires to purchase two diesel water jet patrol boats
16 for its Police Department using Port Security grant funds; and

17 WHEREAS, the federal General Services Administration has a contract with
18 Moose Boats, Inc. of Petaluma, California for diesel water jet patrol boats (GSA Schedule
19 Contract No. GS-07F-0507M); and

20 WHEREAS, City's participation in the GSA Contract GS-07F-0507M will
21 facilitate acquisition of these items as well as provide considerable cost benefits to the
22 City; and

23 WHEREAS, if the City had to go to formal bid rather than participate in the
24 General Services Administration agreement considerably more funds would be required;

25 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
26 follows:

27 Section 1. The above recitals are true and correct and are incorporated
28 herein by this reference.

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

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Section 2. The City Manager is hereby authorized to enter an agreement with Moose Boats, Inc. for the purchase of one M1 forty-four foot diesel water jet patrol boat in the amount of \$991,588 and one M2 thirty-five foot diesel water jet patrol boat in the amount of \$565,951, on the same terms and conditions as those under GSA Schedule Contract No. GS-07F-0507M, in a total amount not to exceed \$1,557,539, including taxes and shipping, for a period extending until the warranty on the boats expires.

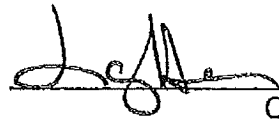
Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of January 17, 2012 by the following vote:

Ayes: Councilmembers: Garcia, DeLong, Schipske, Andrews,
Johnson, Gabelich, Neal.

Noes: Councilmembers: None.

Absent: Councilmembers: Lowenthal, O'Donne11.



City Clerk

BID NO: N/A
BOND NO: CAC91902

BOND FOR FAITHFUL PERFORMANCE

KNOW ALL MEN BY THESE PRESENTS: That we, Moose Boats, Inc.
as PRINCIPAL, and Merchants Bonding Company (Mutual), located at
4480 Willow Rd., Pleasanton, CA 94588, a corporation, incorporated under the laws of the
State of IA, admitted as a surety in the State of California and authorized to transact business in the State of California, as
SURETY, are held and firmly bound unto the CITY OF LONG BEACH, CALIFORNIA, a municipal corporation. In the sum of
Nine Hundred Seventy Eight Thousand Two Hundred Four Dollars and 09/100 _____ DOLLARS
(\$ 978,204.09), lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind
ourselves, our respective heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, said Principal has been awarded and is about to enter the annexed contract (Incorporated herein by this reference) with
said City of Long Beach for the
P.O. No. POPD12000035 (1) 44 foot tactical emergency response vessel, and
is required by said City to give this bond in connection with the execution of said contract;

NOW, THEREFORE, if said Principal shall well and truly keep and faithfully perform all of the covenants, conditions, agreements and
obligations of said contract on said Principal's part to be kept, done and performed, at the times and in the manner specified therein, then this
obligation shall be null and void, otherwise it shall be and remain in full force and effect;

PROVIDED, that any modifications, alterations, or changes which may be made in said contract, or in the work to be done, or in the
services to be rendered, or in any materials or articles to be furnished pursuant to said contract, or the giving by the City of any extension of
time for the performance of said contract, or the giving of any other forbearance upon the part of either the City or the Principal to the other,
shall not in any way release the Principal or the Surety, or either of them, or their respective heirs, administrators, executors, successors or
assigns, from any liability arising hereunder, and notice to the Surety of any such modifications, alterations, changes, extensions or
forbearances is hereby waived. No premature payment by said City to said Principal shall release or exonerate the Surety, unless the officer of
said City ordering the payment shall have actual notice at the time the order is made that such payment is in fact premature, and then only to
the extent that such payment shall result in actual loss to the Surety, but in no event in an amount more than the amount of such premature
payment.

IN WITNESS WHEREOF, the above named Principal and Surety have executed, or caused to be executed, this instrument with all
of the formalities required by law on this 14th day of March, 2012

Moose Boats, Inc.
CONTRACTOR / PRINCIPAL
By: [Signature]
Name: Abbie Walker
Title: VP - General Manager
By: [Signature]
Name: ROGER N. FUECK
Title: PRESIDENT

Merchants Bonding Company (Mutual)
SURETY
By: [Signature]
Name: Peter D. Holley
Title: Attorney-in-Fact
Telephone: (925) 463-9672

California All-Purpose
Acknowledgment Attached

Approved as to form this 2nd day of April, 2012
ROBERT E. SHANNON, City Attorney
By: [Signature]
Deputy

Approved as to sufficiency this 11 day of April, 2012
By: [Signature]
Assistant City Manager
City Manager / City Engineer

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

- NOTE: 1. Execution of this bond must be acknowledged by both PRINCIPAL and SURETY before a Notary Public and a Notary's
certificate of acknowledgment must be attached.
2. A corporation must execute the bond by 2 authorized officers and, if executed by a person not listed in Sec. 313, Calif.
Corp. Code, then a certified copy of a resolution of its Board of Directors authorizing execution must be attached.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Alameda

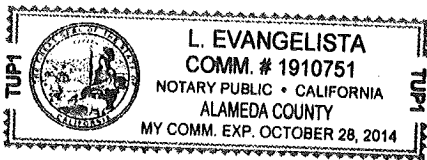
On MAR 14 2012 before me, L. Evangelista, Notary Public, personally appeared Peter D. Holley who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/ subscribed to the within instrument and acknowledged to me that he/ executed the same in his/ authorized capacity(ies), and that by his/ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(seal)

Signature



MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations duly organized under the laws of the State of Iowa (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint, individually,

Leona Evangelista; Peter D Holley

of Pleasanton and State of CA their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

FOUR MILLION (\$4,000,000.00) DOLLARS

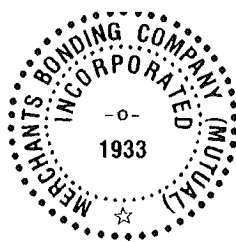
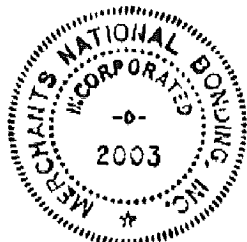
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following By-Laws adopted by the Board of Directors of the Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 27th day of February, 2012.



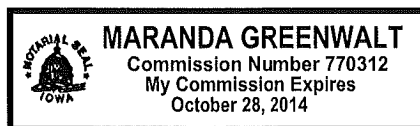
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF POLK ss.

On this 27th day of February, 2012, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument is the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.

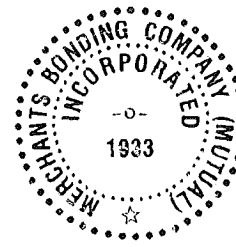


Maranda Greenwalt
Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 14th day of March, 2012.



William Warner Jr.
Secretary

POA 0014 (11/11)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Marin

On March 26th 2012 before me, Jessica Simmons, Notary Public

Personally appeared Abigail Wather,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California the foregoing Paragraph is true and correct.



WITNESS my hand and official seal.

Jessica Simmons

(Seal)

My commission, Number 1843610, expires April 6th, 2013

OPTIONAL INFORMATION

DOCUMENT

Title or Type of Document Bond for faithful performance

Date of Document 3/26/12 Number of Pages _____

Other Signer(s) _____

SIGNER'S CLAIMED CAPACITY

Individual Other _____