<u>AMENDMENT NO. ONE TO CONTRACT NO. 35910</u>

35910

RE: Amendment One of ITB FS 21-026, Contract No. 35910 for providing petroleum products to the City of Long Beach (Munis Contract #32100794)

This Amendment to Contract No. 35910 is made and entered as of April 4, 2023, by and between the CITY OF LONG BEACH, a municipal corporation, and Cummins Inc. dba Cummins Sale and Service.

Contract No. 35910 is amended by mutual agreement of the parties and as indicated below by a check or

other mark preceding the appropriate amendment: X 1. Adding \$50,000 to the 1st Amendment. X 2. Term period 05/27/2023 - 05/26/2024. 3. Prices during this period shall remain firm. X 4. The price for certain items shall be increased as shown on Exhibit "B", which is attached hereto and incorporated herein by this reference. 5. The price for certain items shall be decreased as shown on Exhibit "C", which is attached hereto and incorporated herein by this reference. 6. The discount offered to the City is increased by _____ % 7. The items or locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby deleted from the Contract. 8. The locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby added to the Contract. 9. Current permits, licenses, insurance and other required information are attached as Addendum No. 1. Except as expressly amended above, all terms and conditions in this Contract are ratified and confirmed and remain in full force and effect. Executed with all formalities required by law as of the date first stated above. Attach Notary if Out-of-State Contractor **CONTRACTOR:** PATRICIA ROBLES tary ID #8374751 Commission Expire May 20, 2026 Digitally signed Patricia by Patricia Robles Corey Carlson Darrin Mellinger Date: 2023.05.18 11:20:28 -06:00 Robles 8 4 1 (Print / Type Name) (Print / Type Name) Account Support Specialist **Bids & Contracts Manager** President / Vice President / Secretary / Treasurer President / Vice President / Secretary / Treasurer (circle one) (circle one) THE CITY OF LONG BEACH:

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

Approved as to form:

Dawn McIntosh, City Attorney

CUMMINS INC.

Officer's Certificate

I, Jennifer M. Bush, do hereby certify that:

- 1. I am the duly elected, qualified and acting Vice President Cummins Sales and Service North America of Cummins Inc., an Indiana corporation located at 500 Jackson Street in Columbus, Indiana 47201 ("CMI").
- 2. The following individuals are duly qualified employees of the Sales and Service business of CMI which is comprised of the U.S. and the Caribbean. Said individuals hold the office indicated by their name below and each has been granted the full authority to approve and sign sales agreements, local business licensing documents or forms, powers of attorney, bank financing documents, government procurement agreements and any other documents related to the activities of the Sales and Service business on behalf of CMI subject to and as limited by the authority granted them under the Delegation of Authority Policy (CCP-0024):

Name Title

Darrin Mellinger Bids and Contracts Manager,

On Highway Business - CSSNA

Corey Carlson Account Support Specialist

On Highway Business -- CSSNA

IN WITNESS WHEREOF, the undersigned has set her hand on the 13th day of July, 2022.

Jennifer M. Bush

STATE OF INDIANA

) SS:

)

COUNTY OF MARION

Subscribed and sworn to before me, a Notary Public in and for said County and State on the 13th day of July, 2022.

LINDAM. CALDWELL
Notary Public, State of Indiana
Bartholomew County
Commission # 712178
My Commission Expires
April 04, 2028

This M. Caldwell
Notary Public

Record No.	Section	Rest Code	Nem Description	Unit of	Quantity	Reference	65encefactorer	. Model Nove	Price Times Quantity	Price Per	Bid Price	PPG	Retes	
	Motor Of	1	Conventional; Dollvared in SS gallon drums	per exion	6325	VV382	Vizivolice	All-Fleet Flus #500 Engles CR SAE 10W-20	552,146.67	58.24	\$11.53	511.53	Bid is as drum charge \$694.02	
2	Motor CG	ĨA.	Conventionals Built Delivery to 500 gallion plus lots	bet Bayou	5002	W3820	Valeoline	AG-Fleet* Plus P300 Engine C6 SAZ 10W-30	\$49,722.22	\$9.94	\$12.15		SPS To All-Terrain PN 892873	
5	Motor Oil	18	Conventional; 1 quart bottles; 12 bottles per case	per case	14		Valvolina	AD-Flect® Plus E900 Englose O3 SAE 15W-40	\$5,450.00	53.15	\$3.43	\$13.52	SPS TO ALFTernin PRI CESCO77 CT. Per Case Price & S 41,76	
•	Mater CO	10	Conventional Law Astr for CSG & LNG engines; Busic deGreay in 500 gallon pive lots	par gailon	7500	579531	Valvolim	Premium Size* GEO Engine Of Low Ash ES SAE 40	00,000,032	\$10.57	\$16.04			
5	Motor Q2	2	Synthetic Delivered in 55 gallon drums	pergation	360	VV70516	Valvoline	Premium Blue® Extreme Engine DII SAE SW-40	\$5,402.22 \$6,112.22	\$19.61 \$15.92	\$24,63 \$22,68	522.53		
•	Motor Oil	2A 2B	Synthetic Buth Delivery in SOO gallon plus lots Synthetic 1 court bottless 12 bondes per case	per gallon per gallon	14	774038	Valvatine	Premium Blue® Extreme Engine OII SAE 5W-40 Premium Blue® Extreme Engine OII SAE 5W-40 1OL Bottles	\$973.33	\$59.52	\$27.56	\$27.55	Sold as C774038GA (8/1 gallon) case Case Prize is \$82.68	
.	Motor Oil	20	Symphetic Love Aith for CNLS & LNLS empires; But's delivery in 500 gration plus loca	bea. Engree	7500	876631	Valvaine	Premium Blust GEO Engine CO Low Ach ES SAE 40	580,000,00	510.57	516.04	\$15.04		
D	Motor Oil	8	Synthetic Blend: Delivered in 55 gallion drums	per gallon	6325	W382	Valvoline	Atl-Flort® Flus E903 Engine OY SAE 10W-30	557,145.67	\$8.24	\$11.53	\$11.53	Bid is as drum charge \$634.02	
15	Mater Q3	34	Synthetic Sland; Bulk Delivery in 500 gallon plus lots	per gallon	5000	W##20	Vahoine	AD-Floors* Plus #500 Engine CE SAE 10W-90	\$49,722.22	59.34	\$12.15		SPS To AS-Terrain PN VEIZEZS	
11	Motor GII	38	Synthetic Bland; 1 quart bottles; cases of 12	perquare	14	C82234907		A3-Rect Plus ED00 Engine C2 SAE 15W-40	\$\$.A50.00	\$390.00	541.61		SPS TO AS-Terrain PN VSS401.5 in gallon. Sold as a 5/1 Gallon Cana. Core Price is \$41.84	
12	Motor Cil	34	Synchecic Elend Low Ash for CHAS & LMG engineer Bulls delivery in SCO gallon plus lots	per gallon	75000	976631	Valvoline	Fremism Blue* GED Engine DR Loss Ach ES SAS 40	\$200,000.00	SIMAT	\$15.04	27074		
			10-30W SynChetic Universal Cit for uses in Diesel, Gasoline, CNG, LNG and properts. Must be			1 1		1	1	50.03	514.85			
••	Mosorcia		backwards compatible in natural gas crigines negularly CSS 20035. Must be certified for use in API Service CH4, CH4 Plus, CH4, CK4, SK1, and SP. Also crust be certified for Commiss U.C. to NO		*****	818289	Vahraline	Valvaline Premium Blue One Schallen Gen 2 5200 Engine 00 SAE 10N-30	\$215,077.72			514.85	1	
ь			and SLII engine platforms and allow for increased travels to 1500 engine bours on 00	per gatten	2404	216225	Tarvers					3000		
			replacement, MAFG must be wilking to take oil samples during the concrets for oil attaiyable						1				SPS to VESTICES SUILE Fremium Blue Gen 2 One Solution 10W-30	
			1							-	_	_	SAS OF AN	
			15-40W Symbolic Universal Citi for uses in Diseas, Goodine, CNG, LING and proprine. Most be						1	1		- 1	i i	
	Motor OS		bachwards compatible to matural gas engines requiring CSS 20035. Must be contilled for site in API Service CH4, CH4 Plus, CH4, CH4, SN, and SP, Also must be contilled for Commins LLC, to M3		4900	W779720	Valvolina	Valveline Premium Bloe Ope Solution Gen 2 5200 Engine CZ SAS 15W-40	540,397,78	52.24	\$14.71	51471	CEO should be Premion Blog Gen2 V891001 15W-40	
14	Securios.		and SSUG engine platforms and allow for increased intervals to 1500 angles hours on OR	ba brown	4200	***************************************	Athorna	Validatio Production and Che State Control Control State Control	340,33738		314.71	312/1	CO ILLIA BARBARA COLLAR	
			replacement. NATI must be willing to take all samples during the contract for all sensions.			1 1			1				The state of the s	
15	nd-Wear Hydraulici		AW-92 Conventioned Bulls Delivery in 2000 scales plus lots	per gallon	19600	VV0400	Valvoline	ANY 32 Hydradic Od Bulk	\$113,244.66	\$5,78	\$10.90	STO SD		
16	ni-West Hydraulic C	4	AW-32 Conventional Delivered to 53 gallon drums	be Error	1100	VV040	Valvoline	AW 32 Hydraulic C8 55gl drums total ling 1100 Galleen	\$3,485.97	57.72	\$12.53	\$12.93	Brum price 5711.38	
17	nd-Y/car Hydraxie C	5	ANF-32 Synchestic Bulk Delivery in 2000 gallon plus lots	pergation	19600	VV0400	Veholine	AW 32 Hydraulic Dil Bulk	\$113,244,44	53.78	\$10.90	\$10.90		
18	nti-Wear HydrauSe C	SA	AGN-32 Symbolic Delivered to 55 collect drawns	per gollon	1100	VV040	Valvoline	AW 11 Hydraulic CE 35gl droms total Fire 1100 Gallers	58,486.57	57.72	\$12.93	\$12.83	Drum price 5711.38	
19	nd-Wear Hydradic (6	AW-63 Conventional Buils Delivery in 200 gallion plus lots	bea Megas	200	VV5440	Valvatine	AN 68 Hydrac/ac00	\$1,155.58	55.78	\$10.90	\$10.90	Onum price 5711.38	
20	ető-Wezr Hydraulic C mt-Wezr Hydraulic C	6A 7	 AW-68 Conventional Delivered to SS gallos drums AW-68 Synthesic Bulk Delivery in 200 gallos plus fors 	bea Engou	220	VV0440	Velveline Velveline	ASS 63 Hydrandic ON SSyl Druttus totalising 220 GL AW 68 Hydrandic ON	\$1,696,64	\$5,71	\$12.93 \$10.50	\$12.93 \$10.50	NVIII (2022 5/11-16	
22	at War Hydradic C	7A	AVF-60 Synthetic Delivered in SS gallon drums	per goloo	225	VVO44	Value	AW 53 Hydraufie OC 55gl Onuma totaGing 220 GL	\$1,695.44	57.71	3711.32	\$12.93		
27	Gear Labricane	10	Petroleum-Resentatulti Gear Meeting Still, 12105C-EP, May H- 5606GE and API GLS; Built;		9400	VS17737	VahoGre	Heavy Duby Gear Of SAS (SWILD)	599,575,56	\$10.50	\$15.96	\$15.56		
4	OCH CONTRACT	ш	Delivery in 200 gallon plus lots	balages	9400	Va2//s/	ANADIM	Heavy Cody Carlot States	22/27/20	21072	\$28.96	113.36		
23	Genr Lubricano	104	Petroloum Reselt; staid Gent Meeting MIL_12103C-EP, MIL- II- SCOSGE and AM GLS; Delivery in	per gallen	1210	V\$41169	Valcoine	Heavy Ducy Gen CO SAP SSWILED SSof Drums Touribg 121007L	\$14,395.58	\$13.90	\$053.64	\$17.34	Drum Price SDS3.64	
			35 gallon drums Synthetic Multi Geor Maesing MIL, 12105CSP, MIL-H-560EQE and API GIS; Builty Delivery in	100	1000000	-						-		
29	Ger Lubricant	11	200 stilled of a liet of	be tages	9400	V817787	Valorita	Heavy Daty Gear OI SAE 85WILD	539,533.59	\$20.50	\$15.96	515.96		
24	Gear Lubricane	11A	Synthetic; Mobil Gest Meeting MSL 12105C-EP, MIL- H- 550502 and API GES; Delivery in GS	out radion	1210	V\$41169	Valvoine	Hase by Dudy Gear Oil SAS 85W140 55gl Drums Totaling 1210/3.	\$14,395.55	\$11.50	\$17.34	\$17.94	Drum Fries \$553,54	
	Octo Carrigan	444	pollon drums	her Cherry		*5044	******	many day deat of a death white sop orders for any annual	3,000,00	311.50	34/34	311.34	, participates	
23	amatic Transmission	12	Commissional; Deuron-O or Type F or MP with GM "O" Number Approval; Bullic Delivery in 400 tallion class loss	bet Dagon	3000	W3520	Valentino	Alison C-4, Alison TES 389	\$27,556.67	F3.19	240	\$14.49	1 1	
			gazon pus rous Conventional; Descon-II or Type For MP with CM "O" Number Approval; Delivered in SS gallon			-	_			_		_		
32	artistic Transposition	124	drums .	bea Expou	550	W348	Yakoling	Alison C-4, Albon TES 289 SSGL Onems totaling SSGGL	\$7,231,11	\$13.15	\$18.65	\$1872	Drum Prices \$1025.63	
**	soutic Transcolution	13	Symbolic Deutop-3 or Type For MP with GM "D" Rumber Approach Build Delivered in 400	per milan	3000	VV1530	Vahotne	Affaco C-4, Alison TES 289	\$27,568.67	\$9.19	\$14.29	\$14.49		
_		_	grillen plus lern	,			121012	Hamilton III	327,202.		3,500	34770		
54	prostic Transmission	134	Synthesic; Destroy-R or Type F or MP with GM "D" Number Approval; Delivered in 55 gallon drams	per gallon	553	VV348	Valrelino	Alicon C-4, Alicon TES 313 55G, Doors totaling 550G.	\$7,731.11	\$13.15	\$13.65	\$18.63	Drum Price \$1075.63	
35	Charles Luin Acant	14	Chassia Lubricans MP Lithium Bassa (role) 3% Mohy DeCorred in 120 ib drums	per cound	1920	W70142	Valedine	Paladian with 9% Maly	\$3,120,00	\$2.57	\$1,792.00	53.44		
34	turpose Power Street	15	Multipurpose Fower Streeting Fluids for use to ALL General Montes (QM), Ford, Chayder, Honda,	percase	20	No Bid	No 65d	NoEd	his ca					
20	submostrates action	15	NESSEN, with Toyota: 1 outert bottles; 12 hottles per case	percuse	20	MOSIG	MO GLO	PORG	No coa	No Sid	No Did	Noted		
-	al Tractor Hydraulic (Tractor hydraulic floid/oil; Must be contilled for one in transmissions, float drives and wet brakes		1605		******		4					
	to tractic sychological	16	In Cares, Catespillar, John Dearn 2nd Eight products; Buck Dalivery in 200 gallon plus lots	ber Enjou	790	Wates	Valvoline	UnitracHydrausic Fluid	\$12,251.11	57.63	\$12.53	\$12.85		
			Tractor hydraulic thickfolt bitust to contilled for one in transmissions, that drives and wet brakes			_				-		-		
38	al Traccor HydrasSc1	16A	In Case,	pargalion	1650	VV2100	Valvolina	Unitrac Hydraulic Fluid	\$18,828.60	511.41	\$12.85	\$12.85	BUILE NOT IN 15 GALLON CONTAINES	
			Cateralillac, John Deero and Elain produces; Delir and in 15 chillon containers								_			
•0	al Tracer Hydroulic I	160	Tractor bydravlic fluidfall; Must be contified for use in transmissions, firel drives and wer broken	oer spilon	1650	wan	Valuation	4.5 0.4 5.5 4						
	or tream right water	200	in Case, Case-piller, John Doorn and Eight products; Delivered in 58 gallon containers	per green	1000	AABITE	VANCESC	Unitrue Hydracile Folid	\$15,009.33	59.51	214.93	\$14.93	Drum Price \$621.27	
			Synthetic/Ethylerae/Glycol Ease with russ inisibbures SO/SO Mileod summer/el/sten shall be											
40	Anti-Freeza	17	Synthetic period of the food, Caysiar, Nords, Nissa, Toyota, Infanteiral and Alison	per sallon	4400	200-011126	Valentine	ZEREXT* Pos-Charged Hoavy Duty 20-20 Auditmose Cooleral	527,333,33	\$5.21	57.96	\$7.56	Curring ZOPCHUZ (AS CALLON DRUM) Court Price 437.85	
151			products by the Advicant manufacture; Bulk Delivery in 400 gallon plus lots	pri game.							37.30	3/34	Consider and the property of the second	
										_				
_			Synthetic/Githylane/Olyen Base with next inhibitors; 50/50 Mixed semmer/winter; shall be					*					a la constitución de constituc	
41	Anti-Franco	17A	contilled for use in ALL GA, Ford, Chrysler, Honda, Missen, Toyota, International and Alkson	bet Bayou	3500	SO CHINGS	Valvotino	ZEREAT Pro-Charged Hanny Outy 50-50 Antifreent Cooking	\$24,600,00	\$5,21	\$7.56	\$7.98	Ounting DOP CRUZ (55 GALLON CRUM) Orum Price 487.20	
			products by the intricent menufacturing Ordinaried in 55 gallion charas											
			Synthetic/Edylane/Sycul Base with rust labbitous; \$0/50 billind subviner/winter; shall be											
42	And-Freeze	176	certified for use in ALL GAL, Ford, Chrysler, Honda, Nason, Toyota, International and Allicos	bet. Bripo	203	ZUPCRUZG/	Valenthe	ZEREXT Pro-Charged Heavy Duty SO-50 Antiference Contact	53,415.67	\$5.83	\$7.95	57.26		
			products by the lubricant manufacture; Delivered to case lots of 1 gillion containers					10000 to 100	1				CHARLE ZOCKUL (B/1 SALION CAST) Case Price is SALIO	
			Recycled Anti-France; shall be curtified for use in ALL GM, Ford, Chrysler, Hoods, Misser, Toyota,				_						A STATE OF THE PARTY OF THE PAR	
4	And-freeze	18	troemotional and	pergalien	4400	200 COLUZGA	Valstine	ZEREC** Pro-Charged Heavy Duty 52-50 Antifreeze Coolant	\$22,233.23	\$5.21	\$7.58	\$7.55	1	
			Alisan products by the infriesce reconfecturer; Bulk Delhery in 400 callon plus lots										Country 2000 CALC (55 GALLON DATA) Drum Price #37.20	
			Synthetic (Ethylene) Gyeni Base with not inhinkens: \$0/50 robed summer (white: Shall be Nitrate free to provide up to 8 years/ \$00,000 robes/ 12,000 hours of service, Cartified for All											
44	Artifreeze	19	GM, Ford, Chrysler, Honds, Wassen, Toyota, Intermedical, Cummins, Detroit, John Deers and	ban Engou	3960	2000003/	Valvoins	ZEREK Pro-Charged Heavy Duby SD-SD Antifrence Cooking	\$24,500,00	\$6.21	\$7.26	\$7.55		
			produces by the labificant manufacture. Must be competible										Quinting 200CRU2 (95 GALLON DRUN) Drum Price 497.80	
											_			

Proposed Annual Allocation ITB FS 21-026-Petroleum Products

	Contract Period	05/27/	/2021-05/26/20	122		5/27/2023- 5/25/2024			
Vendor Name	MUNIS Contract	Year 1 Initial Allocation	Year 1 Transfers	Year 1 Year- End Allocation	Year 2 Initial Allocation	Year 2 Transfers	Year 2 Allocation CCL approved 2/14/23	Year 2 Year- End	Proposed Year 3 Initial Allocation
Southern Countles Oil	32100743	125,000	37,500	162,500	125,000	37,500	75,000	237,500	250,000
Patten Energy Enterprises	32100744	75,000		75,000	75,000	_	25,000	100,000	75,000
Cummins, inc.	32100794	50,000		50,000	50,000			50,000	50,000
Total Allocated		250,000		287,500	250,000		100,000		375,000
Unallocated/Contingency Funds		37,500	(37,500)		37,500	(37,500)		15,000	27,500
Total		287,500		287,500	287,500			402,500	402,500

^{*}amount approved by CCL 2/14/23 \$402,500