

**AMENDMENT NO. TWO TO CONTRACT NO. 34699    **34699****

RE: **Amendment No. Two of Contract No. 34699 (ITB LB17-068) for Furnishing, Delivering, and Installing Permanent Fencing and Performing Fence Repairs for the City of Long Beach (Munis Contract No. 3170000018, formerly BPLB17000018)**

This Amendment to Contract No. 34699 is made and entered as of May 9, 2019 by and between the CITY OF LONG BEACH, a municipal corporation, and **AZ Construction, Inc., dba Ace Fence Company** (Contractor).

Contract No. 34699 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. No change in term ending July 31, 2020.
- 2. Adding \$230,000 for a new contract total of \$404,075.
- 3. Prices during this period shall remain firm.
- 4. The price for certain items shall be increased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
- 5. The price for certain items shall be decreased as shown on Exhibit "A", 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:**

America Tang #11207  
(Signature)  
America Tang 7/16/19  
(Print / Type Name)  
\_\_\_\_\_  
President / Vice President / Secretary / Treasurer  
(circle one)

**CONTRACTOR:**

Amy Tsui #11207  
(Signature)  
Amy Tsui 7/16/19  
(Print / Type Name)  
\_\_\_\_\_  
President / Vice President / Secretary / Treasurer  
(circle one)

**THE CITY OF LONG BEACH:**

By: [Signature]  
City Manager

**Tom Modica**  
**Assistant City Manager**  
**EXECUTED PURSUANT**  
**TO SECTION 301 OF**  
**THE CITY CHARTER**

Approved as to form:  
CHARLES PARKIN, City Attorney

By: [Signature]  
Deputy

**WESTCHESTER FIRE INSURANCE COMPANY**

Date: July 9, 2019

Obligee: City of Long Beach, California  
333 W Ocean Blvd  
Long Beach, CA 90802

RE: Bond #K09582198

Rider to be attached to and form a part of Bond Number K09582198, on behalf of AZ Construction, Inc. dba ACE Fence Company, and in favor of City of Long Beach, California, (Obligee), originally executed by the Westchester Fire Insurance Company (Surety) in the amount \$38,525.00.

The above referenced bond is amended as follows:

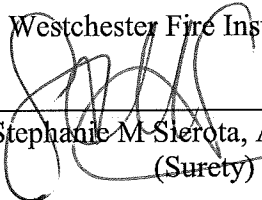
**Bond Amount**  
**From:** \$174,075.00  
**To:** \$404,075.00

This change was effective the 9<sup>th</sup> day of July, 2019.

Nothing herein contained shall vary, alter or extend any provision or condition of the bond other than as above stated.

Sign, Sealed and dated this 9<sup>th</sup> day of July, 2019.

  
\_\_\_\_\_  
Witness: Brenda Marin

Westchester Fire Insurance Company  
By:   
\_\_\_\_\_  
Stephanie M Sierota, Attorney-in-fact  
(Surety)

Power of Attorney

Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Ashley Register, Stephanie M. Sierota and Jamie Campbell Younger of Newport Beach, California-----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 25th day of October, 2018.

Dawn M. Chloros

Dawn M. Chloros, Assistant Secretary

Stephen M. Haney

Stephen M. Haney, Vice President



STATE OF NEW JERSEY

County of Hunterdon

ss.

On this 25th day of October, 2018, before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly sworn, did depose and say that she is Assistant Secretary of WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with Stephen M. Haney, and knows him to be Vice President of said Companies; and that the signature of Stephen M. Haney, subscribed to said Power of Attorney is in the genuine handwriting of Stephen M. Haney, and was thereto subscribed by authority of said Companies and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2316885
Commission Expires July 16, 2019

[Handwritten signature of Katherine J. Adelaar]
Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006 ; ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
(4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
(5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this July 9, 2019.



Dawn M. Chloros

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

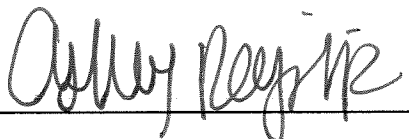
State of California  
County of Orange

On 07/09/2019 before me, Ashley Register, Notary Public  
(insert name and title of the officer)

personally appeared Stephanie Marie Sierota,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (S) 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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

