

1 FIRST AMENDMENT TO AGREEMENT NO. 34352

2 **34352**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 34352 is made and
4 entered, in duplicate, as of May 25, 2017, for reference purposes only, pursuant to a minute
5 order adopted by the City Council of the City of Long Beach at its meeting on May 23,
6 2017, by and between UNITED STORM WATER, INC., a California corporation
7 ("Contractor"), with a place of business at 14000 E. Valley Boulevard, City of Industry,
8 California 91746, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City requires specialized services requiring unique skills to be
10 performed in connection with storm drain routine maintenance and repair; and

11 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
12 34352 (the "Agreement") whereby Contractor agreed to provide these services; and

13 WHEREAS, the Parties desire to add an additional amount of \$710,000 to
14 cover the many emergency storm calls that took place December 2016 to February 2017;

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

17 1. Section 1.A. of the Agreement is hereby amended to read as follows:

18 "A. Contractor shall furnish specialized services more particularly
19 described in Exhibit "B", attached to this Agreement and incorporated by this
20 reference, in accordance with the standards of the profession, and City shall pay for
21 these services in the manner described below, in an annual amount not to exceed
22 Two Hundred Seventy-Six Thousand Dollars (\$276,000), at the rates or charges
23 shown in Exhibit "B", plus an additional amount of Seven Hundred Ten Thousand
24 Dollars (\$710,000) for the current Contract term expiring July 31, 2019."

25 2. Except as expressly modified herein, all of the terms and conditions
26 contained in Agreement No. 34352 are ratified and confirmed and shall remain in full force
27 and effect.

28 ///

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664

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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.

UNITED STORM WATER, INC., a California corporation

6/7, 2017

By [Signature]
Name EdUARdo PEREIRA
Title President

_____, 2017

By [Signature]
Name Robert F. PINCE
Title Secretary

"Contractor"

CITY OF LONG BEACH, a municipal corporation

June 22, 2017

By [Signature]
City Manager
Tom Modica
Assistant City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This First Amendment to Agreement No. 34352 is approved as to form on

June 13, 2017.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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 Los Angeles)

On June 7, 2017 before me, Lillian Valdivieso, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Eduardo C Perry, Jr. & Robert Pina
Name(s) of Signer(s)

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 that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lillian Valdivieso
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Agreement # 34352 Document Date: 5.25.2017
Number of Pages: 2 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)
Signer's Name: _____ Signer's Name: _____
 Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____
 Partner — Limited General Partner — Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer Is Representing: _____ Signer Is Representing: _____