

FOURTH AMENDMENT TO AGREEMENT NO. 34740

34740

THIS FOURTH AMENDMENT TO AGREEMENT NO. 34740 is made and entered, in duplicate, as of July 13, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on July 5, 2022, by and between UTILITY SOLUTIONS PARTNERS, LLC, a District of Columbia limited liability company, with a place of business at 80 M Street SE, Suite 02-124, Washington, DC 20003 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 34740 (the "Agreement") whereby Contractor agreed to provide maintenance and integration support related to the City's utility systems; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add a one time-contract authority of \$300,000 for integration services for the Long Beach Water Department; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to September 30, 2021 and increase the annual amount by \$425,200, with a ten percent contingency in the amount of \$271,130, for a revised not to exceed annual amount of \$2,982,430; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to September 30, 2022 and add \$2,982,430; and

WHEREAS, the Parties desire to revise the annual amount to \$2,428,852, with a five percent contingency in the amount of \$121,443, for a revised not to exceed annual amount of \$2,550,295, and extend the term one (1) additional one-year period;

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

1. Section 1.A of Agreement No. 34740 is amended to read as follows:

"A. Contractor shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 reference, in accordance with the standards of the profession, and City shall pay for
2 these services in the manner described below, not to exceed Four Million Forty-Four
3 Thousand Five Hundred Ninety-Five Dollars (\$4,044,595) for the term October 1,
4 2017 to September 30, 2018; a one-time fee of Three Hundred Thousand Dollars
5 (\$300,000) to assist with the Long Beach Water Department's Advanced Metering
6 Infrastructure system; an annual amount not to exceed Two Million Two Hundred
7 Eighty-Six Thousand One Hundred Dollars (\$2,286,100) from October 1, 2018 to
8 September 30, 2020; an annual amount not to exceed Two Million Nine Hundred
9 Eighty-Two Thousand Four Hundred Thirty Dollars (\$2,982,430) from October 1,
10 2020 to September 2022, and, annual amount of Two Million Four Hundred Twenty-
11 Eight Thousand Eight Hundred Fifty-Two Dollars (\$2,428,852), with a five percent
12 (5%) contingency in the amount of One Hundred Twenty-One Thousand Four
13 Hundred Forty-Three Dollars (\$121,443), for a revised not to exceed annual amount
14 of Two Million Five Hundred Fifty Thousand Two Hundred Ninety-Five Dollars
15 (\$2,550,295) from October 1, 2022 to September 30, 2023, at the rates or charges
16 shown in Exhibit "B".

17 2. Section 2 of the Agreement is hereby amended to read as follows:
18 "2. TERM. The term of this Agreement shall commence at midnight on
19 October 1, 2017, and shall terminate at 11:59 p.m. on September 30, 2023, unless sooner
20 terminated as provided in this Agreement, or unless the services or the Project is
21 completed sooner. The term may be extended for two (2) additional one-year periods, at
22 the discretion of the City Manager."

23 3. Except as expressly amended herein, all terms and conditions in
24 Agreement No. 34740 are ratified and confirmed and shall remain in full force and effect.

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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.

UTILITY SOLUTIONS PARTNERS, LLC, a District of Columbia limited liability company

July 28, 2022

By [Signature]
Name Steven P. Casazza
Title President

July 18, 2022

By Nancy L. Ewanowsky
Name Nancy L. Ewanowsky
Title Vice President Business Operations & HR

"Contractor"

CITY OF LONG BEACH, a municipal corporation

August 10, 2022

By Linda J. Johnson
City Manager

"City" EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fourth Amendment to Agreement No. 34740 is approved as to form on

August 9, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

Notarial Certificate for Acknowledgment

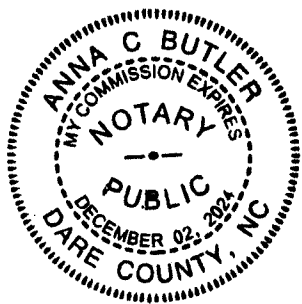
Currituck County
North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

STEVEN P. CASAZZA
Name(s) of Principal(s)

Date: JULY 28, 2022

(Official Seal)



Anna C Butler
Official Signature of Notary

Anna C Butler, Notary Public
Notary's Printed or Typed Name

My Commission Expires: 12/02/2024

This Certificate is attached to a Contract, Titled: Fourth Amendment to Agreement No. 34740, signed by STEVEN P CASAZZA
Name(s) of Principal(s)

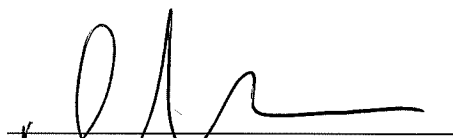
On 7/28/2022, and includes 3 pages.
Date # of pages

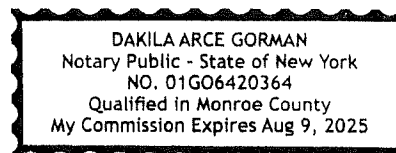
New York State Notary Acknowledgment

State of New York
County of Monroe

On the 18th day of July in the year 2022, before me, the undersigned notary public, personally appeared Nancy Ewanowsky,
Name(s) of Principal(s)

personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public



My Commission Expires: Aug. 9, 2025

This Certificate is attached to a Contract, Titled: Fourth Amendment to Agreement No. 34740, signed by Nancy Ewanowsky
Name(s) of Principal(s)

On July 18, 2022, and includes 3 pages.
Date # of pages