

CONSENT TO ASSIGNMENT AND ASSUMPTION OF

CONTRACT NO. 35471

35471

THIS CONSENT TO ASSIGNMENT AND ASSUMPTION OF CONTRACT NO. 35471 is made and entered into on July 5, 2022, for reference purposes only, by and among the CITY OF LONG BEACH, a municipal corporation, with its principal place of business located at 411 West Ocean Blvd., Long Beach, California 90802 ("City"); M. O. DION & SONS, INC. a California corporation with its principal place of business located at 1543 W. 16th Street, Long Beach, CA 90813 ("Assignor") and DION & SONS MARINE FUELS, INC., a California corporation with its principal place of business located at 1543 W. 16th Street, Long Beach, CA 90813 ("Assignee").

WHEREAS, the City requires the purchase and delivery of marine fuel for City vessels at the Alamitos Bay Marina and Shoreline Marina fuel dock facilities; and

WHEREAS, on January 22, 2020, City entered into Contract No. 35471 with Assignor whereby Assignor agreed to provide marine fuels for City-owned vessels assigned to various departments; and

WHEREAS, Assignor desires to assign to Assignee, and Assignee desires to assume from Assignor, Contract No. 35471 between Assignor and the City, with all the rights and responsibilities enumerated therein; and

WHEREAS, City desires to consent to this Assignment and Assumption;

NOW, THEREFORE, in consideration of the mutual promises, covenants, guaranties and conditions contained in this Agreement, the parties agree as follows:

1. Assignor has granted, conveyed and transferred its rights and obligations under Contract No. 35471 with the City of Long Beach; and

2. Assignee has assumed the rights and obligations set forth in Contract No. 35471; and

3. City consents to the assignment of Contract No. 35471, and all amendments thereto, and confirms its terms.

IN WITNESS WHEREOF, the parties have caused this document to be
executed with all formalities required by law as of the last date indicated below:

M. O. DION & SONS, INC., a California
corporation

7/28, 2022

By Bill Fraz
Name Bill Fraz
Title CEO

7/28, 2022

By _____
Name _____
Title _____

"Assignor"

DION & SONS MARINE FUEL, INC. an
California corporation.

7/27/22, 2022

By Matt Cullen
Name Matt Cullen
Title President

7/27/22, 2022

By Matt Cullen
Name Matt Cullen
Title Secretary

"Assignee"

Consented to by:

CITY OF LONG BEACH, a municipal
corporation

_____, 2020

By _____
City Manager

"City"

This Assignment, Assumption and Consent Agreement is approved as to
form on August 31st, 2022.

CHARLES PARKIN, City Attorney

By Charles Parkin
Deputy

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

IN WITNESS WHEREOF, the parties have caused this document to be
executed with all formalities required by law as of the last date indicated below:

M. O. DION & SONS, INC., a California
corporation

8/17, 2022

By Bill Frank
Name Bill Frank
Title Vice President

8/18, 2022

By Todd Ellis
Name Todd Ellis
Title VP Sales/Marketing

"Assignor"

DION & SONS MARINE FUEL, INC. an
California corporation

_____, 2022

By _____
Name _____
Title _____

_____, 2022

By _____
Name _____
Title _____

"Assignee"

Consented to by:

CITY OF LONG BEACH, a municipal
corporation

September 6, ²⁰²²~~2020~~

By Linda F. Jackson
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This Assignment, Assumption and Consent Agreement is approved as to
form on August 31, 2022.

CHARLES PARKIN, City Attorney

By AL
Deputy