FIRST AMENDMENT TO AGREEMENT NO. 34014

34014

THIS FIRST AMENDMENT TO AGREEMENT NO. 34014 is made and entered, in duplicate, as of December 15, 2015 for reference purposes only, pursuant to Resolution No. RES-15-0149 adopted by the City Council of the City of Long Beach at its meeting on December 8, 2015, by and between ATLANTIC MACHINERY, INC., a Maryland corporation ("Contractor"), with a place of business located at 2628 Garfield Ave., Silver Spring, Maryland, 20910, and the CITY OF LONG BEACH ("City"), a municipal corporation.

WHEREAS, City and Contractor entered into Agreement No. 34014 to purchase four (4) CNG-powered Schwarze model A7000 regenerative air sweepers; and

WHEREAS, the City desires to purchase two (2) additional CNG-powered Schwarze model A7000 regenerative air sweepers; and

WHEREAS, Resolution No. RES-15-0149 authorizes the purchase of the 14 two (2) additional CNG-powered Schwarze model A7000 regenerative air sweepers; 15

NOW, THEREFORE, in consideration of the mutual terms and conditions in 16 Agreement No. 34014 and herein, the parties agree as follows: 17

Section 1.B and C. of Agreement No. 34014 are amended in its 18 1. entirety to read as follows: 19

Contractor shall sell, furnish and deliver to the City six (6) CNG-"В. 20 21 powered Schwarze model A7000 regenerative air sweepers, with related equipment and accessories, of substantially the same type and kind purchased under the National Joint 22 Powers Alliance, except as modified by Exhibit "B" attached hereto and incorporated by 23 this reference, for an amount not to exceed One Million Nine Hundred Sixteen Thousand 24 Two Hundred Ninety-Two Dollars (\$1,916,292.00), including tax and fees. To the extent 25 26 that the NJPA Contract and this Agreement are inconsistent, the following priority shall govern: (1) this Agreement and (2) the NJPA Contract. 27

Payment for the six (6) CNG-powered Schwarze model A7000

OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 33 West Ocean Boulevard, 11th Floor 12 CA 90802-4664 Beach. 333 West Long

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regenerative air sweepers with related equipment and accessories purchased from
Contractor by the City shall be made by the City on delivery to and acceptance of the six
(6) CNG-powered Schwarze model A7000 regenerative air sweepers with related
equipment and accessories by the City and submittal of an invoice to the City. Payment
is due thirty (30) days after the date of the invoice."

2. Except as expressly amended herein, all terms and conditions in Agreement No. 34014 are ratified and confirmed and shall remain in full force and effect.

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

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7	Agreement No. 34014 are ratified and confirmed and shall remain in full force and effect.
8	IN WITNESS WHEREOF, the parties have caused this document to be duly
9	executed with all formalities required by law as of the date first stated above.
10	ATLANTIC MACHINERY, INC., a
11	Maryland corporation
12	DECEMBER 30, 2015 By Multi In TREVER CARDNER TR
13	Title PRESIDENT
14	December 30, 2015 By Maso Julie Julie
15	Name <u>Mary Jul (A DUBO 15</u> Title <u>Manager</u>
16	"Contractor"
17 18	CITY OF LONG BEACH, a municipal corporation
19 20	Jolb By City Manager THE CITY CHARTER.
20	"City" Assistant City Manager
22	This First Amendment to Agreement No. 34014 is approved as to form on
23	, 2015
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25	CHARLES PARKIN, City Attorney
26	By Deputy
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