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

SECOND AMENDMENT TO AGREEMENT NO. 34740

THIS SECOND AMENDMENT TO AGREEMENT NO. 34740 is made and entered, in duplicate, as of October 12, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meetings on September 5, 2017 and October 6, 2020, by and between UTILITY SOLUTIONS PARTNERS, LLC, a California limited liability company, with a place of business at 10824 Olson Drive, Suite C-305, Rancho Cordova, California 95670 ("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 desire to extend the term one (1) additional one-year period 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;

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 reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed Four Million Forty-Four Thousand Five Hundred Ninety-Five Dollars (\$4,044,595) for the term October 1, 2017 to September 30, 2018; a one-time fee of Three Hundred Thousand Dollars (\$300,000) to assist with the Long Beach Water Department's Advanced Metering

Infrastructure system; Two Million Two Hundred Eighty-Six Thousand One Hundred Dollars (\$2,286,100) annually from October 1, 2018 to September 30, 2020; and, an annual amount not to exceed Two Million Nine Hundred Eighty-Two Thousand Four Hundred Thirty Dollars (\$2,982,430) thereafter, at the rates or charges shown in Exhibit "B"."

- 2. Section 2 of the Agreement is hereby amended to read as follows:
- "2. TERM. The term of this Agreement shall commence at midnight on October 1, 2017, and shall terminate at 11:59 p.m. on September 30, 2021, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."

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IN WITNESS WHEREOF, the Parties have caused this document to be duly 1 2 executed with all formalities required by law as of the date first stated above. 3 UTILITY SOLUTIONS PARTNERS, LLC, a California limited liability company 4 October 14 . 2020 By 5 Name Steven P. Casazza 6 Title President 7 , 2020 By _____ Name_____ 8 Title 9 "Contractor" 10 CITY OF LONG BEACH, a municipal 11 corporation OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664 12 October 71, , 2020 By Senda J. Jahren City Manager 13 **EXECUTED PURSUANT** 14 TO SECTION 301 OF "City" THE CITY CHARTER 15 This Second Amendment to Agreement No. 34740 is approved as to form on (3 Cr (9) ____, 2020. 16 17 CHARLES PARKIN, City Attorney 18 19 20 21 22 23 24 25 26 27 28