

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

1 FIRST AMENDMENT TO CONTRACT NO. 35110

2 **35110**

3 THIS FIRST AMENDMENT TO CONTRACT NO. 35110 is made and  
4 entered, in duplicate, as of April 26, 2019 for reference purposes only, pursuant to  
5 Resolution No. RES-19-0059, adopted by the City Council of the City of Long Beach at its  
6 meeting on April 23, 2019, by and between HAAKER EQUIPMENT COMPANY, a  
7 California corporation ("Contractor"), with a place of business at 2070 N. White Avenue, La  
8 Verne, CA 91750, and the CITY OF LONG BEACH ("City"), a municipal corporation.

9 WHEREAS, the City desires to purchase Elgin Pelican street sweeper parts  
10 ("Sweeper Parts"); and

11 WHEREAS, City and Contractor (the "Parties") entered into Contract No.  
12 35110 whereby Contractor agreed to furnish the Sweeper Parts; and

13 WHEREAS, the Parties wish to add maintenance services to the scope of the  
14 contract, and increase the annual contract amount by \$125,000, with a 10 percent  
15 contingency in the amount of \$12,500, for a total annual contract amount not to exceed  
16 \$577,500, for the current contract period and all subsequent years of the contract;

17 NOW, THEREFORE, in consideration of the mutual terms and conditions  
18 contained herein, the parties agree as follows:

19 1. Contractor shall provide service for Elgin Pelican street sweeper  
20 equipment, attached hereto as Exhibit "A-1" and incorporated herein by reference, as  
21 authorized by Resolution No. RES-19-0059.

22 2. Section 2 of Agreement No. 35110 is hereby amended to read as  
23 follows:

24 "2. City shall pay Contractor in due course of payments, following  
25 receipt of an invoice from Contractor and upon acceptance from City, for Sweeper  
26 Parts, the prices shown in Exhibit "A", and service for Elgin Pelican street sweeper  
27 equipment, the prices shown in Exhibit "A-1", an annual amount not to exceed Five  
28 Hundred Twenty Five Thousand Dollars (\$525,000), with a ten percent contingency

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1 in the amount of Fifty Two Thousand Five Hundred Dollars (\$52,500), for a total  
2 annual amount not to exceed Five Hundred Seventy Seven Thousand Five Hundred  
3 Dollars (\$577,500)."

4 3. Except as expressly modified herein, all of the terms and conditions  
5 contained in Contract No. 35110 are ratified and confirmed and shall remain in full force  
6 and effect.

7 IN WITNESS WHEREOF, the parties have signed this document with all the  
8 formalities required by law as of the date first stated above.

9 HAAKER EQUIPMENT COMPANY, a  
10 California corporation  
11 April 30, 2019 By Robin Haaker  
12 Name Robin Haaker  
13 Title President

14 April 30<sup>th</sup>, 2019 By Matthew Woods  
15 Name Matthew Woods  
16 Title V.P. Sales

17 **Tom Modica**  
18 **Assistant City Manager**  
19 **EXECUTED PURSUANT**  
20 **TO SECTION 301 OF**  
21 **THE CITY CHARTER**

22 "Contractor"  
23 CITY OF LONG BEACH, a municipal  
24 corporation

25 May 14, 2019 By [Signature]  
26 City Manager  
27 "City"

28 This First Amendment to Contract No. 35110 is approved as to form on  
May 7, 2019.

CHARLES PARKIN, City Attorney  
By [Signature]  
Deputy

# EXHIBIT “A-1”

# HAAKER

## EQUIPMENT COMPANY

La Verne Shop  
 Haaker Equipment Company  
 Service Department Labor Rates Shop/Field Effective 1-2-19

A.	<u>Shop Repairs - Installation, Maintenance, Trouble Shooting</u>	<u>Price per Hour</u>
	<u>1. Straight Time Rate:</u>	\$137.00
	Monday - Friday                      6:00 am - 4:00 pm Call out 2hr minimum	
	<u>2. Overtime Rate:</u>	\$206.00
	Monday - Friday                      After 4:00 pm Call out 2hr min./ 4hr max.	
	Saturday                                6:00 am - 5:00 pm Call out 4hr min. / 8hr max.	
	<u>3. Double Time Rate:</u>	\$274.00
	Monday - Friday                      After 12 hours	
	Saturday                                After 12 hours	
	Sundays and Holidays              Call out 4 hr minimum	
B.	<u>Field Repairs - Installation, Maintenance, Trouble Shooting</u>	
	<u>1. Straight Time Rate:</u>	\$149.00
	Monday - Friday                      6:00 am - 4:00 pm Call out 2hr minimum	
	<u>2. Overtime Rate:</u>	\$224.00
	Monday - Friday                      After 4:00pm Call out 2hr min./ 4hr max.	
	Saturday                                6:00 am - 5:00 pm Call out 4hr min./ 8hr max.	
	<u>3. Double Time Rate:</u>	\$298.00
	Monday - Friday                      After 12 hours	
	Saturday                                After 12 hours	
	Sunday and Holidays              Call out 4hr minimum	

**C. Welding and Fabrication**

<u>1. Straight Time:</u>		\$137.00
Monday - Friday	6:00 am - 4:00 pm Call out 2hr minimum	
<u>2. Overtime Rate:</u>		\$206.00
Monday - Friday	After 4:00 pm Call out 2hr min/ 4hr max.	
Saturday	6:00 am - 5:00 pm Call out 4hr min./ 8hr max.	
<u>3. Double Time Rate:</u>		\$274.00
Monday - Friday	After 12 hours	
Saturday	After 12 hours	
Sunday and Holidays	Call out 4hr minimum	

Terms and conditions:

1. Travel Time:

Travel time will be charged at above hourly rates, to include round trip from HEC to destination. There will also be a mileage charge at \$0.90 per mile.

2. Per Diem expenses:

Hotels, meals and other living expenses will be charged at HEC cost plus 15% for overnight travel.

3. Shift Times:

Shift starting time on overnight service calls are at customer option: i.e. first 8 hours Monday thru Friday is at straight time labor rate.

4. Shift Length:

For safety reasons, we must limit a shift to a maximum of 16 hours in one 24 hour period. There will also be a break between shifts of 8 hours or more.