OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 111 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

FIFTH AMENDMENT TO CONTRACT NO. 33664

THIS FIFTH AMENDMENT TO CONTRACT NO. 33664 is made and entered, in duplicate, as of December 9, 2020, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on December 8, 2020, by and between FERGUSON US HOLDINGS, INC., a Virginia corporation, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation ("Contractor"), whose address is 12500 Jefferson Avenue, Newport News, Virginia 23602, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 33664 (the "Contract") whereby Contractor agreed to provide as-needed plumbing supplies; and

WHEREAS, the Parties entered into a First Amendment to the Contract to extend the term to January 25, 2018 and add \$910,000 for a total not to exceed amount of \$2,730,000; and

WHEREAS, the Parties entered into a Second Amendment to the Contract to extend the term to January 25, 2019 and attach an updated rate sheet; and

WHEREAS, the Parties entered into a Third Amendment to the Contract to extend the term and add \$300,000 to the Contract to allow for the completion of a new procurement process; and

WHEREAS, the Parties entered into a Fourth Amendment to the Contract to extend the term to December 31, 2020 and add \$641,500 for a total not to exceed amount of \$3,671,500; and

WHEREAS, the Parties desire to extend the term to June 30, 2021 and add \$256,000 for a total not to exceed amount of \$3,927,500;

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

1. The extended term of this Contract shall commence at midnight on

January 1, 2021, and shall terminate at 11:59 p.m. on June 30, 2021, unless sooner terminated as provided in this Contract, or unless the services or the Project is completed sooner.

- 2. Two Hundred Fifty-Six Thousand Dollars (\$256,000) is hereby added to the Contract extension terminating on June 30, 2021 for a total contract not to exceed amount of Three Million Nine Hundred Twenty-Seven Thousand Five Hundred Dollars (\$3,927,500).
- 3. Except as expressly amended herein, all terms and conditions in Contract No. 33664 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the executed with all formalities required by la	e Parties have caused this document to be duly was of the date first stated above.
1/19 3021 2020 1/21 ,2021	FERGUSON US HOLDINGS, INC., a Virginia corporation, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation By: Name Rank Cross Title Dir of Branch Ment Name Land Choslight Title Dr of Parade
This Fifth Amendment to Co.	"Contractor" CITY OF LONG BEACH, a municipal corporation By Junda J. Juhum City Manager EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER ontract No. 33664 is approved as to form or
	CHARLES PARKIN, City Attorney By Deputy

CHARLES PARKIN, City Attorney 411 West Ocean Boulevard, 9th Floor Long Beach. CA 90802-4664

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INC.

SECRETARIAL CERTIFICATE OF AUTHORIZATION

The undersigned Assistant Secretary of Ferguson Enterprises, LLC, a Virginia limited liability company (the "Company"), hereby certifies that: i) certain of the Company's facilities in Pomona, California are doing business as Ferguson Enterprises, LLC, and ii) Randy Cross is Director of Branch Management in Pomona, California and iii) that the resolutions adopted by the Company's Board of Directors effective July 31, 2018, duly authorize certain of the Company's officers, including the Assistant Secretary, to designate, and I hereby do so designate Randy Cross as an authorized representative of the Company to act for and on behalf of the Company to prepare and submit bids and proposals to the Company's customers, to enter into contracts, agreements or other documents, and to execute such documents and undertake all such acts as may be deemed in the best interest of the Company, including the execution of bonds and in doing so, to contractually bind the Company. Unless withdrawn sooner, this certification of authorization shall be effective

until July 31, 202	ENTER	,
Dated: 5/13/19	ER OWDAN S	CES, LL

FERGUSON ENTERPRISES, LLC

By: Wesley El Rice, Assistant Secretary

Commonwealth of Virginia

City of Newport News

Sworn to subscribed and acknowledged before me this 13 day of May, 2019, by Wesley E. Rice, personally known to me, in his capacity as Assistant Secretary of Ferguson Enterprises, LLC, a Virginia Company, on behalf of such Company.

Notary – Casey Mehlhoff

My commission expires: July 31, 2022