

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

1 FIFTH AMENDMENT TO CONTRACT NO. 33664

2 **33664**

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

10 WHEREAS, City and Contractor (the "Parties") entered into Contract No.
11 33664 (the "Contract") whereby Contractor agreed to provide as-needed plumbing
12 supplies; and

13 WHEREAS, the Parties entered into a First Amendment to the Contract to
14 extend the term to January 25, 2018 and add \$910,000 for a total not to exceed amount of
15 \$2,730,000; and

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

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

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

24 WHEREAS, the Parties desire to extend the term to June 30, 2021 and add
25 \$256,000 for a total not to exceed amount of \$3,927,500;

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

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

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

4 2. Two Hundred Fifty-Six Thousand Dollars (\$256,000) is hereby added
5 to the Contract extension terminating on June 30, 2021 for a total contract not to exceed
6 amount of Three Million Nine Hundred Twenty-Seven Thousand Five Hundred Dollars
7 (\$3,927,500).

8 3. Except as expressly amended herein, all terms and conditions in
9 Contract No. 33664 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

FERGUSON US HOLDINGS, INC., a Virginia corporation, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation

1/19, ²⁰²¹~~2020~~

By [Signature]
Name Randy Cross
Title Dir of Branch mgmt

1/21, ²⁰²¹~~2020~~

By [Signature]
Name Gary Crosslight
Title Dir of Portals

"Contractor"

CITY OF LONG BEACH, a municipal corporation

February 1, ²⁰²¹~~2020~~

By [Signature]
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER

This Fifth Amendment to Contract No. 33664 is approved as to form on

1-28, ²⁰²¹~~2020~~

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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FERGUSON US HOLDINGS, INC., a Virginia corporation, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation

1/19, 2020

By [Signature]
Name Randy Cross
Title Dir of Branch Mgmt

1/21, 2020

By [Signature]
Name Gary Crosslight
Title Dir of Res Trac

"Contractor"

CITY OF LONG BEACH, a municipal corporation

_____, 2020

By _____
City Manager

"City"

This Fifth Amendment to Contract No. 33664 is approved as to form on

_____, 2020.

CHARLES PARKIN, City Attorney

By _____
Deputy

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