

# 31108

## AMENDMENT NO. THREE TO CONTRACT NO. 31108

RE: Amendment No. Three of PA-00809, Contract No. 31108 for Providing Custodial Services to the City of Long Beach (BPLB0900041)

This Amendment to Contract No. 31108 is made and entered as of April 20, 2011, by and between the CITY OF LONG BEACH, a municipal corporation, and ABM Services, Inc., formally known as ABM Janitorial Services—Southwest Inc. (Contractor)

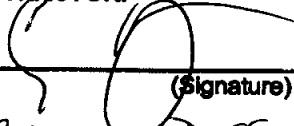
Contract No. 31108 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

1. The term is extended to May 1, 2012.
2. \$841,715 has been added to the term ending May 1, 2012, for a total ("not to exceed") amount of \$2,525,145.
3. Prices during this period shall remain firm.
4. The price for certain items shall be increased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
5. The price for certain items shall be decreased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
6. The discount offered to the City is increased by \_\_\_\_ %
7. The items or locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby deleted from the Contract.
8. The locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby added to the Contract.
9. Current permits, licenses, insurance and other required information are attached as Addendum No. 1.

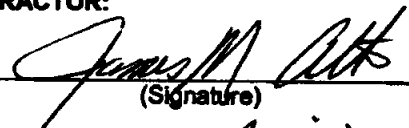
Except as expressly amended above, all terms and conditions in this Contract are ratified and confirmed and remain in full force and effect. Executed with all formalities required by law as of the date first stated above.

### Attach Notary if Out-of-State Contractor

CONTRACTOR:

  
\_\_\_\_\_  
(Signature)  
CAREY DOSS  
\_\_\_\_\_  
(Print / Type Name)  
Vice President of Operations  
\_\_\_\_\_  
President / Vice President / Secretary / Treasurer  
(circle one)

CONTRACTOR:

  
\_\_\_\_\_  
(Signature)  
James M. Altieri  
\_\_\_\_\_  
(Print / Type Name)  
Regional Vice President  
\_\_\_\_\_  
President / Vice President / Secretary / Treasurer  
(circle one)

THE CITY OF LONG BEACH: Assistant City Manager

By: 

City Manager

EXECUTED PURSUANT  
TO SECTION 201 OF  
THE CITY CHARTER.

Approved as to form:

ROBERT E. SHANNON, City Attorney

By: 

Deputy



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 W. OCEAN BLVD., 7<sup>th</sup> FLOOR LONG BEACH, CA 90802 TEL: (562) 570-6362 FAX: (562) 570-5099

BUSINESS RELATIONS BUREAU  
PURCHASING DIVISION

May 31, 2011

## ADDENDUM NO. 2

TO: Larry Herrera, City Clerk

ATTN: Allison Bunma, City Clerk Analyst

RE: **CONTRACT NO. 31108 (BID NO. PA-00809) - PROVIDING CUSTODIAL SERVICES (BPLB09000041)**

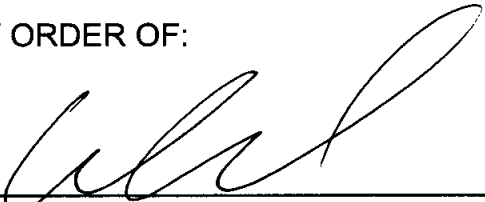
Please note the following changes:

- **Old company name:** ABM Janitorial Services—Southwest, Inc. dba ABM Janitorial Services
- **New company name:** ABM Services, Inc.

Please find a copy of the W-9 as proof of the company's new name.

For any questions, please call Erik Sund, Business Relations Manager, at (562) 570-6663.

BY ORDER OF:



\_\_\_\_\_  
Erik Sund  
Business Relations Manager

ES/act

## Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 3	Name (as shown on your income tax return) <b>ABM Services, Inc.</b>	
	Business name, if different from above	
	Check appropriate box <input type="checkbox"/> Individual/Sole proprietor <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ ..... <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶	
	Address (number, street, and apt. or suite no.) <b>1111 Fannin, Suite 1500</b>	Requester's name and address (optional)
	City, state, and ZIP code <b>Houston, Texas 77002</b>	
List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number

OR

Employer identification number

### Part II Certification

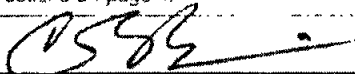
Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me) and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here

Signature of U.S. person ▶



Date ▶

4/10/11

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,



Dear Client:

Please be advised that effective January 1, 2011, ABM Janitorial Services – Southwest, Inc. merged with and into its parent company, ABM Janitorial Services, Inc. Immediately following the merger, ABM Janitorial Services, Inc. contributed the assets, operations and employees of ABM Janitorial Services – Southwest, Inc. to ABM Services, Inc. (f/k/a/ OneSource Landscape & Golf Services, Inc.). ABM Services Inc. has a Federal I.D. number of [REDACTED]

All of the subject legal entities are indirect subsidiaries of ABM Industries Incorporated, a company which has been in business for more than 100 years, and which has been publicly traded on the New York Stock Exchange since 1971. The corporate entity change involving ABM Janitorial Services – Southwest, Inc. is part of periodic legal entity maintenance and consolidation that takes place from time to time within our company. We anticipate total seamlessness for our customers from a service standpoint.

Attached for your information are the following documents:

- A file stamped copy of the Certificate of Merger evidencing the merger of ABM Janitorial Services – Southwest, Inc.
- ABM Services, Inc. W-9

ABM Services, Inc. retains the same dba: ABM Janitorial Services.

Should you have any questions concerning the above, please do not hesitate to contact me at (949) 585-5928.

Sincerely,

**ABM Janitorial Services**

Jeff Leonard  
Regional Director of Operations

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"ABM JANITORIAL SERVICES-SOUTHWEST, INC.", A CALIFORNIA CORPORATION,

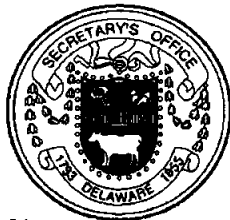
WITH AND INTO "ABM JANITORIAL SERVICES, INC." UNDER THE NAME OF "ABM JANITORIAL SERVICES, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SEVENTH DAY OF DECEMBER, A.D. 2010, AT 3:22 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF JANUARY, A.D. 2011.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

3874903 8100M

101234322



You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 8453896

DATE: 12-28-10

**STATE OF DELAWARE  
CERTIFICATE OF MERGER OF  
FOREIGN CORPORATION INTO  
A DOMESTIC CORPORATION**

Pursuant to Title 8, Section 252 of the Delaware General Corporation Law, the undersigned corporation executed the following Certificate of Merger:

**FIRST:** The name of the surviving corporation is ABM Janitorial Services, Inc., a Delaware corporation, and the name of the corporation being merged into this surviving corporation is ABM Janitorial Services – Southwest, Inc., a California corporation.

**SECOND:** The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations pursuant to Title 8, Section 252 of the General Corporation Law of the State of Delaware.

**THIRD:** The name of the surviving corporation is ABM Janitorial Services, Inc., a Delaware corporation.

**FOURTH:** The Certification of Incorporation of the surviving corporation shall be its Certificate of Incorporation.

**FIFTH:** The authorized stock and par value of the non-Delaware corporation is 5,000 shares of common stock, par value \$100.00 per share.

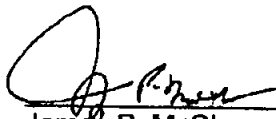
**SIXTH:** The merger is to become effective on January 1, 2011.

**SEVENTH:** The Agreement of Merger is on file at 551 Fifth Avenue, Suite 300, New York, New York 10176, an office of the surviving corporation.

**EIGHTH:** A copy of the Agreement of Merger will be furnished by the surviving corporation on request, without cost, to any stockholder of the constituent corporations.

**IN WITNESS WHEREOF,** said surviving corporation has caused this certificate to be signed by an authorized officer, the 30<sup>th</sup> day of December, 2010.

By:



James P. McClure, President and Chief  
Executive Officer

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 08:04 AM 12/28/2010  
FILED 03:22 PM 12/27/2010  
SRV 101234322 - 3874903 FILE

**STATE OF DELAWARE**

**WAIVER OF REQUIREMENT  
FOR AFFIDAVIT OF EXTRAORDINARY CONDITION**

It appears to the Secretary of State that an earlier effort to deliver this instrument and tender such taxes and fess was made in good faith on the file date stamped hereto. The Secretary of State has determined that an extraordinary condition (as reflected in the records of the Secretary of State) existed at such date and time and that such earlier effort was unsuccessful as a result of the existence of such extraordinary condition, and that such actual delivery and tender were made within a reasonable period (not to exceed two business days) after the cessation of such extraordinary condition and establishes such date and time as the filing date of such instrument.

Jeffrey W. Bullock  
Jeffrey W. Bullock  
Secretary of State