

AMENDMENT NO. ONE TO CONTRACT NO. 34032

34032

RE: **Revision of Contract No. 34032 for providing as-needed elevator maintenance and repair to the City of Long Beach (BPLB15000028; ITB-PW15-136)**

This Amendment to Contract No. 34032 is made and entered as of April 27, 2016, by and between the CITY OF LONG BEACH, a municipal corporation, and **Ascent Elevator Services, Inc.**


Contract No. 34032 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. The current term expires on August 1, 2017.
- 2. Adding \$90,000 for a new total of \$240,000.
- 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)
 Emery J. Wilcox

 (Print / Type Name)
 General Manager

 President / Vice President / Secretary / Treasurer
 (circle one)

CONTRACTOR:

 (Signature)

 (Print / Type Name)

 President / Vice President / Secretary / Treasurer
 (circle one)

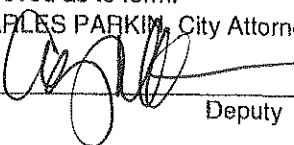
THE CITY OF LONG BEACH:

By: 

 City Manager

Assistant City Manager

Approved as to form:
 CHARLES PARKIN, City Attorney

By: 

 Deputy

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.



ASCENT ELEVATOR SERVICES INC. CONSENT IN LIEU OF SPECIAL MEETING
OF BOARD OF DIRECTORS

The undersigned, being all members of the Board of-Directors of Ascent Elevator Services Inc. a Washington Corporation (the "Company"-), whose principal place of business is San Francisco Ca., by this instrument in lieu of a special meeting of the Board of Directors of the Company, hereby consent to the following resolutions effective as of 9 February, 2013, and waive any notice required by law with respect thereto:

Ratification of Signing Authority for its Corporate Officers

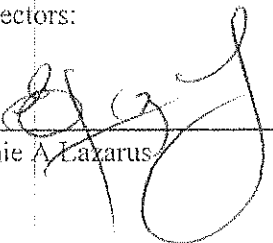
RESOLVED, that the Directors-of the company hereby authorize and empower the signing authority of the General Manager of the Company, to allow the General Manager to contractually commit and obligate the Company in performance of any business opportunity related to its primary business interests, elevator construction, maintenance and repair, not to exceed a per project limit of One Million Dollars.

RESOLVED FURTHER, that the Company's current General Manager, Emery J Wilcox has the authority to contractually commit the Company without the need of a countersignature from the Secretary until further resolved.

RESOLVED, that the Directors of the company hereby authorize and empower the signing authority of Karrie D'Auria as the Los Angeles Office Sales Associate to allow her to contractually commit and obligate the Company in performance of any business opportunity related to its primary' business interests, elevator construction, maintenance and repair, not to exceed a per project limit of One Hundred Thousand Dollars.

This consent may be executed in counterparts, each of which shall be an original," but all of which together shall constitute the same document. Delivery of an originally # executed signature page or pages hereto, a counterpart signature page, or a photocopy thereof transmitted by telephone facsimile transmission, shall be a effective as delivery of a manually signed counterpart of this Consent

Directors:

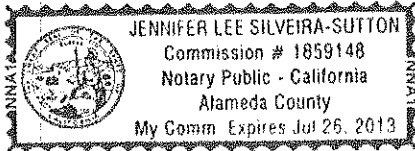

Ernie A. Lazarus


Donovan McKeever

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California
 County of Alameda }
 On 2/10/13 before me, Jennifer Sutton
Date Here Insert Name and Title of the Officer
 personally appeared Eric Lazaris
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Jennifer Sutton
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer — Title(s): _____ Corporate Officer — Title(s): _____

Individual Partner — Limited General Individual Partner — Limited General

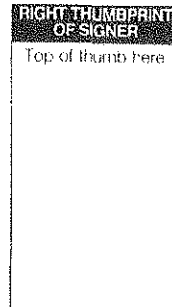
Attorney in Fact Attorney in Fact

Trustee Trustee

Guardian or Conservator Guardian or Conservator

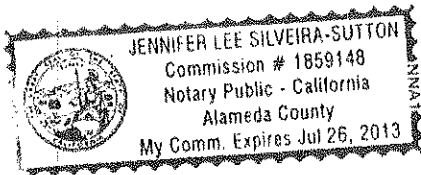
Other: _____ Other: _____

Signer Is Representing: _____ Signer Is Representing: _____






This is to certify that I am the President of Ascent Elevator Services, Inc. ; and that the attached resolution is a true and accurate copy, as the same appears in the Minutes of the Board of Directors of the Corporation; and that said resolution was duly adopted by the Board of Directors of the Corporation at its meeting on 6 February, 2013



See attached


Ernie A Lazarus
President



Developers Surety and Indemnity Company
Indemnity Company of California
CorePointe Insurance Company
 17771 Cowan, Suite 100 • Irvine, California 92614 • (949) 263-3300
 www.AmTrustSurety.com

BOND RIDER

ATTACHED TO AND FORMING A PART OF:

Bond No.: 869938P

Principal: Ascent Elevator Services, Inc.

Obligee: City of Long Beach, California

Surety: Developers Surety and Indemnity Company

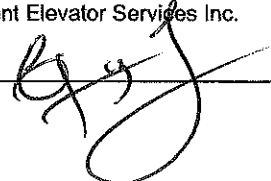
Effective May 10, 2016, it is agreed that:

The amount of the Performance bond is hereby increased from \$98,502 to \$200,000.

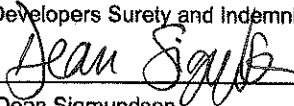
Nothing here in contained shall be held to vary, waive, alter, or extend any of the terms, conditions, agreements or warranties of the above mentioned bond, other than stated as above. Provided, however, that the liability of the company under the attached bond as changed by this order shall not be cumulative.

Signed this 10th day of May, 2016

Principal:
Ascent Elevator Services Inc.

By: 

Surety:
Developers Surety and Indemnity Company


Dean Sigmundson Attorney-in-Fact

APPROVED AS TO FORM

5-20, 2016

CHARLES PARKIN, City Attorney

By: 
AMY R. WEBBER
DEPUTY CITY ATTORNEY

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Dean Sigmundson, David Massie, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

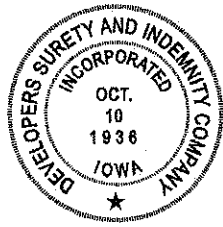
RESOLVED, that a combination of any two of the Chairmen of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this January 29, 2015.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On January 29, 2015 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer

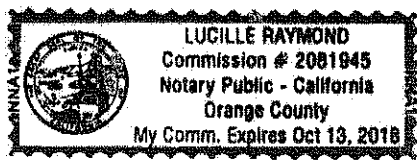
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 10th day of May, 2016.

By: *Cassie J. Harrisford*
Cassie J. Harrisford, Assistant Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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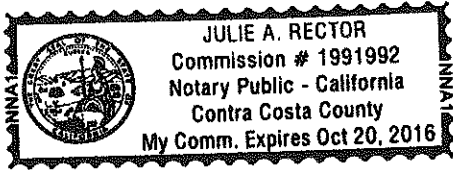
State of California)
County of Contra Costa)

On May 11, 2016 before me, Julie A. Rector, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Dean Sigmundson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he she they executed the same in his her their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Julie A Rector
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Bond #869938P Document Date: May 10, 2016

Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Dean Sigmundson

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California)
County of Alameda)
On 5/12/16 before me, Jennifer Silveira-Sutton, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Ernie Lazarus
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Jennifer Sutton
Signature of Notary Public

Place Notary Seal Above

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Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____

Signer's Name: _____

Corporate Officer — Title(s): _____

Partner — Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer Is Representing: _____