

AMENDMENT NO. TWO TO CONTRACT NO. 31738 **31738**

RE: Renewal No. Two of Contract No. 31738 for Furnishing and Delivering Paint, Marine Paint and Supplies to the City of Long Beach (BPLB1000060)

This Amendment to Contract No. 31738 is made and entered as of August 7, 2012, by and between the CITY OF LONG BEACH, a municipal corporation, and The Sherwin-Williams Co. (Contractor)

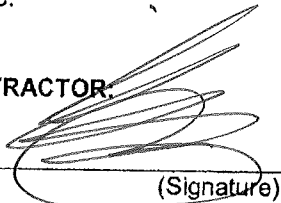
Contract No. 31738 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. The term is extended to September 1, 2013.
- 2. \$20,000 has been added to the 2nd renewal term.
- 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)

John F. Miles

(Print / Type Name)

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

CONTRACTOR:



(Signature)

Brian Gallagher

(Print / Type Name)

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

THE CITY OF LONG BEACH:

By: _____



City Manager

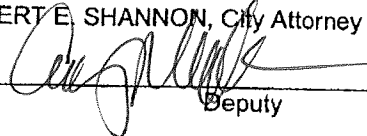
Assistant City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

Approved as to form:

ROBERT E. SHANNON, City Attorney

By: _____



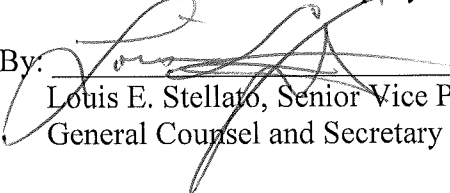
Deputy

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that The Sherwin-Williams Company (the "Company"), an Ohio corporation with its corporate headquarters located at 101 W. Prospect Avenue, Cleveland, Ohio 44115, hereby grants to each of M. J. Griffin, J. B. Blunt, B. L. Gallagher, D. A. Henson, J. N. Hudson, K. R. Jordan and J. F. Wiles a limited power of attorney to sign on behalf of this Company any papers or documents in the nature of bids, contracts or bonds relating to the purchase or sale of paint and coatings, or other supplies, goods or services, by any individual, corporation, partnership or other legal entity, or by any federal, state, county or municipal or other governmental body, domestic or foreign, and any agency or instrumentality thereof, not exceeding Five Hundred Thousand United States Dollars (U.S.\$500,000) for each individual bid, contract or bond. The limited power of attorney granted herein shall expire and terminate one year from the date of execution.

IN WITNESS WHEREOF, the Company has caused this Limited Power of Attorney to be executed this 19th day of September, 2012.


The Sherwin-Williams Company

By: 
Louis E. Stellato, Senior Vice President,
General Counsel and Secretary

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

I, Elizabeth Rose, a Notary Public in and for the aforesaid County and State, hereby certify that Louis E. Stellato, Senior Vice President, General Counsel and Secretary of The Sherwin-Williams Company, known to me to be the same person whose name is subscribed to the above instrument as Senior Vice President, General Counsel and Secretary, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said corporation, for the purposes therein set forth.

Sworn to and subscribed in my presence this 19th day of September, 2012.

My Commission Expires: 
(Notary Public)

ELIZABETH ROSE
Notary Public, State of Ohio
Cuyahoga County
My Commission Expires Dec. 9, 2013

Exhibit A

Section 1: Interior and Exterior Paints

Item	Unit	Description	Item Bid	Number	Size	old price	new price
1	GL	Exterior, 100% acrylic Enamel, Semi-Gloss w/ color retention, mildew resistance, strong adhesive durability, deep base white and stock colors	SW Solo- Semi-gloss	B31WJ8650	5 gallon	\$ 99.95	\$ 102.95
		Exterior, 100% acrylic Enamel, Semi-Gloss w/ color retention, mildew resistance, strong adhesive durability, deep base white and stock colors	SW Solo- Semi-gloss	B31WJ8650	1 gallon	\$ 19.99	\$ 20.59
2	GL	Exterior, vinyl acrylic w/ Color retention mildew resistant, strong adhesive durability, deep base white and stock colors	Not VOC Compliant		5 gallon		No Bid
		Exterior, vinyl acrylic w/ Color retention mildew resistant, strong adhesive durability, deep base white and stock colors	Not VOC Compliant		1 gallon		No Bid
3	GL	Exterior, Gloss finish, water based, corrosion resistant, alkyd emulsion enamel	SW Pro Mar 200 Water borne Alkyd Gloss	B35W8250	5 gallon	\$ 144.55	\$ 148.89
		Exterior, Gloss finish, water based, corrosion resistant, alkyd emulsion enamel	SW Pro Mar 200 Water borne Alkyd Gloss	B35W8250	1 gallon	\$ 28.91	\$ 29.78
4	GL	Exterior, Semi-Gloss finish, water based, corrosion resistant, alkyd emulsion enamel	SW Pro Mar 200 Water borne Alkyd Semi- Gloss	B34W8250	5 gallon	\$ 144.55	\$ 148.89
		Exterior, Semi-Gloss finish, water based, corrosion resistant, alkyd emulsion enamel	SW Pro Mar 200 Water borne Alkyd Semi- Gloss	B34W8250	1 gallon	\$ 28.91	\$ 29.78
5	GL	Undercoat, 100% acrylic Enamel	SW Wall and Wood Primer	B28 W8111	5 gallon	\$ 92.45	\$ 95.22
		Undercoat, 100% acrylic Enamel	SW Wall and Wood Primer	B28 W8111	1 gallon	\$ 18.49	\$ 19.04
6	GL	Interior, vinyl acrylic wall Paint, flat	SW Pro Mar 200 Flat	B30W8250	5 gallon	\$ 72.95	\$ 75.14
		Interior, vinyl acrylic wall Paint, flat	SW Pro Mar 200 Flat	B30W8250	1 gallon	\$ 14.59	\$ 15.03
7	GL	Interior, 100% acrylic enamel, Semi-gloss	Pro Mar 200 Semi-Gloss Enamel	B31W12250	5 gallon	\$ 89.45	\$ 92.13
		Interior, 100% acrylic enamel, Semi-gloss	Pro Mar 200 Semi-Gloss Enamel	B31W12250	1 gallon	\$ 17.89	\$ 18.43
8	GL	Enamel, floor and deck; grey, pure acrylic w/ epoxy	SW Armorseal Treadplex	B90W111	1 gallon	\$ 25.66	\$ 26.43
9	GL	Enamel, Aluminum protective coating	SW Silver-brite Aluminum	B59S11	1 gallon	\$ 22.73	\$ 23.41
10	GL	Interior, oil based Semi gloss	Non-compliant in gallons				No bid
11	GL	Enamel, oil-based, alkaloid, exterior trim	Non-compliant in gallons				No bid
12	GL	Exterior, latex for stucco	SW Acryl stain	CK6688050	1 gallon	\$ 69.95	\$ 72.05

Section II

B. Spray Paints

13	CN	Spray Paint- assorted stock colors, gloss 13 oz can	Krylon	Varies	can	\$ 3.25	\$ 3.35
14	CN	Aerosol Paint- assorted stock color, upside down 17 oz can	SW Sherstripe	Varies	can	\$ 3.19	\$ 3.29
15	CN	Spray Paint- assorted stock colors, flat, 12 oz can	Krylon	Varies	can	\$ 1.48	\$ 1.52
16	CN	Spray Paint- assorted stock colors, gloss 12 oz can	Krylon	Varies	can	\$ 1.48	\$ 1.52
17	CN	Spray Paint- Caulk, White Marking 17 oz can	SW Sherliner	160-0006	can	\$ 5.08	\$ 5.23
18	CN	Spray Paint- Caulk, Yellow Marking 17 oz can	SW Sherliner	160-0014	can	\$ 5.08	\$ 5.23
19	CN	Spray Paint- Zero-Rust Aerosol, Gray 12 oz can	SW Pro-Industrial	143-0230	can	\$ 4.50	\$ 4.64

Section 1: Interior and Exterior Paints

Item	Unit	Description	Item Bid	Number	Size	old price	new price
Section III C. Paint Tint							
20	QT	Perm Yellow (AK)	No Bid				No Bid
21	QT	Chrome Oxide (K)	No Bid				No Bid
22	QT	Thalo Green (D)	No Bid				No Bid
23	QT	Thalo Blue (E)	No Bid				No Bid
24	QT	Red Iron Oxide (F)	No Bid				No Bid
25	QT	Stay Fast Red (F)	No Bid				No Bid
26	QT	Brown Iron Oxide (I)	No Bid				No Bid
27	QT	Gabibzol Violet (J)	No Bid				No Bid
28	QT	Per Cal Orange (GX)	No Bid				No Bid
29	QT	Raw Umber (L)	No Bid				No Bid
30	QT	Yellow Oxide @	No Bid				No Bid
31	QT	Lampblack (B)	No Bid				No Bid
Section IV: D: Industrial Paints							
32		Enamel, White	SW Metalatex	B42W111		\$ 21.99	\$ 22.65
33		Enamel, Green	SW Metalatex	B42T104		\$ 21.99	\$ 22.65
						\$ -	\$ -
34		Enamel, Blue	SW Metalatex	B42T104		\$ 21.99	\$ 22.65
35		Enamel, Orange	SW Metalatex	B42E39		\$ 36.36	\$ 37.45
36		Enamel, Red	SW Metalatex	B42R38		\$ 38.57	\$ 39.73
37		Primer, Gray	SW Procryl	B66A310		\$ 33.64	\$ 34.65
38		Primer, Red Oxide	SW Procryl	B66N310		\$ 33.64	\$ 34.65
Section V: E: Marine Paints and Supplies							
39	GL	Woolsey Waterbax Neptune II-50	No Bid				No Bid
40	GL	Multitox B50 Sloughing	No Bid				No Bid
41	GL	Supertox B70 Hard Antifouling	Proline Antifouling (Blue)	Y1088	1 gallon	\$ 110.84	\$ 114.17
42	GL	Marine Top Side Enamel 100 or approved equal	Pro Line 1000 oil enamel	white	1 gallon	\$ 52.11	\$ 53.67
43	GL	Fiberglass Non-sanding primer, w-part,	Pro Line 3006 primer		Kit	\$ 67.22	\$ 69.24
44	GL	Marine Undercoat 105	pro-Line 4006 series		Kit	\$ 67.22	\$ 69.24
45	GL	Marine Undercoat U-109	Pro-Line 4009 series		Kit	\$ 67.22	\$ 69.24
46	GL	Linear Polyurethane LP 100 2-part	Pro-line 4800	white	kit	\$ 10.19	\$ 10.50
47	GL	Aquabrite Waterbased top side Enamel 2105	SW Pro- Industrial O VOC Acrylic	B66W650	gallon	\$ 31.25	\$ 32.19
48	GL	Flag Ship Marine Varnish 2015	Pro-line 4800	clear	kit	\$ 91.64	\$ 94.39
49	GL	Glazing Putty #4	PRO-LINE		8002 2 gallon kit	\$ 118.22	\$ 121.77
50	QT	Gel-coat, 2- part A & B	No Bid				No Bid
51	PKG	Fiberglass Cloth and Mat	No Bid				No Bid
Section VI: F. Paint Supplies							
52	GL	primer-wood- exterior, acrylic	Saw A100 Acrylic Primer		5 gallon	\$ -	\$ -
		primer-wood- exterior, acrylic	Saw A100 Acrylic Primer		1 gallon	\$ -	\$ -
						\$ -	\$ -
53	GL	primer-wood- exterior, oil based	Non Compliant in gallons		5 gallon		No Bid
		primer-wood- exterior, oil based	Non Compliant in gallons		1 gallon		No Bid
54	QT	Varnish, Interior- Velvet Sheen	Minwax Helmsman	6501-02809	Quart	\$ 14.99	\$ 15.44
55	QT	Varnish, Exterior- Spar, gloss	Minwax Helmsman	6501-02759	Quart	\$ 14.99	\$ 15.44
56	GL	Remover, Paint and Varnish, Certifies	SW Strypeeze	152-7720	gallon	\$ 14.46	\$ 14.89
57	CN	Stain, Wood	old Masters	176-8118	1/2 Pint	\$ 4.34	\$ 4.47
58	GL	Stain, Wood Interior Oil Based	Saw Woodclassics	6403-29140	quart	\$ 7.54	\$ 7.77
59	GL	Thinner, lacquer	Sherwin Williams	154-8781	gallon	\$ 7.39	\$ 7.61
60	CN	Thinner, lacquer	No Bid				No Bid
						\$ -	\$ -
Section VII: G. Brushes and Supplies							
						\$ -	\$ -

Section 1: Interior and Exterior Paints

Item	Unit	Description	Item Bid	Number	Size	old price	new price
61	EA	Brush sash-flat 3" nylon, 3" x 3/4" x 7/16" clear length, Purdy XL-Elasco	as spec'ed			\$ 14.34	\$ 14.77
						\$	\$
62	EA	Brush sash-flat 1" nylon, 3" x 1" x 2 1/4" clear length, black bristle, long handle, Purdy Nylo-Bow	as spec'ed			\$ 7.22	\$ 7.44
63	EA	Brush, Sash-angle, 2" polyester-nylon blend 2" x 9/16" x 2 3/4", clear length, chisel trim, long handle, Purdy Nylo-Bow	as spec'ed			\$ 10.21	\$ 10.52
64	EA	Brush, Sash-angle, 2" polyester blend 2" x 9/16" x 3 3/4", clear length, chisel trim, long handle, Purdy XL-Glide	as spec'ed			\$ 8.58	\$ 8.84
						\$	\$
65	EA	Brush, Sash-angle, 2", polyester-nylon blend, 2 1/2" x 5/8" x 3", clear length, chisel trim, long handle, Purdy XL-Glide	as spec'ed			\$ 10.21	\$ 10.52
66	EA	Brush-Utility-throw away, 2 1/2" x 5/8" x 3", clear length, black Bristle,	Sherwin Williams	143-9496		\$ 0.55	\$ 0.57
67	EA	Brush- pure bristle 3"	Sherwin Williams	171-3544		\$ 9.26	\$ 9.54
68	EA	Brush-Varnish, pure bristle 3 1/2"	Sherwin Williams	171-3668		\$ 10.51	\$ 10.83

Section VIII: H: Miscellaneous Supplies

						\$	\$
69	EA	Cover, ROLLER- 3/8" X 9" Purdy White Dove	as spec'ed			\$ 2.85	\$ 2.94
						\$	\$
70	EA	Cover, ROLLER- 3/4" X 9" Purdy Golden Eagle	as spec'ed			\$ 2.99	\$ 3.08
						\$	\$
71	EA	Cover, ROLLER- 1/2" X 9" Purdy Golden Eagle	as spec'ed			\$ 2.99	\$ 3.08
						\$	\$
72	EA	Frame, Roller- 9" 5 wire heavy duty	Sherwin Williams	180-1497		\$ 1.43	\$ 1.47
						\$	\$
73	EA	Screen, Grid 9" (for roller buckets)	Sherwin Williams	144-0072		\$ 1.25	\$ 1.29
						\$	\$
74	3"	tray, Paint 12" x 16" x 3"	Sherwin Williams			\$ 1.88	\$ 1.94
75	EA	Liner, Paint- 12" x 16" x 3"	Sherwin Williams	162-6530		\$ 0.59	\$ 0.61
76	EA	Tape, Masking 1" x 60 yds	Sherwin Williams	153-4916		\$ 1.09	\$ 1.12
77	EA	Tape, Masking- 2" x 60 yds	Sherwin Williams	172-2297		\$ 1.99	\$ 2.05
78	EA	Tape, Masking-Scotch Blue 1 1/2" x 60 Yd	Sherwin Williams	as spec'ed		\$ 4.75	\$ 4.89
						\$	\$
79	EA	Tape, Masking-Scotch Blue 2" x 60 Yd	Sherwin Williams	as spec'ed		\$ 5.99	\$ 6.17