

1 FIRST AMENDMENT TO AGREEMENT NO. 34498

2 **34498**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 34498 is made and  
4 entered, in duplicate, as of November 14, 2018, for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 December 20, 2016, by and between TRUSTAR ENERGY, LLC, a Delaware limited  
7 liability company ("Contractor"), with a place of business at 10225 Philadelphia Court,  
8 Rancho Cucamonga, California 91730, and the CITY OF LONG BEACH, a municipal  
9 corporation ("City").

10 WHEREAS, City requires specialized services requiring unique skills to be  
11 performed in connection with the operation and maintenance of the compressed natural  
12 gas (CNG) fuel facility located at the Temple/Willow Fleet facility ("Project"); and

13 WHEREAS, the parties entered Agreement No. 34498 whereby Contractor  
14 agreed to provide these services; and

15 WHEREAS, the parties desire to extend the term of the Agreement;

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

18 1. Section 2. of Agreement No. 34498 is hereby amended to read as  
19 follows:

20 "2. TERM. The term of this Agreement shall commence at  
21 midnight on January 1, 2017, and shall terminate at 11:59 p.m. on December 31,  
22 2019, unless sooner terminated as provided in this Agreement, or unless the  
23 services or the Project is completed sooner. The parties shall have the option to  
24 extend the term for one (1) additional one-year period, at the discretion of the City  
25 Manager."

26 2. Except as expressly modified herein, all terms and conditions  
27 contained in Agreement No. 34498 are ratified and confirmed and shall remain in full  
28 force and effect.

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

3 TRUSTAR ENERGY, LLC, a Delaware  
4 limited liability company

5 12/10

, 2018

By [Signature]  
6 Name James Howell  
7 Title VP SERVICE

8 Tom Modica  
9 Assistant City Manager

"Contractor"

10 EXECUTED PURSUANT  
11 TO SECTION 301 OF  
12 THE CITY CHARTER

CITY OF LONG BEACH, a municipal  
13 corporation

14 12/21

, 2018

By [Signature]  
15 City Manager

"City"

16 This First Amendment to Agreement No. 34498 is approved as to form on

17 December 19, 2018.

18 CHARLES PARKIN, City Attorney

19 By [Signature]  
20 Deputy

21 OFFICE OF THE CITY ATTORNEY  
22 CHARLES PARKIN, City Attorney  
23 333 West Ocean Boulevard, 11th Floor  
24 Long Beach, CA 90802-4664