

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

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SECOND AMENDMENT TO AGREEMENT NO. 36111

**36111**

THIS SECOND AMENDMENT TO AGREEMENT NO. 36111 is made and entered, in duplicate, as of May 31, 2023 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on September 7, 2021, by and between BUREAU VERITAS NORTH AMERICA, INC., a Delaware corporation ("Consultant"), with a place of business at 1940 East Deere Avenue, Suite 210, Santa Ana, California 92705 and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with as-needed plan review and inspection services; and

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 36111 (the "Agreement") whereby Consultant agreed to provide these services; and

WHEREAS, the Parties entered into a First Amendment to increase the contract amount to \$65,000; and

WHEREAS, the Parties desire to add \$150,000 for a new total contract amount not to exceed \$215,000 and extend the term for one (1) additional one-year period;

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

1. Section 1.A. of the Agreement is hereby amended to read as follows.

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, for the term ending on October 31, 2023, in an amount not to exceed Sixty-Five Thousand Dollars (\$65,000); for the term ending on October 31, 2024, in an amount not to exceed Two Hundred Fifteen Thousand Dollars (\$215,000), at the rates or charges shown in Exhibit "B"."

2. Section 2. of the Agreement is hereby amended to read as follows.

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1 "TERM. The term of this Agreement shall commence at midnight on  
2 November 1, 2021, and shall terminate at 11:59 p.m. on October 31, 2024, unless sooner  
3 terminated as provided in this Agreement, or unless the services or the Project is  
4 completed sooner. The term may be extended for two (2) additional one-year periods, at  
5 the discretion of the City Manager."

6 3. Except as expressly modified herein, all of the terms and conditions  
7 contained in Agreement No. 36111 are ratified and confirmed and shall remain in full force  
8 and effect.

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

11 \_\_\_\_\_, 2023

BUREAU VERITAS NORTH AMERICA,  
INC, a Delaware corporation

By *Craig Baptista*  
Name Craig Baptista  
Title Vice President

15 \_\_\_\_\_, 2023

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

18 EXECUTED PURSUANT  
19 TO SECTION 301 OF  
20 THE CITY CHARTER.

"Consultant"

21 *June 28*, 2023

CITY OF LONG BEACH, a municipal  
corporation

By *Sinda F. Iakim*  
City Manager

22 "City"

23 This Second Amendment to Agreement No. 36111 is approved as to form on  
24 June 8, 2023.

26 DAWN MCINTOSH, City Attorney  
27 By *[Signature]*  
28 Deputy

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**CALIFORNIA ACKNOWLEDGMENT**

CIVIL CODE § 1189

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 Sacramento

On June 5, 2003 before me, Chandler Hotchkin, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Manuel "Craig" Bacteria  
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 [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

**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: \_\_\_\_\_

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): \_\_\_\_\_

Partner --  Limited  General  Partner --  Limited  General

Individual  Attorney in Fact  Individual  Attorney in Fact

Trustee  Guardian or Conservator  Trustee  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_

**BUREAU VERITAS NORTH AMERICA, INC.**

**CERTIFICATE OF INCUMBENCY**

I, Heather B. Bush, hereby certify that I am the duly elected and qualified Secretary of BUREAU VERITAS NORTH AMERICA, INC., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), and further certify, on behalf of the Corporation, that the person named below, acting singly, has the full authority of the Board of Directors to act on behalf of the Corporation with respect to the execution of any and all agreements binding the Corporation.

**AUTHORIZED SIGNATORY**

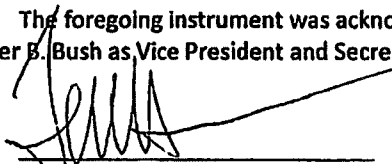
**Manuel (Craig) Baptista – Vice President**

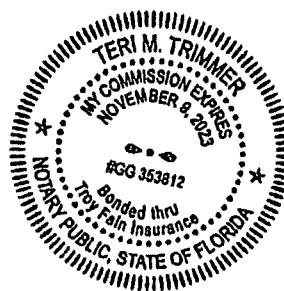
**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Corporation on January 24, 2023.

By:   
Heather B. Bush, Secretary

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23rd day of January, 2023 by Heather B. Bush as Vice President and Secretary of Bureau Veritas North America, Inc.

  
Notary Public



**UNANIMOUS WRITTEN CONSENT  
IN LIEU OF THE ANNUAL MEETING OF THE  
STOCKHOLDER AND  
BOARD OF DIRECTORS**

The undersigned, being the Stockholder and Board of Directors of Bureau Veritas North America, Inc., a Delaware corporation (the "Corporation"), acting pursuant to Delaware General Corporation Law, hereby consent to the adoption of the following resolutions:

1. Appointment by Stockholder

RESOLVED, that the following individuals be, and they hereby are, elected as the Directors of the Corporation, to serve until the next annual meeting of the Stockholder of the Corporation, or until his or her earlier resignation, removal from office, or death:

Shawn Till  
Heather B. Bush

2. Appointment by Directors

RESOLVED, that the following individuals be, and they hereby are elected to the offices set forth opposite their names, to serve until their respective successors are elected and have qualified, or until their earlier resignation, removal from office, or death:

- Shawn Till - Chief Executive Officer and President
- Riad Habib – Senior Vice President
- Keith Grogan – Vice President
- Ronald Stupi – COO (B&I) and Senior Vice President
- Heather B. Bush –Vice President and Secretary
- Linda Davachi– Chief Financial Officer and Treasurer
- Hilaire Fournier – Deputy CFO and Deputy Treasurer
- Van Tran - Vice President
- Craig Baptiste – Vice President
- Jorges Hercules - Vice President
- Phil Heaton – Vice President
- Waylon Sharp – Vice President
- Shawn Heier – Vice President
- Gus Guerrero – Vice President
- Kevin Summers – Assistant Treasurer

3. Dividend Declaration

RESOLVED, that this Corporation declares a dividend of [REDACTED] to holders of record as of April 12, 2022, payable no later than May 2, 2022, subject to compliance with applicable provisions of state law.

4. Confirmation of Actions

RESOLVED, that the actions taken to date by the Directors and officers of the Corporation are and have been in the best interests of the Corporation and are hereby in all respects ratified, approved, confirmed and adopted as the actions of the Corporation.

5. Counterparts

RESOLVED, that this written consent may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document, and any counterpart executed and transmitted by facsimile shall constitute a valid and binding execution and delivery by such party and shall constitute an enforceable original document.

IN WITNESS WHEREOF, the undersigned have executed this Written Consent effective as of the 12th day of April 2022.

BUREAU VERITAS HOLDINGS, INC.

DIRECTORS:

By:

  
\_\_\_\_\_  
Shawn Till, President

  
\_\_\_\_\_  
Shawn Till

  
\_\_\_\_\_  
Heather B. Bush

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IN LIEU OF THE ANNUAL MEETING OF THE  
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Heather B. Bush

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·Riad Habib – Senior Vice President  
·Keith Grogan – Vice President  
·Ronald Stupi – COO (B&I) and Senior Vice President  
·Heather B. Bush –Vice President and Secretary  
·Linda Davachi– Chief Financial Officer and Treasurer  
·Hilaire Fournier – Deputy CFO and Deputy Treasurer  
·Van Tran - Vice President  
·Craig Baptiste – Vice President  
·Jorges Hercules - Vice President  
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
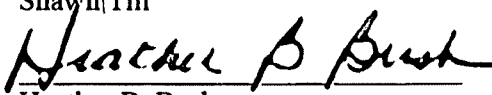
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**BUREAU VERITAS HOLDINGS, INC.**

**DIRECTORS:**

By:   
\_\_\_\_\_  
Shawn Till, President

  
\_\_\_\_\_  
Shawn Till  
  
\_\_\_\_\_  
Heather B. Bush

**BUREAU VERITAS NORTH AMERICA, INC.**

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**AUTHORIZED SIGNATORY**

**Manuel (Craig) Baptista – Vice President**


**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the Corporation on January 24, 2023.

By:

  
Heather B. Bush, Secretary

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23rd day of January, 2023 by Heather B. Bush as Vice President and Secretary of Bureau Veritas North America, Inc.

  
Notary Public

