

THIRD AMENDMENT TO AGREEMENT NO. 35347  
**35347**

THIS THIRD AMENDMENT TO AGREEMENT NO. 35347 is made and entered, as of September 28, 2022 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 13, 2019, by and between AQUATECHNEX, LLC, a California limited liability company ("Contractor"), whose address is P.O. Box 30824, Bellingham, WA 98228, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with lake water quality management services; and

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 35347 (the "Agreement") whereby Contractor agreed to provide the specialized services as described in Request for Proposals No. PR18-113 for Lake Water Quality Management; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term one (1) additional year; and

WHEREAS, the Parties again desire to extend the term one (1) additional year.

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

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

"2. TERM. The term of this Agreement shall commence at midnight on October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2023, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The City shall have the option to extend the term for one (1) additional one-year period, at the discretion of the City Manager."

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2. Except as expressly modified herein, all of the terms and conditions contained in this Agreement are ratified and confirmed and shall remain in full force and effect.

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

AQUATECHNEX, LLC, a California limited liability company

Spt. 30, 2022

By [Signature]  
Name Tony McNichols  
Title MANAGER

10-5, 2022

By [Signature]  
Name Cody Applegate  
Title Manager

"Contractor"

CITY OF LONG BEACH, a municipal corporation

10/20, 2022

By Linda F. Jatum  
City Manager

"City"

This Third Amendment to Agreement No. 35547 is approved as to form on  
October 18th, 2022.

**EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.**

CHARLES PARKIN, City Attorney

By: [Signature]  
Anita Lakhani, Deputy City Attorney

2. Except as expressly modified herein, all of the terms and conditions contained in this Agreement are ratified and confirmed and shall remain in full force and effect.

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

AQUATECHNEX, LLC, a California limited liability company

Spt. 30, 2022

By [Signature]  
Name Tony McNelly  
Title MANAGER

10-5, 2022

By [Signature]  
Name Cody Appleby  
Title Manager

"Contractor"

CITY OF LONG BEACH, a municipal corporation

\_\_\_\_\_, 2022

By \_\_\_\_\_  
City Manager

"City"

This Third Amendment to Agreement No. 35347 is approved as to form on \_\_\_\_\_, 2022.

CHARLES PARKIN, City Attorney

By: \_\_\_\_\_  
Anita Lakhani, Deputy City Attorney

City of Long Beach  
Lakes

Horseshoe Lake	EL Dorado East Regional Park
Coyote Lake	El Dorado East Regional Park
Alamo Lake	El Dorado East Regional Park
North Lake	El Dorado East Regional Park
Duck Pond	El Dorado West
North Lake Nature Center	El Dorado Nature Center
South Lake Nature Center	El Dorado Nature Center
Heartwell Lake	Heartwell Park
Scherer Lake	Scherer Park