

THIRD AMENDMENT TO AGREEMENT NO. 34940

34940

THIS THIRD AMENDMENT TO AGREEMENT NO. 34940 is made and entered, as of May 10, 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 May 9, 2023, by and ELITE LINE SERVICES, INC., a Florida corporation ("Contractor"), with a place of business at 1505 Luna Road, Suite 100, Carrollton, Texas 75006, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 34940 (the "Agreement") whereby Contractor agreed to provide baggage handling system maintenance at the Long Beach Airport for a period of three years in the amount of \$3,018,293, with the option to renew for two additional one-year periods for an annual amount not to exceed \$1,048,263; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to May 31, 2022 and add \$1,039,638 to the extension; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to May 31, 2023 and add \$1,048,263 to the extension; and

WHEREAS, the Parties desire to extend the term to September 30, 2023 and add \$419,400 to the extension;

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. Contractor shall furnish specialized services more particularly described in Request for Proposals (RFP) AP18-035, attached to the Agreement as Exhibit "A" 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, Three Million Eighteen Thousand Two Hundred Ninety-Three Dollars (\$3,018,293) for the term June 1, 2018 through May 31, 2021; One Million Thirty-Nine Thousand

1 Six Hundred Thirty-Eight Dollars (\$1,039,638) for the term June 1, 2021 through
2 May 31, 2022; One Million Forty-Eight Thousand Two Hundred Sixty-Three Dollars
3 (\$1,048,263) for the term June 1, 2022 through May 31, 2023; and, Four Hundred
4 Nineteen Thousand Four Hundred Dollars (\$419,400) for the term June 1, 2023
5 through September 30, 2023, at the rates or charges shown in Exhibit "B".

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

7 "2. TERM. The term of this Agreement shall commence at midnight on
8 June 1, 2018, and shall terminate at 11:59 p.m. on September 30, 2023, unless sooner
9 terminated as provided in this Agreement, or unless the services or the Project is
10 completed sooner."

11 3. Except as expressly amended herein, all terms and conditions in
12 Agreement No. 34940 are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
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Long Beach, CA 90802-4664

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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.

ELITE LINE SERVICES, INC., a Florida
corporation

May 16, 2023

By [Signature]
Name Craig Andilla
Title President

MAY 16, 2023

By [Signature]
Name GARY ZARYCKI
Title SR. VP

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

May 19, 2023

By [Signature]
City Manager

"City"

This Third Amendment to Agreement No. 34940 is approved as to form on

May 17, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Principal Deputy