

AMENDMENT NUMBER TWO TO CONTRACT NUMBER 29054 29054

RE: Renewal of Contract No. 29054 for Furnishing and Delivering Gasoline & Diesel Fuel (PA-1305, BPLB05000052)

This Amendment to Contract is made and entered as of January 19, 2007 by and between the CITY OF LONG BEACH, a municipal corporation, and Petro-Diamond Inc. (Contractor)

Contract No. 29054 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 April 11, 2008.
- 2. \$400,000 has been added to the 2nd renewal term for a total "not to exceed" amount of \$1,600,000. The City reserves the right to exercise, at its option, an increase in expenditures by thirty percent (30%) annually, but the City does not guarantee that it will exercise this option.
- 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 enclosed 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:

Kathryn Heaton
(Signature)

KATHRYN HEATON
(Print / Type Name)

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

Robert A Semm
(Signature)

ROBERT A SEMM
(Print / Type Name)

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

THE CITY OF LONG BEACH:

By: [Signature]
City Manager

Approved as to form:
ROBERT E. SHANNON, City Attorney

By: [Signature]
Deputy Attorney