

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

1 FIRST AMENDMENT TO AGREEMENT NO. 36624

2 36624

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 36624 is made and
4 entered, in duplicate, as of August 29, 2023 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on April
6 4, 2023, by and between MALLORY SAFETY AND SUPPLY, LLC, a limited liability
7 company ("Contractor"), with a place of business at 1040 Industrial Way, Longview,
8 Washington 98632, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, City requires specialized services requiring unique skills to be
10 performed in connection with furnishing and delivering of emergency response and public
11 safety equipment and supplies; and

12 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
13 36624 (the "Agreement") whereby Contractor agreed to provide these services; and

14 WHEREAS, the Parties desire to amend the contract amount to reflect the
15 authorized twenty percent (20%) contingency amount of Eighty Thousand Dollars
16 (\$80,000);

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

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

20 "B. Contractor shall sell, furnish and deliver to the City emergency
21 response and public safety equipment and supplies of substantially the same type and kind
22 identified in the Port Contract, except as modified by Exhibit "B" attached hereto and
23 incorporated by this reference, in an annual amount not to Four Hundred Thousand Dollars
24 (\$400,000), plus a twenty percent (20%) contingency in the amount of Eighty Thousand
25 Dollars (\$80,000), for a total annual contract amount not to exceed Four Hundred Eighty
26 Thousand Dollars (\$480,000), until the Port Contract expires on April 1, 2026, with the
27 option to renew for as long as the Port Contract is in effect, at the discretion of the City
28 Manager. To the extent that the Port Contract and this Agreement are inconsistent, the

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1 following priority shall govern: (1) this Agreement and (2) Port Contract."

2 2. Except as expressly modified herein, all of the terms and conditions
3 contained in Agreement No. 36624 are ratified and confirmed and shall remain in full force
4 and effect.

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

MALLORY SAFETY AND SUPPLY, LLC, a
limited liability company

7
8
9 September 22, 2023

By [Signature]
Name Tim Gray
Title President

10
11 September 26, 2023

By [Signature]
Name Andy Mitchell
Title Vice President

12
13
14 EXECUTED PURSUANT
15 TO SECTION 301 OF
16 THE CITY CHARTER.

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

17 October 10, 2023

By [Signature]
City Manager

"City"

18
19 This First Amendment to Agreement No. 36624 is approved as to form on
20 Oct. 10, 2023.

21
22 DAWN MCINTOSH, City Attorney

By [Signature]
Deputy