

1 FIRST AMENDMENT TO AGREEMENT NO. 35347

2 **35347**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 35347 is made and
4 entered, in duplicate, as of October 21, 2020 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 August
6 13, 2019, by and between AQUATECHNEX, LLC, a California limited liability company
7 ("Contractor"), whose address is P.O. Box 30824, Bellingham, WA 98228, and the CITY
8 OF LONG BEACH, a municipal corporation ("City").

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

11 WHEREAS, City and Contractor (the "Parties") entered into Agreement No.
12 35347 (the "Agreement") whereby Contractor agreed to provide the specialized services
13 as described in Request for Proposals No. PR18-113 for Lake Water Quality Management;
14 and

15 WHEREAS, the Parties desire to extend the term of the Agreement one (1)
16 additional year;

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

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

20 "2. TERM. The term of this Agreement shall commence at midnight on
21 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2021, unless sooner
22 terminated as provided in this Agreement, or unless the services or the Project is
23 completed sooner. The City shall have the option to extend the term for three (3) additional
24 one-year periods, at the discretion of the City Manager."

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

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

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

3 AQUATECHNEX, LLC, a California limited
4 liability company

5 Oct. 23, 2020

6 By [Signature]
7 Name Ferry McWald
8 Title Manager

9 _____, 2020

10 By _____
11 Name _____
12 Title _____

13 "Contractor"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 October 28, 2020

17 By [Signature]

18 City Manager
19 EXECUTED PURSUANT
20 TO SECTION 301 OF
21 THE CITY CHARTER

22 "City"

23 This First Amendment to Agreement No. 35347 is approved as to form on
24 OCT. 27, 2020.

25 CHARLES PARKIN, City Attorney

26 By [Signature]
27 Deputy