

1 AGREEMENT

2 **30580**

3 THIS AGREEMENT is made and entered, in duplicate, as of February 5,  
4 2008 for reference purposes only, pursuant to Resolution No. RES-08-0013 adopted by  
5 the City Council of the City of Long Beach at its meeting on January 22, 2008, by and  
6 between M&M LIFTS, INC., a California corporation ("Contractor"), with a place of  
7 business at 6880 Orangethorpe Avenue, Suite F, Buena Park, California 90620, and the  
8 CITY OF LONG BEACH ("City"), a municipal corporation.

9 WHEREAS, Section 1802 of the Long Beach City Charter permits the City  
10 to make purchases under the purchasing contracts of other governmental agencies when  
11 authorized to do so by a resolution; and

12 WHEREAS, the City desires to purchase one (1) aerial lift truck with the  
13 option to purchase additional units and equipment; and

14 WHEREAS, the City of Corona has a purchase order for the purchase of  
15 this aerial lift truck from M&M Lifts, Inc., P.O. Number P14387 ("Corona Purchase  
16 Order"); and

17 WHEREAS, Resolution No. RES-08-0013 authorizes the City Purchasing  
18 Agent to purchase this equipment from Contractor by virtue of the Corona Purchase  
19 Order;

20 NOW, THEREFORE, in consideration of the terms and conditions  
21 contained in this Agreement, the parties agree as follows:

22 1. The Corona Purchase Order with Contractor is incorporated by this  
23 reference as if fully set forth, and the same terms and conditions contained in the Corona  
24 Purchase Order shall be applicable here except as follows:

25 A. Wherever the Corona Purchase Order refers to the City of  
26 Corona, it shall be deemed to refer to the City of Long Beach;

27 B. Contractor shall sell, furnish and deliver to the City equipment  
28 of substantially the same type and kind purchased by the City of Corona and on

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 the same terms and conditions offered to the City of Corona, except as modified  
2 by Exhibit "A" attached to and incorporated in this Agreement, for an amount not to  
3 exceed \$96,805.16 including tax, with a 10% contingency for additional  
4 equipment, for a period extending until the warranty on the aerial lift truck expires.  
5 To the extent that the Corona Purchase Order and this Agreement are  
6 inconsistent, the following priority shall govern: (1) this Agreement and (2) the  
7 Corona Purchase Order.

8 C. Payment for the equipment purchased from Contractor by the  
9 City shall be made by the City on delivery to and acceptance of the equipment by  
10 the City and submittal of an invoice to the City. Payment is due thirty (30) days  
11 after the date of the invoice.

12 D. All warranties shall accrue to the City of Long Beach.

13 E. The parties may, by mutual agreement, amend this  
14 Agreement with the approval of the City's City Council.

15 2. Neither this Agreement nor any money that becomes due to  
16 Contractor under this Agreement may be assigned by Contractor without the prior written  
17 consent of the City Manager or his designee.

18 3. Any notice given under this Agreement shall be in writing and  
19 personally delivered or deposited in the U.S. Postal Service, return receipt, and shall be  
20 delivered or mailed to Contractor at the relevant address first stated above, and to the  
21 City at 333 West Ocean Boulevard, Long Beach, California 90802 Attn: City Manager.  
22 Notice shall be deemed given three days after deposit in the mail.

23 4. The terms appearing on the Corona Purchase Order are  
24 incorporated in this Agreement.

25 5. Contractor shall cooperate with the City in all matters relating to self-  
26 accrual of use tax. Contractor shall contact the City Treasurer for additional information  
27 regarding self-accrual.

28 6. This Agreement and all documents which are incorporated by

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 reference in this Agreement constitute the entire understanding between the parties and  
2 supersede all other agreements, oral or written, with respect to the subject matter of this  
3 Agreement. If there is any legal proceeding between the parties to enforce or interpret  
4 this Agreement, or to protect or establish any rights or remedies, the prevailing party shall  
5 be entitled to its costs and expenses, including reasonable attorney's fees.

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

8  
9 Feb 15, 2008

M&M LIFTS, INC., a California corporation  
By Marcelo O. Toselli

10  
11 Feb 15, 2008

Marcelo O. Toselli  
(Type or Print Name)  
By Mariz M. Serafini  
(Type or Print Name)

12  
13  
14  
15  
16  
17 February 26, 2008

"Contractor"  
CITY OF LONG BEACH, a municipal corporation  
By [Signature] **ASSISTANT**  
City Manager  
**EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.**  
"City"

18  
19  
20 This Agreement is approved as to form on 2-21  
21 2008.

**EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.**  
ROBERT E. SHANNON, City Attorney  
By [Signature]  
Deputy

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# EXHIBIT “A”

# M & M Lifts, Inc.

6880 Orangethorpe Ave. Unit F, Buena Park CA. 90620 Tel: 714/736-9210 Fax: 714/736-9212  
E-mail: [sales@mmlifts.com](mailto:sales@mmlifts.com) Web site: [www.mmlifts.com](http://www.mmlifts.com)

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11/26/07

John Seevers  
City of Long Beach, Public Works, Fleet Services Bureau  
Superintendent, Acquisitions, Electronic & Decal Shops

M & M Lifts, Inc. will sell this truck with the same terms and conditions as the City of Corona Bid # 05-007.

This truck has been delivered and is still under warranty.

The City of Corona Contract Price is \$66,436.00 w/o Tax.

Below are the following modifications to meet the City of Long Beach Specs.

08' Chevy C-5500 Gas Engine to meet City of Long Beach Specs & AQMD	\$7,247.40
DTAXS-44FP to meet City of Long Beach Specs	\$6,202.00
CTEC Body to meet City of Long Beach Specs	\$5,042.00
Over Cab Protector to meet City of Long Beach Specs	\$3,800.00
Spacer to Clear Cab (Chevy chassis have higher Cab Profile)	\$ 700.00

Sub Total:	\$	89,427.40
Tax @ 8.25%	\$	7,377.76
Total:	\$	96,805.16

Note: The Dur-A-Lift model DTAXS-44 is the only model that has a 49' working height and can be mounted on a 19,000 GVWR chassis.

Byron Busbee  
M & M Lifts, Inc.  
National Account Executive

When you are ready for an "Aerial Lift" M & M Lifts is ready for you.

# M & M Lifts, Inc.

6880 Orangethorpe Ave. Unit F, Buena Park CA. 90620 Tel: 714/736-9210 Fax: 714/736-9212  
E-mail: [sales@mmlifts.com](mailto:sales@mmlifts.com) Web site: [www.mmlifts.com](http://www.mmlifts.com)

November 21, 2007

## City of Long Beach

Attn: John Severs

### M & M Lifts QUOTATION No.: 1231

Aerial unit model DTAXS-44FP Articulated/Telescopic, aerial device installed behind the cab of the chassis built in accordance to Dur-A-Lift standard specifications and include the following standard features:

- A. Ground to bottom of platform height: 44' (Platform height is calculated by using a by using 36" frame height)
- B. Working height: 49' (Working height is calculated by using 36" frame height)
- C. Horizontal reach: 30' to the outer edge of the bucket. (End Hung Basket 30' side reach)
- D. Boom Actions: Lower boom -2° to +80°. Upper boom: -25° to +78°.
- E. Stowed travel height: 10' (Based on a 36" frame height, and standard height pedestal without spacers).
- F. Outriggers: Optional: (2) Hydraulic Flat shoes "A" frame, with two spool valve installed. Behind the rear of cab chassis "H" frame outriggers are available.
- G. Rotation: Continuous: 370° degrees non-continuous. (360° continuous available)
- H. Platform leveling system: Hydraulically leveled, (Double pilot operated check valve to prevent tilt in case hydraulic hose failure)
- I. Platform: 350lbs: \*Capacity, single one-man end mounted. Dimensions 24" x 24" x 42". Curbside basket mounting
- J. Insulation: Non-Insulated.
- K. Hydraulic system: Open center hydraulic system 5-6 gpm. 10 Micron Filter in return line
- L. Vehicle Engine: Optional Start/stop from platform. / PTO & Pump.
- M. Controls: Full pressure, hydraulics at platforms and pedestal. Controls are proportional and interactive. Individual self-locking for safety.
- N. Paint: Polyurethane white color.
- O. Oil Reservoir: 10-gallon oil tank with sight reservoir.
- P. Hydraulic Hoses: All hoses through the entire unit are electrical insulated. (PARKER)
- Q. Manuals: (2) Two, (1) operational and (1) maintenance manuals. (Extra manuals can be ordered).
- R. Compliance: Meets or exceeds A.N.S.I. A92.2-1990 & Cal-OSHEA Requirements.
- S. Warranty: Two-year warranty parts and labor

When you are ready for an "Aerial Lift" M & M Lifts is ready for you.

# M & M Lifts, Inc.

6880 Orangethorpe Ave. Unit F, Buena Park CA. 90620 Tel: 714/736-9210 Fax: 714/736-9212  
E-mail: [sales@mmlifts.com](mailto:sales@mmlifts.com) Web site: [www.mmlifts.com](http://www.mmlifts.com)

## M & M Lifts QUOTATION No.: 1231

08' Chevy C-5500, Vortec 8.1L Gas Engine, 19,500 GVWR, Allison Automatic Transmission  
w/PTO Provision, 25 gallon fuel tank, cruise control, A/C, AM/FM Stereo \$ 32,400.00

Dur-A-Lift DTAXS 44FP w/ Over Frame Mounting Kit (49'WH)

24" x 24" x 42" Fiberglass Bucket

12V DC. Full Function Emergency Release System

180° Bucket Rotation

360° continuous rotation

Hydraulic Bucket leveling

110V Outlet/Inlet in Platform

Front and Rear Torsion Bars (No Outriggers Required)

Truck engine START/STOP from Platform

Installation Lift

Muncie Hot Shift PTO/Pump

CTEC 128 Series Heavy Duty Utility Body w/ curb side front compartment, second vertical  
compartments transverse with access on both sides, 40' rear tail shelf w/ cone holder on  
street side, tail shelf rear storage compartment w/door below deck, Over cab protector to  
completely cover truck cab also allow, for hood of truck to open

Quad Flash Safety Strobes, Back Up Alarm, Boom Rest, Bucket Rest

Harness and Lanyard

Level indicator

Spacer (Increases Working Height to 50')

2 YEAR WARRANTY PARTS AND LABOR

Sub Total:	\$	89,427.40
Tax @ 8.25%	\$	7,377.76
Total:	\$	96,805.16

### Options

3 Axis Single Hand Joystick Control for Upper Controls	\$	962.00
Double Lock Out Lever	\$	273.00
Linex on Bed Area (Tail Shelf, Side Panels, Head Board)	\$	1,350.00

\* Availability: 1 unit in stock, next available 60-90 days depending at time of order.

\* FOB: Buena Park, CA.

\* This Quotation is good for 30 days.

\* Financing and leasing available.

M & M Lifts, Inc.

By: 

Byron Busbee

National Account Executive

Accepted By: \_\_\_\_\_

Print: \_\_\_\_\_

Date: \_\_\_\_\_

PO #: \_\_\_\_\_

When you are ready for an "Aerial Lift" M & M Lifts is ready for you.



M & M Lifts, Inc.  
 ///HIDRO-GRUBERT USA///  
 6880 Orangethorpe Ave STE F  
 Buena Park, CA 90620

# Invoice

Date	Invoice #
10/05/2005	797

Bill To
City of Corona Ad-Administration BLDG Public Works-Traffic Division 730 Corporation Yard Way 1st Floor Corona, Ca 92880

Ship To
City of Corona Ad-Administration BLDG Public Works-Traffic Division 730 Corporation Yard Way 1st Floor Corona, Ca 92880

P.O. Number	Terms	Rep	Ship	Via	F.O.B.
P14387	Net 30	BLB	10/05/2005	M&M Delivery	

Quantity	Item Code	Description	Price Each	Amount
1	BTA-40/N	05' FORD F-550 Gas w/ CTEC 128 Series Utility Body and 40' Articulated/Telescopic, Non- Insulated Aerial Lift	66,436.00	66,436.00T
1	Warranty	Extended Warranty  Aerial Lift Serial # 13991-07/100/2005  Truck Vin #1FDAF56Y36EA33434	1,500.00	1,500.00

When you are ready for an Aerial Lift M & M Lifts is ready for you !!!		<b>Sales Tax (7.75%)</b>	\$5,148.79
		<b>Total</b>	\$73,084.79
		<b>Balance Due</b>	\$73,084.79



MAR-14-05 17:17

FROM: CITY OF CORONA - PURCHASING

9097362445

T-519 P.001/002 F-383



**CITY OF CORONA**  
PURCHASING DIVISION  
730 CORPORATION YARD WAY  
CORONA, CALIFORNIA 92880  
(909) 736-2274, FAX (909) 736-2446

PURCHASE ORDER	
P.O. NUMBER	P14367
DATE	03/14/05
VENDOR I.D.	127801
DELIVERY DATE	5/16/05
FOB	DEST
REQUISITION NO	R4105114
PAYMENT TERMS	N30
OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST AND CORRESPONDENCE.	

TO: M & M LIFTS INC  
6880 ORANGETHORPE AVE STE F  
BUENA PARK, CA 90620

FAX# (714) 736-9006

**DELIVER ITEMS TO:**

AD - ADMINISTRATION BLDG  
PUBLIC WORKS - TRAFFIC DIVISION  
730 CORPORATION YARD WAY  
1ST FLOOR  
CORONA, CA 92880

**SEND INVOICE TO:**

AD - ADMINISTRATION BLDG  
PUBLIC WORKS - TRAFFIC DIVISIO  
730 CORPORATION YARD WAY  
1ST FLOOR  
CORONA, CA 92880

QTY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
1	LT	<p>THIS PURCHASE ORDER IS ISSUED TO COVER THE COSTS OF ONE (1) AERIAL LIFT BUCKET TRUCK AS A RESULT OF INVITATION FOR BID NO. 05-007, WHICH IS HEREBY SPECIFICALLY REFERRED TO AND MADE PART OF THE CONTRACT AS IF FULLY SET FORTH HEREIN.</p> <p>VERBAL MODIFICATIONS TO THIS PURCHASE ORDER SHALL BE CONSIDERED INVALID. DO NOT ACCEPT VERBAL MODIFICATIONS FROM ANY EMPLOYEE, AGENT OR IMPLIED AGENT OF THE CITY OF CORONA. VALID MODIFICATIONS TO THIS ORDER SHALL BE IN THE FORM OF A WRITTEN CHANGE ORDER, SIGNED BY A AUTHORIZED MEMBER OF THE PROCUREMENT STAFF.</p> <p>THIS PURCHASE ORDER SHALL ACT AS THE CITY OF CORONA'S FORMAL NOTICE TO PROCEED.</p> <p>AERIAL LIFT BUCKET TRUCK, PER THE SPECIFICATIONS OF FORMAL BID NO. 05-007</p> <p>* * * CONTINUED * * *</p>	73,084.79	73,084.79

ACCOUNT SUMMARY	
AMOUNT	ACCOUNT NO.

*[Signature]*  
*[Signature]*  
 PURCHASING MANAGER

General Industrial Safety Order 5195 requires Material Safety Data Sheets (MSDS) be supplied, for applicable items, with the initial order.  
 THIS ORDER IS SUBJECT TO CITY OF CORONA GENERAL TERMS AND CONDITIONS.  
 REMIT INVOICE IMMEDIATELY TO ADDRESS SHOWN ABOVE. THE P.O. NO. WILL BE SHOWN ON THE CHECK ISSUED IN PAYMENT HEREOF, THUS ENABLING YOU TO IDENTIFY THE PAYMENT WITH THE ITEMS SHOWN ABOVE. PAYMENT WILL BE MADE ONLY AFTER RECEIPT OF INVOICE. ANY QUESTIONS CONTACT ACCOUNTS PAYABLE DIVISION, TELEPHONE: (909) 736-2326.

VENDOR COPY

MAR-14-05

17:17

FROM-CITY OF CORONA - PURCHASING

9097362445

T-518 P 002/002 F-363



CITY OF CORONA
PURCHASING DIVISION
730 CORPORATION YARD WAY
CORONA, CALIFORNIA 92880
(909) 736-2274 . FAX (909) 736-2445

Table with 2 columns: Field Name, Value. Includes P.O. NUMBER (P14387), DATE (03/14/05), VENDOR I.D. (127801), DELIVERY DATE (5/16/05), FOB (DEST), REQUISITION NO (R4105116), PAYMENT TERMS (N30). Includes note: OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKING LIST AND CORRESPONDENCE.

TO: M & M LIFTS INC
6880 ORANGETHORPE AVE STE F
BUENA PARK, CA 90620

FAX# (714) 736-9006

DELIVER ITEMS TO:
AD - ADMINISTRATION BLDG
PUBLIC WORKS - TRAFFIC DIVISION
730 CORPORATION YARD WAY
1ST FLOOR
CORONA, CA 92880

SEND INVOICE TO:
AD - ADMINISTRATION BLDG
PUBLIC WORKS - TRAFFIC DIVISIO
730 CORPORATION YARD WAY
1ST FLOOR
CORONA, CA 92880

Main table with columns: QTY, UNIT, DESCRIPTION, UNIT PRICE, EXTENSION. Contains cost breakdown: BUCKET TRUCK \$66,436.00, SALES TAX \$5,148.79, EXTENDED WARRANTY (1-YR) (ATR) \$1,500.00, TOTAL AMOUNT: \$73,084.79. Includes contact info for City and Vendor.

ACCOUNT SUMMARY table with columns: AMOUNT, ACCOUNT NO. Row 1: \$ 73,084.79, 44639240 45100

Handwritten signatures and stamps, including 'FUNDING MANAGER'.

General Industrial Safety Order 6185 requires Material Safety Data Sheets (MSDS) be supplied, for applicable items, with the initial order. THIS ORDER IS SUBJECT TO CITY OF CORONA GENERAL TERMS AND CONDITIONS. REMIT INVOICE IMMEDIATELY TO ADDRESS SHOWN ABOVE. THE P.O. NO. WILL BE SHOWN ON THE CHECK ISSUED IN PAYMENT HEREOF. THIS ENABLING YOU TO IDENTIFY THE PAYMENT WITH THE ITEMS SHOWN ABOVE. PAYMENT WILL BE MADE ONLY AFTER RECEIPT OF INVOICE. ANY QUESTIONS CONTACT ACCOUNTS PAYABLE DIVISION, TELEPHONE (909) 736-2326.

VENDOR COPY

**INTENT OF SPECIFICATIONS**

These specifications cover general requirements of a Aerial Lift Platform Bucket Truck for the Traffic Signal Department, model year 2004 or 2005. It is currently proposed to purchase a total of one (1) Bucket Truck.

**DETAILED SPECIFICATIONS**

The City of Coroná is accepting bids on a new and unused current model year 2004 or 2005, Aerial Lift Platform Bucket Truck with the following specifications:

<b>MODEL:</b>	Ford, F-550XL Superduty Chassis 4 x 2 Regular Cab, Dual Rear Wheel HD or Equivalent
<b>ENGINE:</b>	V-10 Gasoline 6.8L, or Equivalent, Min. HP=350@4250 RPM, Min. Torque = 450@3500 RPM
<b>TRANSMISSION:</b>	4 Speed Automatic, PTO
<b>REAR AXLE:</b>	Please indicate Ratio
<b>WHEELBASE:</b>	165"WB, 84" Cab to Axle
<b>GVWR:</b>	18,000 LBS. Minimum
<b>ALTERNATOR:</b>	largest possible
<b>COOLING SYSTEM:</b>	Heaviest Duty Available Radiator with Coolant Recovery System
<b>SUSPENSION:</b>	Heaviest Duty Available Gas Pressurized Shock Absorbers (4), Springs- Heaviest Duty Available, Front and Rear.
<b>STEERING:</b>	Power Assisted
<b>FUEL TANK:</b>	40 Gallons Minimum Capacity
<b>EXTERIOR:</b>	Electric Horn, Electric Windshield Washers with 2 Speed Minimum Intermittent Wipers. Factory Mounted,
<b>COLOR:</b>	Truck and Body Fleet White.
<b>LIGHTS:</b>	Headlights – Halogen Type, Door Activated Dome Light, Parking Light, Parking Brake Warning Light, Cargo Light.
<b>MIRRORS:</b>	Dual Trailer-Towing Mirrors.
<b>GAUGES:</b>	Voltmeter, Oil Pressure, Temperature and Fuel

(Warning Light Only - Not Acceptable)

**AIR CONDITIONING:** Factory Installed and ducted.

**INTERIOR:** Cloth Front Bench Seat with Foam Padding. Fresh Air Heater/Defroster, AM/FM Stereo, Speed Control (2) Operator's Manual and One (1) Repair Manual. Manual (CD Preferred) Shall Cover Engine, Power Train, Emission and Electrical Systems. \$500 Will Be Withheld From Payment Until Manuals are Delivered if Not Available with Vehicle.

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**TRUCK BODY:** Service Body (16 gauge Steel Min.) with Flip Top Boxes, 84" CA and an Overall Body Length of Approximately 132" with Vertical Lighted Cabinets. Tow Package Two Inch Dual Purpose Hitch with Hydraulic A-Frame Outriggers. Legal Lighting.

**AERIAL LIFT:** Fully Hydraulic Telescopic/Articulated Aerial Lift. Minimum Working Height of 40'. Non-Insulated Boom. 5000LB. Capacity. Platform "Bucket" Dimensions 36" X 60" minimum, 750LB Capacity. 180 Degree Bucket Rotator. Two Speed Throttle Control, Outrigger / Boom Interlock, Boom Stow Protection. Dual Level Ride Torsion Bar Suspension Stabilizing System, Completely Proportional Hydraulic Controls, Auxilliary 12 Volt D.C. Letdown, Engine Start/Stop at Platform, Hydraulic Tool Quick Disconnect at Platform.

**EMERGENCY LIGHTING:** Corner Strobes, Four (4) each, Mounted, Two (2) Mounted in Front Turn-Signals. Two (2) Flush Mounted Amber on each side of the rear of the box.

Rotating Beacons (strobe), Two (2) each, Mounted behind and above cab on each side of truck.

**WARRANTY:** Standard - Quote Extended Warranty Options --

**KEYS:** 4 Sets of Keys are Required.

**DELIVERY:** City of Corona  
Fleet Maintenance

**DELIVERY ADDRESS:** 760 Corporation Yard Way  
Corona, CA. 92880  
Attn: Steve Szueber