

SECOND AMENDMENT TO AGREEMENT NO. 35347

35347

THIS SECOND AMENDMENT TO AGREEMENT NO. 35347 is made and entered, in duplicate, as of January 12, 2022 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 13, 2019, by and between AQUATECHNEX, LLC, a California limited liability company ("Contractor"), whose address is P.O. Box 30824, Bellingham, WA 98228, and the CITY OF LONG BEACH, a municipal corporation ("City").

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

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

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term one (1) additional year; and

WHEREAS, the Parties again desire to extend the term one (1) additional year.

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

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

"2. TERM. The term of this Agreement shall commence at midnight on October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2022, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The City shall have the option to extend the term for two (2) additional one-year periods, at the discretion of the City Manager."

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

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.

AQUATECHNEX, LLC, a California limited liability company

By [Signature]
Name Tom Munday
Title Manager

By [Signature]
Name Cody Appleby
Title Manager

"Contractor"

CITY OF LONG BEACH, a municipal corporation

By [Signature]
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

This Second Amendment to Agreement No. 35347 is approved as to form on

February 9th, 2022.

CHARLES PARKIN, City Attorney

By: [Signature]
Anita Lakhani, Deputy City Attorney