

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

SECOND AMENDMENT TO CONTRACT NO. 31479

31479

THIS SECOND AMENDMENT TO CONTRACT NO. 31479 is made and entered, in duplicate, as of July 11, 2017 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on November 3, 2009, by and between CORIX UTILITY SERVICES (U.S.) INC., a Delaware corporation ("Corix" or "Contractor"), whose principal address is 11020 W. Plank Court, Suite 100, Wauwatosa, Wisconsin 53226, and the CITY OF LONG BEACH, a municipal corporation ("Long Beach" or "City").

WHEREAS, Long Beach owns and operates a natural gas transmission and distribution system and a water distribution system for the purpose of delivering product to its residential and commercial customers; and

WHEREAS, Long Beach issued RFP No. FM 09-016, dated February 26, 2009, seeking proposals from businesses providing commercial and residential gas and water meter-reading services; and

WHEREAS, Corix submitted a proposal dated April 13, 2009 and an addendum dated January 13, 2010, in response to Long Beach's aforementioned RFP; and

WHEREAS, Long Beach and Corix (the "Parties") entered into Contract No. 31479 dated January 19, 2010 whereby Corix agreed to provide gas and water meter-reading and related services pursuant to Corix's proposal; and

WHEREAS, the Parties entered into a First Amendment to Contract No. 31479 to extend the term and amend the rates; and

WHEREAS, the Parties desire to extend the term and amend the rates to Contract No. 31479;

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

1. Section 1 of Contract No. 31479 is hereby amended to read as

1 follows:

2 "1. EFFECTIVE DATE AND TERM. The term of this Contract shall
3 commence on February 1, 2010 and shall terminate at 11:59 p.m. (Long Beach, CA local
4 time) on July 31, 2020, unless sooner terminated as provided in this Contract."

5 2. Section 8 of Contract No. 31479 is hereby amended to read as
6 follows:

7 "8. RATES AND FEES.

8 A. Based on a monthly meter reading schedule, Long Beach
9 shall pay to Corix the following amounts, as applicable:

10 Unit Cost/Meter by Total Read Quality

	Tier 1	Tier 2	Tier 3	Tier 4	
	120,001 - 150,000	80,001 - 120,000	60,001 - 80,000	40,001 - 60,000	0 - 40,000
Meter Read Type					
Scheduled Read	\$1.184	\$1.425	\$1.510	\$1.990	\$82,500/month flat fee
Re-reads	\$3.664	\$3.664	\$3.664	\$3.664	\$3.664
Remote Read ERT Meter	\$0.930	\$0.930	\$0.930	\$1.178	\$1.178

16 B. Effective January 1, 2018, monthly gas meter reads will be
17 charged at a rate of \$2.29 each.

18 C. Gas corrosion inspections for the City's gas meter population
19 will be charged at a rate of \$0.934 per inspection, assuming Corix has a four month
20 window (or greater) to perform the inspections."

21 3. Except as expressly amended in this Second Amendment, all terms
22 and conditions in Contract No. 31479 are ratified and confirmed and shall remain in full
23 force and effect.

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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.

CORIX UTILITY SERVICES (U.S.) INC., a Delaware corporation

July 24th, 2017

By [Signature]
Name **Kevin G. Meagher**
Title **Senior Vice President**

July 25th, 2017

By [Signature]
Name **Corix Utility Services (US) Inc.**
Title **Hamish Cumming**
Chief Legal Officer & Corporate Secretary

"CORIX"

CITY OF LONG BEACH, a municipal corporation

Aug 8, 2017

By [Signature]
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"CITY" **Tom Modica**
Assistant City Manager

This Second Amendment to Contract No. 31479 is approved as to form on

July 27, 2017.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

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