

1 SECOND AMENDMENT TO AGREEMENT NO. 33963

2 **33963**

3 THIS SECOND AMENDMENT TO AGREEMENT NO. 33963 is made and  
4 entered, in duplicate, as of May 15, 2018, 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 July  
6 7, 2015, by and between BRAGG INVESTMENT COMPANY, INC., dba COASTLINE  
7 EQUIPMENT ("Contractor"), a California corporation whose address is P.O. Box 727,  
8 Long Beach, CA 90801, and the CITY OF LONG BEACH, a municipal corporation  
9 ("City").

10 WHEREAS, City did by Resolution No. RES-15-0081 determine that the  
11 City's need to purchase as-needed, John Deere agricultural and construction equipment  
12 parts and repair services could only be met by Contractor and, by reason of the  
13 foregoing, no useful purpose would be served by advertising for bids to purchase such  
14 agricultural and construction equipment parts and repair services; and

15 WHEREAS, the parties entered Agreement No. 33963 whereby Contractor  
16 agreed to provide these parts and services; and

17 WHEREAS, the parties desire to extend the term for an additional one-year  
18 period for a total annual amount not to exceed \$200,000, and for a total contract amount  
19 not to exceed \$800,000;

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

22 1. Section 2. of Agreement No. 33963 is hereby amended to read as  
23 follows:

24 "2. City shall pay Contractor in due course of payments, following  
25 receipt of an invoice from Contractor and upon acceptance from City, for the as-  
26 needed agricultural and construction equipment parts and repair services, the  
27 prices shown in Exhibit "A", including shipping and handling costs, a sum not to  
28 exceed Two Hundred Thousand Dollars (\$200,000) annually, with the option of

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

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1 renewing for one (1) additional period, at the discretion of the City Manager."

2 2. Section 3. Of Agreement No. 33963 is hereby amended to read as  
3 follows:

4 "3. The term of this Contract shall commence on July 1, 2015,  
5 and shall terminate at midnight on June 30, 2019, unless sooner terminated as provided  
6 herein. The City may terminate this Contract by giving thirty (30) days prior notice of  
7 termination to Contractor."

8 3. Except as expressly modified herein, all of the terms and conditions  
9 contained in Agreement No. 33963 are ratified and confirmed and shall remain in full  
10 force and effect.

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

BRAGG INVESTMENT COMPANY, INC., dba  
COASTLINE EQUIPMENT, a California  
corporation

16 \_\_\_\_\_, 2018

By [Signature]  
Name M. Scott Bragg  
Title President

18 \_\_\_\_\_, 2018

By [Signature]  
Name Hermon Bared  
Title V.P. General Mgr

Tom Modica  
Assistant City Manager "Contractor"

EXECUTED PURSUANT CITY OF LONG BEACH, a municipal  
TO SECTION 301 OF corporation  
THE CITY CHARTER

22 May 31, 2018

By [Signature]  
City Manager

"City"

This Second Amendment to Agreement No. 33963 is approved as to form on

26 May 25, 2018.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy