

AMENDMENT NO. ONE TO CONTRACT NO. 31092

31092

RE: Renewal No. One of Contract No. 31092 for Furnishing and Delivering Traffic Signal Parts & Equipment to the City of Long Beach (PA-00409; BPPW09000047)

This Amendment to Contract No. 31092 is made and entered as of March 22, 2010 by and between the CITY OF LONG BEACH, a municipal corporation, and McCain, Inc. (Contractor).

Contract No. 31092 is amended by mutual agreement of the parties and as indicated below by a check or other mark preceding the appropriate amendment:

- 1. 1st renewal option to extend term to 05/01/2011
- 2. \$120,000 has been added for the term of 05/01/2010 to 05/01/2011, not to exceed \$240,000.
- 3. Prices during this period shall remain firm.
- 4. The price for certain items shall be increased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
- 5. The price for certain items shall be decreased as shown on Exhibit "A", which is attached hereto and incorporated herein by this reference.
- 6. The discount offered to the City is increased by ____ %.
- 7. The items or locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby deleted from the Contract.
- 8. The locations identified on Exhibit "B", which is attached hereto and incorporated herein by this reference, are hereby added to the Contract.
- 9. Current permits, licenses, insurance and other required information are enclosed as Addendum No. 1.

Except as expressly amended above, all terms and conditions in this Contract are ratified and confirmed and remain in full force and effect. Executed with all formalities required by law as of the date first stated above.

Attach Notary if Out-of-State Contractor

CONTRACTOR:


(Signature)

SCOTT C TOLSTAD
(Print / Type Name)

GENERAL COUNSEL
President / Vice President / Secretary / Treasurer
(circle one)

CONTRACTOR:


(Signature)

JOAnn Mills
(Print / Type Name)

VP of Human Resources
President / Vice President / Secretary / Treasurer
(circle one)

THE CITY OF LONG BEACH:

Assistant City Manager

By: 
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

Approved as to form:

ROBERT E. SHANNON, City Attorney

By: 
Deputy



Corporate Resolution: Purchase Agreements or Contracts

Resolved, that this corporation, **McCain, Inc.**, proposes to enter into purchase agreements or contracts from time to time.

BE IT FURTHER RESOLVED, that any one of the following individuals:

Jeffrey L. McCain, Bill Brown, Greg Johnson, Theresa Schaeffer, Ann Hart, Jackie Groat, Christine Jersey, Scott Tolstad, and Jo Ann Mills

Of this corporation be and they are hereby authorized and empowered for and on behalf of and in the name of this corporation and as its corporate act and deed:

- a) Enter into purchase agreements or contracts on behalf of the company.

CERTIFICATION

I, Jeffrey L. McCain, President and Chief Executive Officer of McCain, Inc., a corporation created and existing under the laws of the State of California, do hereby certify and declare that the foregoing is a full, true copy of the resolutions duly passed and adopted by the Board of Directors and said corporation, by written consent of all Directors of said corporation or at a meeting of said Board duly and regularly called noticed and held on November 8, 2005, at which meeting a quorum of the Board of Directors was present and voted in favor of said resolutions; that said resolutions are now in full force and effect; that there is no provision in the Articles of Incorporation or Bylaws of said corporation, or any shareholder agreement, limiting the power of the Board of Directors of said corporation to pass the foregoing resolutions and that such resolution are in conformity with the provisions of such Articles of Incorporation and Bylaws; and that no approval by the shareholders of, or of the outstanding shares of, said corporation is required with respect to the matters which are the subject of the foregoing resolutions.



Jeffrey L. McCain, Chief Executive Officer

2-26-08
Date

2365 Oak Ridge Way, Vista, CA 92081

Phone 760-727-8100 Fax 760-727-8184

www.mccain-inc.com