

SIXTH AMENDMENT TO CONTRACT NO. 33664

**33664**

THIS SIXTH AMENDMENT TO CONTRACT NO. 33664 is made and entered, in duplicate, as of May 19, 2021, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on May 4, 2021, by and between FERGUSON US HOLDINGS, INC., a Virginia corporation, formerly known as FERGUSON ENTERPRISES, INC. a Virginia corporation ("Contractor"), whose address is 12500 Jefferson Avenue, Newport News, Virginia 23602, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 33664 (the "Contract") whereby Contractor agreed to provide as-needed plumbing supplies; and

WHEREAS, the Parties entered into a First Amendment to the Contract to extend the term to January 25, 2018 and add \$910,000 for a total not to exceed amount of \$2,730,000; and

WHEREAS, the Parties entered into a Second Amendment to the Contract to extend the term to January 25, 2019 and attach an updated rate sheet; and

WHEREAS, the Parties entered into a Third Amendment to the Contract to extend the term and add \$300,000 to the Contract to allow for the completion of a new procurement process; and

WHEREAS, the Parties entered into a Fourth Amendment to the Contract to extend the term to December 31, 2020 and add \$641,500 for a total not to exceed amount of \$3,671,500; and

WHEREAS, the Parties entered into a Fifth Amendment to the Contract to extend the term to June 30, 2021 and add \$256,000 for a total not to exceed amount of \$3,927,500; and

WHEREAS, the Parties desire to extend the term to October 31, 2021 and add \$150,000 for a total not to exceed amount of \$4,077,500;

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

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

3 1. The extended term of this Contract shall commence at midnight on  
4 July 1, 2021, and shall terminate at 11:59 p.m. on October 31, 2021, unless sooner  
5 terminated as provided in this Contract, or unless the services or the Project is completed  
6 sooner.

7 2. One Hundred Fifty Thousand Dollars (\$150,000) is hereby added to  
8 the Contract extension terminating on October 31, 2021 for a total contract not to exceed  
9 amount of Four Million Seventy-Seven Thousand Five Hundred Dollars (\$4,077,500).

10 3. Except as expressly amended herein, all terms and conditions in  
11 Contract No. 33664 are ratified and confirmed and shall remain in full force and effect.

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4884

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

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4 FERGUSON US HOLDINGS, INC., a  
5 Virginia corporation, formerly known as  
6 FERGUSON ENTERPRISES, INC. a  
7 Virginia corporation

8 5/20

9 2021

By

Name Randy Cross

Title Randy Cross Director of Operations

10 5/20

11 2021

By

Name Gary Grosslight

Title Gary Grosslight Director of Sales

"Contractor"

12 CITY OF LONG BEACH, a municipal  
13 corporation

14 June 9

2021

By

Danda J. Jaram

City Manager

"City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

16 This Sixth Amendment to Contract No. 33664 is approved as to form on

17 6-2

2021.

18  
19 CHARLES PARKIN, City Attorney

20 By

Deputy

**SECRETARIAL CERTIFICATE  
OF  
AUTHORIZATION**

The undersigned Assistant Secretary of Ferguson Enterprises, LLC, a Virginia limited liability company (the "Company"), hereby certifies that: i) certain of the Company's facilities in California are doing business as Ferguson Enterprises, LLC, and ii) Gary Grosslight is Director of Residential Trade and Counters in California, and iii) that the resolutions adopted by the Company's Board of Directors effective July 31, 2019, duly authorize certain of the Company's officers, including the Assistant Secretary, to designate, and I hereby do so designate Gary Grosslight as an authorized representative of the Company to act for and on behalf of the Company to prepare and submit bids and proposals to the Company's customers, to enter into contracts, agreements or other documents, and to execute such documents and undertake all such acts as may be deemed in the best interest of the Company, including the execution of bonds and in doing so, to contractually bind the Company. Unless withdrawn sooner, this certification of authorization shall be effective until July 31, 2021.

Dated: 8/20/2020



**FERGUSON ENTERPRISES, LLC**

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

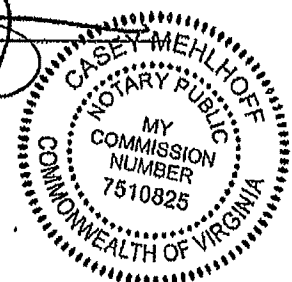
Wesley E. Rice, Assistant Secretary

Commonwealth of Virginia )

City of Newport News )

Sworn to subscribed and acknowledged before me this 20<sup>th</sup> day of August, 2020, by Wesley E. Rice, personally known to me, in his capacity as Assistant Secretary of Ferguson Enterprises, LLC, a Virginia Company, on behalf of such Company

Notary – Casey Mehlhoff



My commission expires: July 31, 2022