

FIRST AMENDMENT TO AGREEMENT NO. 37457
37457

THIS FIRST AMENDMENT TO AGREEMENT NO. 37457 is made and entered as of December 2, 2025, 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 19, 2025, by and between FUJITEC AMERICA, INC., a Delaware corporation ("Contractor"), with a place of business at 12170 Mora Drive, Unit 1, Santa Fe Springs, California 90670, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with Citywide elevator installation, maintenance, repair, inspections, emergency response, and related services in accordance with departmental needs; and

WHEREAS, City and Contractor (the "Parties") entered into Agreement No. 37457 (the "Agreement") whereby Contractor agreed to provide these services; and

WHEREAS, the Parties desire to add funds for a new contract amount not to exceed \$1,100,000 and clarify Exhibits "E" and "F";

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

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

"A. Contractor shall furnish specialized services more particularly described in Exhibit "A-2", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, not to exceed One Million One Hundred Thousand Dollars (\$1,100,000), at the rates or charges shown in Exhibit "B"."

2. Section 19 of the Agreement is hereby amended to read as follows:

3. "19. APPRENTICESHIP EMPLOYMENT. Contractor shall comply with Section 1777.5 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under the Contractor and, by submitting a Bid and

1 executing the Contract, the Contractor stipulates that it shall so comply. Contractors
2 employing apprentices or trainees under approved programs shall maintain written
3 evidence of the registration of apprenticeship programs and certification of trainee
4 programs, the registration of the apprentices and trainees, and the ratios and wage rates
5 prescribed in the applicable programs. For federally assisted contracts, prospective
6 bidders should refer to the Federal Davis Bacon Contract Provisions and Related Matters
7 (29 CFR § 5.5) in Exhibit "F".

8 4. Section 23 of the Agreement is hereby amended to read as follows:

9 5. "23. FEDERAL-AID PROVISIONS. The work to be performed
10 under this Contract will be financed in whole or in part with Federal funds, and therefore all
11 of the statutes, rules and regulations promulgated by the Federal Government and
12 applicable to work financed in whole or in part with Federal funds will apply to such work.
13 Such rules are attached hereto as Exhibit "F" and incorporated herein."

14 6. Except as expressly modified herein, all of the terms and conditions
15 contained in Agreement No. 37457 are ratified and confirmed and shall remain in full force
16 and effect.

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

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.

SARA C. CONLEY
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.
16 January 2025

FUJITEC AMERICA, INC., a Delaware corporation

By D. Yoshimura
Name Darji Yoshimura
Title VP / Treasurer

SARA C. CONLEY
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.
16 January 2025

By Hiroki Tokvami
Name HIROKI TOKVAMI
Title Regional Director

"Contractor"

CITY OF LONG BEACH, a municipal corporation

By DeWaltue
City Manager

"City"

This First Amendment to Agreement No. 37457 is approved as to form on

January 26, 2025

DAWN MCINTOSH, City Attorney

By A.H. Q
Deputy