

FIRST AMENDMENT TO AGREEMENT NO. 19-3686
BETWEEN THE CITY OF LOS ANGELES AND
EFFENCO DEVELOPMENT INC.

THIS FIRST AMENDMENT to Agreement No. 19-3686 is made and entered into by and between the CITY OF LOS ANGELES, a municipal corporation ("City"), acting by and through its Board of Harbor Commissioners ("Board"), and EFFENCO DEVELOPMENT INC. ("Consultant") as follows:

1. Exhibit B "Payment Schedule" is removed in its entirety and replaced with a Exhibit B-1 "Payment Schedule" which is attached hereto and made a part hereof.

Except as amended herein, all remaining terms and conditions of Agreement No. 19-3686 shall remain in full force and effect.

//////

//////

//////

//////

Log #136

TRANSMITTAL 1

Subject to the provisions of Charter Section 245, the effective date of this Amendment shall be the date of its execution by Executive Director upon authorization of the Board. Consultant is aware that the City Council, pursuant to Charter Section 245 of the City of Los Angeles, has the right to review this Amendment. Accordingly, in no event shall this Amendment become effective until after the expiration of the fifth Council meeting day after Board action, or the date of City Council's approval of the Amendment.

IN WITNESS THEREOF, the parties hereto have executed this First Amendment to Agreement No. 19-3686 on the date to the left of their signatures.

THE CITY OF LOS ANGELES, by its
Board of Harbor Commissioners

Dated: _____

By _____
EUGENE D. SEROKA
Executive Director

Attest _____
AMBER M. KLESGES
Board Secretary

Dated: March 18th, 2021

EFFENCO DEVELOPMENT INC.

By: Christian Lafreneg

CHRISTIAN LAFRENEG, VP SALES
(Print/type name and title)

Attest: David Arsenault
DAVID ARSENAULT, CEO
(Print/type name and title)

APPROVED AS TO FORM AND LEGALITY

March 25, 2021

MICHAEL N. FEUER, City Attorney
Janna B. Sidley, General Counsel

By Heather M. McCloskey, Deputy

Rev. 01/11/16

FUNDS AVAILABLE STAMP
03/22/2021

FIRST AMENDMENT TO AGREEMENT NO. 19-3686
BETWEEN THE CITY OF LOS ANGELES AND
EFFENCO DEVELOPMENT INC.

Account#	59965/	11225	W.O. #	78085
Center #	0330/	7000	Job Fac.#	637-00
Budget FY:		0330	7000	
FY 20/21	\$58,350.00	\$58,350.00		
FY 21/22	\$26,941.50	\$26,941.50		
FY 22/23	\$4,708.50	\$4,708.50		
TOTAL	\$90,000.00	\$90,000.00		
For Acct/Budget Div. Use Only				
Verified by:	<i>Julia Garcia</i>		<small>DATE TIME APPROVAL: APPROVED FOR THE CITY OF LOS ANGELES APPROVAL: APPROVED FOR THE CITY OF LOS ANGELES DATE: 2021/03/23 18:58:22 -0700</small>	
Verified Funds Available:	<i>Felia</i>		<small>Digitally signed by Frank Liu Date: 2021/03/23 18:58:22 -0700</small>	
Date Approved:	<u>3/23/21</u>			

EXHIBIT B-1

PAYMENT SCHEDULE

Task/Payment Milestone	Description	Estimated Timing
Task #1	Preparation, Design, and Engineering. Provide all vehicle specifications and complete system layout. Engage with the California Air Resources Board (CARB) to begin the approval process for system installation.	Q1 2021
Payment Milestone #1	Completion of Task #1 Payment: \$9,700 To receive payment, Grantee must submit an Interim Report that includes vehicle specification and system layout and demonstrates coordination with CARB to allow for successful demonstration of technology.	
Task #2	Production. Complete design, procure all material for production, prepare assembly drawings, manufacture, and bench test equipment (in-house testing).	Q1 2021
Payment Milestone #2	Completion of Task #2 Payment: \$107,000 To receive payment, Grantee must submit an Interim Report that demonstrates the completion of technology manufacturing and delivery of systems to APM Terminals.	
Task #3	System Integration and Installation. All systems tested and installed at APM Terminals.	Q3 2021
Payment Milestone #3	Completion of Task #3 Payment: \$26,850 To receive payment, Grantee must submit an Interim Report that demonstrates completion of installation.	
Task #4	In-Use Demonstration/Emission Testing. In-use demonstration for a minimum of six months. If any unit is demonstrated less than six months, a detailed explanation must be provided and the Director of Environmental Management will determine if the minimum demonstration period has been met.	Q2 2022
Payment Milestone #4	Completion of Task #4 Payment: \$27,033 To receive payment, Grantee must submit documentation that in-use testing is complete.	
Task #5	Project Management and Final Report. Monthly meetings and submittal of Final report to Director of Environmental Management.	Completed by expiration of the Agreement.
Payment Milestone #5	Completion of Task #5 Payment: not to exceed \$9,417 To receive payment, Grantee must receive approval of Final Report from the Director of Environmental Management.	