

**ADDENDUM TO THE FIRE SAFETY SERVICES CONTRACT**

**BETWEEN**

**THE CITY OF LONG BEACH**

**And**

**FIRE COMMAND CO. INC.**

THIS ADDENDUM is adopted and applied to the Agreement between the City of Long Beach, New York (the “City”), and Fire Command Co. Inc. (“Contractor”) (referred to collectively as the “Parties”), (the “Original Agreement”), under the authority of City Council Resolution No. 41/19 adopted on June 18, 2019.

WHEREAS, subject to the terms, permissions, responsibilities and obligations of the Original Agreement, the City and Contractor agree as follows:

1. Recitals: The foregoing preamble and “WHEREAS” clause, as well the exhibits referenced therein, if any, are hereby incorporated into and made a part of this Addendum.
2. Controlling Terms/Provisions: To the extent not addressed in this Addendum, all of the terms, provisions, permissions, responsibilities and obligations agreed to between the City and Contractor in the Original Agreement remain in full force and effect throughout the duration of this Addendum.
3. Extension: The Parties previously exercised the first (of two) one year extensions to the original agreement, and now wish to extend the second (of two) one year extensions to the Original Agreement. The Parties agree to extend the term of the Original agreement for one additional year commencing on July 1, 2021 and expiring on June 30, 2022.

4. Termination. The City reserves the absolute right to terminate this Agreement at any time by service of written notice sent via certified mail to the Contractor's address, 475 Long Beach Blvd., PO Box 337, Long Beach, N.Y. 11561.

5. No Modification: This Addendum may not be changed, modified, or altered in any manner, unless in writing and upon mutual consent of the Parties.

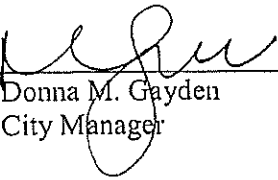
6. No Sole Drafter: The Parties herein acknowledge that they have read this agreement, have had the opportunity to review it with an attorney of their respective choice, and have agreed to all its terms. In the event an ambiguity or a question of intent or interpretation arises, this agreement shall be construed as if drafted jointly by each of the parties hereto and no presumptions or burdens of proof shall arise favoring any party by virtue of the authorship of any provisions of this agreement.

7. Counterparts: This Agreement may be executed in more than one counterpart, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Fax, PDF and Adobe copies of this Agreement shall be deemed as originals. Execution in counterparts and/or by email or facsimile, shall have the same force and effect as an original signature.

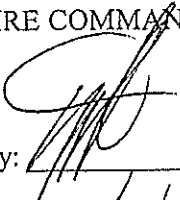
IN WITNESS WHEREOF, the parties have interchangeably set their hands and seals to be hereto affixed the day and year first above written.

(Signature Page Below)

CITY OF LONG BEACH

By:   
Donna M. Gayden  
City Manager

FIRE COMMAND CO. INC.

By:   
Name: Michael J. Kern  
Title: Pres.

# FIRE COMMAND CO. INC.

## Fire Protection Services

*Michael J. Kerr, NYC Licensed Master Fire  
Suppression Piping Contractor Class C-136*

475 Long Beach Boulevard  
P.O. Box 337  
Long Beach, NY 11561  
(800) 753-9599 • (516) 889-1111  
Fax (516) 431-0502  
Email: firecommandco@optonline.net

131-31 Merrick Boulevard  
Springfield Gardens, NY 11434  
(800) 540-7094 • (718) 341-1551  
Fax (718) 341-6348  
Email: firecom6@gmail.com

## FIRE SAFETY SERVICES CONTRACT PROPOSAL

June 6<sup>th</sup>, 2019

City of Long Beach  
1 West Chester Street  
Long Beach, NY 11561-2001

Attn: Purchasing Department

**I am submitting this proposal for the Annual Maintenance of the Fire Safety  
Equipment for the following locations:**

- City of Long Beach Municipal Building, 1 West Chester Street;
- City of Long Beach Central Garage, 601 Long Beach Boulevard;
- City of Long Beach Maintenance Department, 150 West Pine Street;
- City of Long Beach Highway Department, 150 West Pine Street;
- City of Long Beach Sanitation Department, 150 West Pine Street;
- Long Beach Soup Kitchen, 140 West Pine Street;
- Long Beach Surf Rake Garage, 100 West Pine Street;
- Long Beach Pay Loader Garage, 100 West Pine Street;
- Martin Luther King Community Center, 615 Riverside Boulevard;
- City of Long Beach Ice Arena, 1 West Bay Drive;
- City of Long Beach Recreation Center, 700 Magnolia Boulevard;
- City of Long Beach Magnolia Senior Center, 650 Magnolia Boulevard;
- City of Long Beach Water Pollution Control, 700 National Boulevard;
- City of Long Beach Sewer Maintenance Department, 700 National Boulevard;
- City of Long Beach Water Purification Plant, 765 Park Place;
- Long Beach Animal Shelter, 770 Park Place;
- City of Long Beach Water Transmission, 791 Park Place;
- City of Long Beach Fire Station #1, 300 Maple Boulevard;



- City of Long Beach Fire Station #2, 1039 West Park Avenue;
- West End Community Center, 1 Maryland Avenue;
- Grand Boulevard Concession, Grand Boulevard & the Boardwalk;
- Lafayette Comfort Station, Lafayette Boulevard & the Boardwalk;
- National Boulevard Concession, National Boulevard & the Boardwalk;
- Edwards Boulevard Concession, Edwards Boulevard & the Boardwalk;
- Riverside Boulevard Concession, Riverside Boulevard & the Boardwalk;
- Lincoln Boulevard Concession, Lincoln Boulevard & the Boardwalk;
- Pacific Boulevard Concession, Pacific Boulevard & the Beach;
- West End Pump House Location, @ Fire Station #2 in Parking Lot Below Street;
- New York Pump House Location, New York Avenue & West Park Avenue;
- Roosevelt Pump House Location, Roosevelt Boulevard & East Park Avenue;
- Well #9, Lafayette Boulevard & West Bay Drive;
- Well #11, Pacific Boulevard;
- Well #12, West Pine Street Behind Senior Community Center;
- Well #13, Under Water Towers Behind Animal Shelter, 770 Park Place;
- Well #15, Maple Boulevard & East Park Avenue;
- Well #16, 17 & 18 @ Water Purification Plant, 765 Park Place.

**FIRE SAFETY SERVICES INCLUDES:**

- Inspections of Fire Suppression Systems for the Gas Pumps
- Inspections of AES Fire Suppression Systems
- Inspections of Fire Alarm Systems
- Inspections of the Sprinkler Systems {Wet and Dry}.
- Inspections of the Portable Fire Extinguishers
- Trip Test of the Dry Sprinkler Systems. {As required by NFPA Standards}
- Sprinkler Flow Test. {As required by NFPA Standards}

\*\*\*\*TOTAL COST ANNUALLY - \$ 25,000.00\*\*\*\*

\*\*TO BE INVOICED IN QUARTERLY INSTALLMENTS OF \$ 6,250.00\*\*

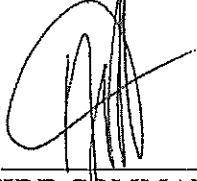
*NOTE: Included in the annual cost, are unlimited fire extinguisher service which includes: the inspections, recharging and hydro-testing of the unit and any necessary parts to be replaced. For the following locations with a Kitchen Area, {Martin Luther King Community Ctr., Magnolia Senior Ctr., & Soup Kitchen} & Concessions, included in the price are the inspections, changing of the fusible links and the hood cleaning. Any new fire extinguishers, repairs or parts for gas pump or cylinders, repairs or parts for AES fire suppression cylinders will be proposed separately. Two (2) Hour Response Time.*

**PAYMENT SCHEDULE: NET 30 DAYS.**

**AGREEMENT:**

  
CITY OF LONG BEACH

DATE: 6/19/19

 Pres  
FIRE COMMAND CO., INC.

DATE: 6/19/19

June 18, 2019

Item No. 2  
Resolution No. 41/19

The following Resolution was moved by Mr. Mandel  
and seconded by Ms. Moore :

Resolution Authorizing the Acting City Manager to Enter  
into an Agreement for the Performing of Fire Safety Services.

WHEREAS, after due advertising therefore, two proposals were received in the Office of the City Purchasing on Tuesday, June 11, 2019 at 2:00 p.m. for the performing of fire safety services at various locations throughout the City; and

WHEREAS, said services shall include testing, inspections and scheduled maintenance for fire suppression systems for gas pumps, AES fire suppression systems, fire alarm systems, sprinkler systems (wet and dry), portable fire extinguishers, trip tests of the dry sprinkler systems and sprinkler flow tests, as well as the changing of fusible links and hood cleanings in locations with kitchens, at 36 various locations throughout the City, in accordance with Nassau County Fire Marshall requirements; and

WHEREAS, the contractor may be asked to undertake various special projects that vary in scope from or are not covered herein above, and in such circumstances, the City will request a detailed cost proposal from the contractor to address the specific action, which will be subject to negotiation; and

WHEREAS, said proposals were scored and evaluated for expertise and understanding of the services required, and based upon the overall scores it was determined that Fire Command Co., 475 Long Beach Boulevard, Long Beach, New York 11561 submitted the proposal that best meets the needs of the City;

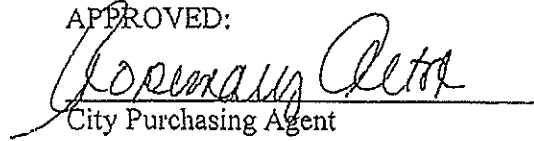
NOW, THEREFORE, be it

RESOLVED, by the City Council of the City of Long Beach, New York that the Acting City Manager be and he hereby is authorized to enter into an agreement with Fire Command Co., 475 Long Beach Boulevard, Long Beach, New York 11561 for the performing of fire safety services at various locations throughout the City in accordance with Nassau County Fire Marshall requirements, at a cost not to exceed \$25,000, unless a special project is required which shall be subject to separate negotiation, for a period of one year, commencing July 1, 2019, with two subsequent one year renewals. Funds are available in Account No. A1620.54445 (Municipal Buildings- Maintenance Contracts).

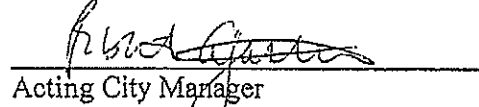
June 18, 2019

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APPROVED:

  
City Purchasing Agent

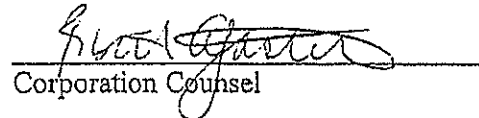
APPROVED AS TO ADMINISTRATION:

  
Acting City Manager

APPROVED AS TO FUNDS:

  
Acting City Comptroller

APPROVED AS TO FORM & LEGALITY:

  
Corporation Counsel

VOTING:

Council Member Bendo - AYE

Council Member Mandel - AYE

Council Member Moore - AYE

Vice President Diamond - AYE

President Eramo - AYE