

Primoris Services CORP  
Form 8-K  
October 06, 2010

# SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

## FORM 8-K

### CURRENT REPORT

PURSUANT TO SECTION 13 OR 15(d) OF  
THE SECURITIES EXCHANGE ACT OF 1934

Date of Report (Date of earliest event reported) **September 30, 2010**

## PRIMORIS SERVICES CORPORATION

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction

of incorporation)

**001-34145**  
(Commission

File Number)

**20-4743916**  
(IRS Employer

Identification No.)

**26000 Commercentre Drive, Lake Forest, CA 92630**

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code **(949) 598-9242**

**Not Applicable**

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(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions ( *see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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As used in this Current Report on Form 8-K, the terms we, us, our and the Company mean Primoris Services Corporation, a Delaware corporation, and our consolidated subsidiaries, taken together as a whole.

### **Item 1.01 Entry into a Material Definitive Agreement**

On September 30, 2010, we entered into a Second Amendment (the Second Amendment ) to our Loan and Security Agreement (the Agreement ), dated October 28, 2009, with The PrivateBank and Trust Company (the Lender ). A copy of the Second Amendment is attached as Exhibit 10.1 to this Current Report on Form 8-K. The Second Amendment extends the maturity dates of our two revolving loans as follows:

- The maturity date of the revolving loan in the amount of \$20.0 million was extended from October 28, 2012 to October 26, 2013.
- The maturity date of the revolving loan in the amount of \$15.0 million was extended from October 27, 2010 to October 26, 2011.

Also, in connection with the Second Amendment, certain of our subsidiaries acknowledged and reaffirmed, or re-executed, their guaranties in favor of the Lender for all amounts borrowed by us under the Agreement. Other than as described above, the Agreement remains unchanged. For a more detailed description of the Agreement, please refer to our Current Report on Form 8-K, as filed on November 4, 2009, and for a complete copy of the Agreement, including all schedules to the Agreement, please refer to our Current Report on Form 8-K/A (Amendment No. 1), as filed on August 3, 2010.

Also, attached as Exhibit 10.2 is a copy of the First Amendment to the Agreement, which we previously entered into with the Lender and which contains certain immaterial amendments to the Agreement.

### **Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

| <b>Exh. No.</b> | <b>Description</b>  |
|-----------------|---|
| 10.1            | Second Amendment to Loan and Security Agreement, dated September 30, 2010, by and among Primoris Services Corporation and The PrivateBank and Trust Company |
| 10.2            | First Amendment to Loan and Security Agreement, dated January 14, 2010, by and among Primoris Services Corporation and The PrivateBank and Trust Company    |



**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**PRIMORIS SERVICES CORPORATION**

Date: October 6, 2010

By: /s/ Peter J. Moerbeek

Name: Peter J. Moerbeek  
Title: Executive Vice President, Chief Financial Officer

**EXHIBIT INDEX**

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