

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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THIRD AMENDMENT TO CONTRACT NO. 32932
32932

THIS THIRD AMENDMENT TO CONTRACT NO. 32932 is made and entered, in duplicate, as of August 27, 2014 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting held on August 19, 2014, by and between EXBON DEVELOPMENT, INC., a California corporation ("Contractor"), whose address is 131831 Newhope Street, Garden Grove, California 92843, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for Job Order Contract (JOC) in the City of Long Beach, California," dated February 2012, and published by City, bids were received, publicly opened and declared on the date specified in said Notice; and

WHEREAS, the parties entered into Contract No. 32932 for the work described in the bid documents; and

WHEREAS, the parties desire to extend the term and increase the Contract amount by \$2,850,000 to perform the demolition of the Belmont Pool and related temporary improvements;

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

1. Section 2.A. of Contract No. 32932 is hereby amended to read as follows:

"2. PRICE AND PAYMENT.

A. City shall pay to Contractor the amount(s) for each Work Order based on the adjustment factor in Contractor's Bid, attached hereto as Exhibit "A"; provided, however, that City shall not pay more than Twelve Million Eight Hundred Fifty Thousand Dollars (\$12,850,000) for the term of the Contract, of which 1) \$7,000,000 is for use by the Port of Long Beach for tenant and security improvements at its Interim Headquarters Building, and 2) \$2,850,000 is used to perform the demolition of the

1 Belmont Pool and related temporary improvements.”

2 2. Section 4.A. of Contract No. 32932 is hereby amended to read as
3 follows:

4 “4. TIME FOR CONTRACT.

5 A. The term of this Contract shall begin on December 1, 2012
6 and shall end on December 1, 2016 or on City’s payment of the not-to exceed
7 dollar amount hereunder to Contractor as specified in Section 2, whichever occurs
8 first.”

9 3. Except as expressly amended in this Third Amendment, all terms
10 and conditions in Contract No. 32932 are ratified and confirmed and shall remain in full
11 force and effect.

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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.

EXBON DEVELOPMENT, INC., a
California corporation

_____, 2014

By _____
Name _____
Title _____

9/3/2014, 2014

By [Signature]
Name JANET H LEE
Title PRES./CEO, SECRETARY

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

Assistant City Manager

September 19, 2014

By [Signature] EXECUTED PURSUANT
City Manager TO SECTION 301 OF
THE CITY CHARTER.

"City"

This Third Amendment to Contract No. 32932 is approved as to form on

Sept. 4, 2014.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

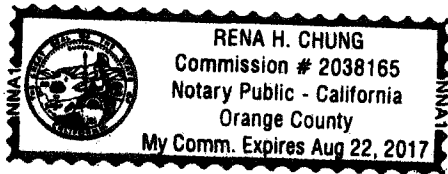
CIVIL CODE § 1189

State of California }
County of Orange }

On 9/3/2014 before me, Rena Chung, Notary public
Date Here Insert Name and Title of the Officer

personally appeared Janet H. Lee
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

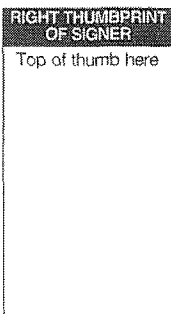
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

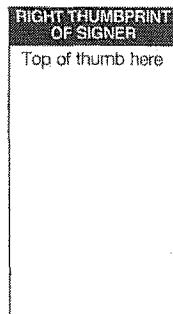
- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Individual
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____