

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 FIRST AMENDMENT TO CONTRACT NO. 29282

2 **29282**

3 THIS FIRST AMENDMENT TO CONTRACT NO. 29282 is made and
4 entered, in duplicate, as of October 11, 2006 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 August 2, 2005, by and between TRAFFIC OPERATIONS, INC., a California corporation
7 ("Contractor"), whose address is 216 Toby Way, Pomona, California 91767, and the CITY
8 OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, pursuant to a "Notice Inviting Bids for the Annual Contract for
10 Street Striping, Pavement and Curb Markings, and Traffic Signing in the City of Long
11 Beach, California," dated June 10, 2005, and published by the City, bids were received,
12 publicly opened and declared on the date specified in said Notice; and

13 WHEREAS, the City Manager accepted the bid of the Contractor; and

14 WHEREAS, the City Council authorized the City Manager to enter a contract
15 with Contractor for the work described in Plans & Specifications No. R-6682; and

16 WHEREAS, the parties desire to extend the term of this Agreement;

17 NOW, THEREFORE, in consideration of the mutual terms and conditions in
18 the Agreement and in this First Amendment, the parties agree as follows:

19 1. Section 4. of the Agreement is hereby amended in its entirety to read as
20 follows:

21 "4. TIME FOR CONTRACT. Contractor shall commence work on September
22 15, 2005 and shall complete all work by September 14, 2006, subject to strikes, lockouts
23 and events beyond the control of Contractor. The first extended term shall commence on
24 September 15, 2006 and shall terminate on September 14, 2007. Time is of the essence
25 hereunder. City will suffer damage if the work is not completed within the time stated, but
26 those damages would be difficult or impractical to determine. So, Contractor shall pay to
27 City, as liquidated damages, the amount stated in the Contract Documents."

28 2. Except as expressly amended in this First Amendment, all terms and

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 conditions in the Agreement are ratified and confirmed and shall remain in full force and
2 effect.

3 IN WITNESS WHEREOF, the parties have caused this document to be duly
4 executed with all formalities required by law as of the date first stated above.

5 TRAFFIC OPERATIONS, INC., a California
6 corporation
7 By Michael A. Izzi Jr.
8 President
9 MICHAEL A. IZZI, JR
10 (Type or Print Name)
11 By MyLinda Izzi
12 Secretary
13 MYLINDA IZZI
14 (Type or Print Name)

15 "Contractor"
16 CITY OF LONG BEACH, a municipal corporation
17 By [Signature]
18 City Manager

19 "City"

20 This Contract is approved as to form on 11/2, 2006.

21 ROBERT E. SHANNON, City Attorney
22 By Kowal Conway
23 Deputy

24 LAC:bg
25 05-01690
26 (L:\APPS\CtyLaw32\WPDOCS\019\004\00095285.WPD)