OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

FIRST AMENDMENT TO CONTRACT NO. 31430

THIS FIRST AMENDMENT TO CONTRACT NO. 31430 is made and entered, in duplicate, as of January 8, 2010 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 December 15, 2009, by and between CLARKE CONTRACTING CORPORATION, a California corporation ("Contractor"), whose address is 4646 Manhattan Beach Blvd., Lawndale, California 90260, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Contract No. 31430 whereby the Contractor agreed to furnish all necessary labor, supervision, tools, materials, supplies, appliances, equipment and transportation for the work described in Plans & Specifications No. R-6763 for the Construction of a Vortex Separation System at Pump Station SD11 in the City of Long Beach, California; and

WHEREAS; certain language regarding the Davis Bacon Act Compliance needs to be updated;

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

1. Exhibit "A", Davis Bacon Act Compliance, paragraph 2(b) is hereby amended to read as follows:

"In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the City of Long Beach shall require that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of six years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid,

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TO SECTION 301 OF THE CITY CHARTER.

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