

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

1                                    SECOND AMENDMENT TO CONTRACT NO. 29041

2    **29041**

3                                    THIS SECOND AMENDMENT TO CONTRACT NO. 29041 is made and  
4 entered, in duplicate, as of November 14, 2006 for reference purposes only, pursuant to  
5 a minute order adopted by the City Council of the City of Long Beach at its meeting on  
6 November 14, 2006, by and between DAMON CONSTRUCTION, INC., a California  
7 corporation ("Contractor"), and the CITY OF LONG BEACH ("City").

8                                    WHEREAS, the parties entered Contract No. 29041 whereby Contractor  
9 agreed to construct sidewalk repairs, curb ramps and related improvements; and

10                                    WHEREAS, the parties desire to extend the term of the Contract and provide  
11 for compensation during the extended term;

12                                    NOW, THEREFORE, in consideration of the mutual terms and conditions in  
13 Contract No. 29041 and herein, the parties agree as follows:

- 14                                    1. Section 2 of Contract No. 29041 is hereby amended to read as follows:  
15                                    "2. PRICE AND PAYMENT. Consultant shall furnish specialized services  
16 more particularly set forth in Exhibit 'A-2', attached hereto and incorporated herein by this  
17 reference, in accordance with the standards of the profession, and City shall pay for said  
18 services in the manner described below, not to exceed \$4,000,000.00, at the rates or  
19 charges described in Exhibit 'A-2'."
- 20                                    2. Section 4 of Contract No. 29041 is hereby amended in its entirety to read  
21 as follows:  
22                                    "4. TIME FOR CONTRACT. The initial Contract shall begin on January 1,  
23 2005 and end on December 31, 2005. The first extended term of this Contract shall  
24 commence at midnight on January 1, 2006 and shall terminate at 11:59 p.m. on December  
25 31, 2006. The second extended term of this Contract shall commence at midnight on  
26 January 1, 2007 and, unless sooner terminated as provided in this Contract, or unless the  
27 services to be performed hereunder or the project is completed sooner, shall terminate at  
28 11:59 p.m. on December 31, 2007. Contractor shall commence work on issuance of

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1 sub-purchase orders and shall complete all work in accordance with the Specifications.  
2 Time is of the essence hereunder. City will suffer damage if the work is not completed  
3 within the time stated, but those damages would be difficult or impractical to determine.  
4 So, Contractor shall pay to City, as liquidated damages, the amount stated in the Contract  
5 Documents.”

6 3. Except as expressly amended herein, all terms and conditions in Contract  
7 No. 29041 are ratified and confirmed and shall remain in full force and effect.

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

10 DAMON CONSTRUCTION INC., a California  
11 corporation

12 11/8, 2006

13 By Margaret Ann Rullo  
14 President  
15 MARGARET ANN RULLO  
16 (Type or Print Name)

17 11-8-, 2006

18 By J. Robert Rullo  
19 Secretary  
20 J. ROBERT RULLO  
21 (Type or Print Name)

22 “Contractor”

23 CITY OF LONG BEACH

24 12.8, 2006

25 By Marcia Rineer  
26 City Manager

27 “City”

28 on 12/5, 2006. This Second Amendment to Contract No. 29041 is approved as to form

ROBERT E. SHANNON, City Attorney

By Lisa A. Conway  
Deputy

**ACKNOWLEDGMENT**

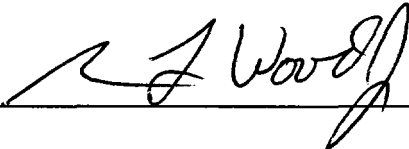
State of California  
County of ORANGE

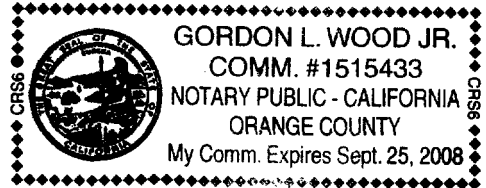
On 11/08/2006 before me, GORDON L. WOOD JR., NOTARY PUBLIC,  
(here insert name and title of the officer)

personally appeared MARGARET ANN RULLO, PRESIDENT &  
J. ROBERT RULLO, SECRETARY/TREASURER

personally known to me (~~or 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.

WITNESS my hand and official seal.

Signature 



(Seal)

TABULATION OF UNIT COSTS FOR  
 THE ANNUAL CONTRACT FOR SIDEWALK REPAIRS, CURB  
 RAMPS, AND RELATED IMPROVEMENTS IN THE CITY OF  
 LONG BEACH, CALIFORNIA IN ACCORDANCE WITH  
 PLANS AND SPECIFICATIONS NO. R-6666

DAMON CONSTRUCTION  
 455 CARSON PLAZA DR., #F  
 CARSON, CA 90746  
 (310)324-7141

<u>BID ITEMS</u>	<u>QUANTITY</u>	<u>UNIT COST</u>
1 Adjust City Manhole Frame & Cover	EA	\$450.00
2 Adjust L.A.C.S.D. Manhole Frame & Cover	EA	\$450.00
3 Manhole Step	EA	\$150.00
4 Adjust Water Valve Box & Cover and Meter Box & Cover	EA	\$90.00
5 Reconstruct Water Valve Box & Cover	EA	\$195.00
6 Adjust Gas Valve Box & Cover	EA	\$90.00
7 Replace Pull Box	EA	\$225.00
8 Survey Monument Type C with Casting & Cover	EA	\$360.00
9 Install Survey Monument Casting & Cover	EA	\$500.00
10 Adjust Survey Monument Casting & Cover	EA	\$400.00
11 Survey Bench Mark, Type 1	EA	\$400.00
12 Curb Drain	EA	\$350.00
13 Pavement Grinding 6" wide, 1" Average Depth	LF	\$20.00
14 Root Pruning, 14" Deep	LF	\$15.00
15 Root Pruning, 26" Deep	LF	\$20.00
16 Tree Pruning	EA	\$235.00
17 Tree Removal up to 24" Diameter Trunk	EA	\$595.00
18 Tree Removal, 25" to 36" Diameter Trunk	EA	\$865.00
19 P.C.C. Curb, GB Type A1	LF	\$21.84
20 P.C.C. Curb, GB Type A1, Integral	LF	\$21.84
21 P.C.C. Curb & Gutter, GB Type A2, W=1.5'	LF	\$30.21
22 P.C.C. Curb & Gutter, GB Type A2, W=2'	LF	\$35.21
23 P.C.C. Sidewalk, 3" Thick	SF	\$4.97
24 P.C.C. Curb Ramps, 4" Thick	SF	\$7.45
25 P.C.C. Driveway Apron, 4" Thick	SF	\$5.85
26 P.C.C. Driveway Apron, 6" Thick	SF	\$7.03
27 P.C.C. Pavement, 6" Thick	SF	\$7.03
28 P.C.C. Cross Gutter, 8" Thick	SF	\$10.89
29 Curb Painting	LF	\$3.00
30 Private Hardscape Restoration	SF	\$25.00
31 Unclassified Excavation	SF	\$86.00
32 P.C.C. Pavement, 4" Thick	SF	\$5.85
33 Expansion Joint Sealant (Caulking)	LF	\$6.50
34 Retaining Curb @ Curb Ramps & Alley Ways	LF	\$19.80
35 Adjust Manholes	SF	\$600.00
36 R & R Asphalt Pavement	SF	\$9.40
37 Cast in Trac Truncated Domes (Wet Set)	SF	\$135.00
38 Cast in Trac Truncated Domes (Thin Set)	SF	\$125.00