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

SECOND AMENDMENT TO CONTRACT NO. 29282

THIS SECOND AMENDMENT TO CONTRACT NO. 29282 is made and entered, in duplicate, as of August 14, 2007 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 2, 2005, by and between TRAFFIC OPERATIONS, INC., a California corporation ("Contractor"), whose address is 216 Toby Way, Pomona, California 91767, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Agreement No. 29282 whereby Contractor agreed to provide the work described in Plans & Specifications No. R-6682; and

WHEREAS, the First Amendment to Agreement No. 29282 extended the term of the Agreement for an additional year; and

WHEREAS, the parties again desire to extend the term of Agreement No. 29282:

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

- 1. Section 4. of the Agreement is hereby amended in its entirety to read as follows:
- "4. <u>TIME FOR CONTRACT</u>. Contractor shall commence work on September 15, 2005 and shall complete all work by September 14, 2006, subject to strikes, lockouts and events beyond the control of Contractor. The first extended term shall commence on September 15, 2006 and shall terminate on September 14, 2007. The second extended term shall commence on September 15, 2007 and shall terminate on September 14, 2008. Time is of the essence hereunder. City will suffer damage if the work is not completed within the time stated, but those damages would be difficult or impractical to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated in the Contract Documents."
 - 2. Except as expressly amended in this Second Amendment, all terms

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