

SECOND AMENDMENT TO CONTRACT NO. 35377

35377

THIS SECOND AMENDMENT TO CONTRACT NO. 35377 is made and entered, in duplicate, as of March 3, 2021 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on March 2, 2021, by and between BELLINGHAM MARINE INDUSTRIES, INC., a Washington corporation ("Contractor"), whose address is 8810 Sparling Lane, Dixon, California 95620, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 35377 (the "Contract") whereby Contractor agreed to provide the specialized services as described in Request for Proposals No. PR18-130 for Downtown Shoreline Marina Fire System Rehabilitation; and

WHEREAS, the Parties entered into a First Amendment to the Contract to add the 15% contingency amount of \$74,562 in order to pay invoices; and

WHEREAS, the Parties desire to add \$337,000 to the Contract, with an additional 15% contingency in the amount of \$50,550 for a revised total not to exceed Contract amount of \$959,193, add an additional one-year renewal option, and attach an additional scope of work;

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

1. Section 2.A of the Contract is hereby amended to read as follows:

"2. PRICE AND PAYMENT.

A. City shall pay to Contractor the amount(s) for materials and work identified in Contractor's Proposal for Downtown Shoreline Marina Fire System Rehabilitation in the City of Long Beach, California, attached hereto as Exhibit "A-1"; provided, however, that the total compensation to Contractor shall not exceed the maximum cumulative amount of Nine Hundred Fifty-Nine Thousand One Hundred Ninety-Three Dollars (\$959,193) for the estimated quantities established

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

1 in the Proposal, subject to additions or deductions as provided in the Contract
2 Documents.”

3 2. Section 4 of the Contract is hereby amended to read as follows:

4 “4. TIME FOR CONTRACT. The term of this Contract shall commence
5 at midnight on March 1, 2020, and shall terminate at 11:59 p.m. on April 30, 2022, unless
6 sooner terminated as provided in this Contract, or unless the services or the Project is
7 completed sooner, subject to strikes, lockouts and events beyond the control of the
8 Contractor. Time is of the essence hereunder. City will suffer damage if the work is not
9 completed within the time stated, but those damages would be difficult or impractical to
10 determine. So, Contractor shall pay to City, as liquidated damages, the amount stated in
11 the Contract Documents.”

12 3. The Scope of Work in Exhibit “A-1” to the Contract is hereby amended
13 to include additional services more particularly described in Exhibit “A-2”, attached hereto
14 and incorporated by this reference.

15 4. Except as expressly modified herein, all of the terms and conditions
16 contained in this Contract are ratified and confirmed and shall remain in full force and effect.

17 ///
18 ///
19 ///
20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///
28 ///

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4511

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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.

BELLINGHAM MARINE INDUSTRIES, INC., a Washington corporation

MARCH 30, 2021 By [Signature]
Name ERIC NORVAL
Title GENERAL MANAGER

_____, 2021 By _____
Name _____
Title _____

"Contractor"

CITY OF LONG BEACH, a municipal corporation

April 5, 2021 By [Signature]
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER

"City"

This Second Amendment to Contract No. 35377 is approved as to form on

MARCH 31, 2021.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

EXHIBIT “A-2”

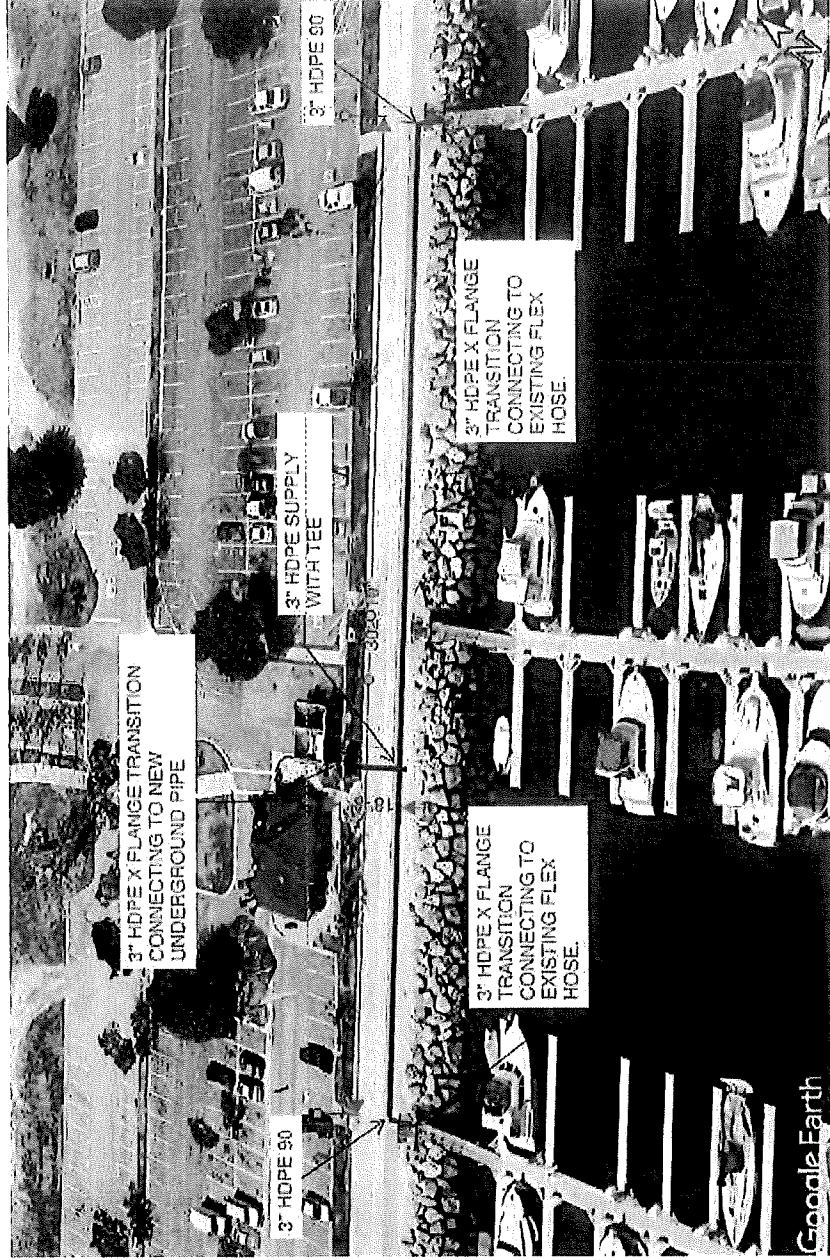


Downtown Shoreline Marina Fire Line Rehabilitation Second Amendment Scope

Bellingham Marine

3/25/2021

CCDDEE Materials (typical)



CCDDEE Excavation and Traffic

