# OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

#### SECOND AMENDMENT TO CONTRACT NO. 33418

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THIS SECOND AMENDMENT TO CONTRACT NO. 33418 is made and entered, in duplicate, as of October 28, 2015, 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 April 1, 2014, by and between MIKE PRLICH & SONS, INC., a California corporation ("Contractor"), whose address is 5103 Elton Street, Baldwin Park, California 91706, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City entered Contract No. 33418 with Contractor for the work described in Plans and Specifications No. G-302; and

WHEREAS, the parties wish to exercise their second and final option to extend the term of the Contract; and

WHEREAS, the parties agree that the total compensation for the extended term shall not exceed \$221,059;

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

- 1. Section 4 of Contract No. 33418 is hereby amended to read as follows:
- "4. <u>TIME FOR CONTRACT</u>. Contractor shall commence work on a date to be specified in a written "Notice to Proceed" from City for each Project or portion thereof. Each "Notice to Proceed" shall contain a Project Start Date. Contractor and City shall mutually agree to the Project Completion Date in writing within ten (10) days following the issuance of the "Notice to Proceed." All work identified in Specifications No. G-302 shall be completed prior to December 31, 2016, subject to strikes, lockouts and events beyond the control of Contractor. 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."

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1	2. Except as expressly modified herein, all of the terms and conditions		
2	contained in Contract No. 33418 are ratified and confirmed and shall remain in full force		
3	3 and effect.		
4	IN WITNESS WHEREOF, the parties have caused this document to be duly		
5	executed with all formalities required by law as of the date first stated above.		
6	oornoration	S, INC., a California	
7 8 9	8 November 10 , 2015 By	h	
10	10 , 2015 By Name Michael	PRICH	
12	Title Property	M	
13 14	CITY OF LONG BEAC	H, a municipal	
15	15 <u>ec.</u> 9, 2015 By City Ma	EXECUTED PURSUAL TO SECTION 301 ( THE CITY CHARTE	
16 17	16   "Cit."	ssistant City Manage	
18	This Second Amendment to Contract No. 33418 is ap	This Second Amendment to Contract No. 33418 is approved as to form on	
19	19 November 23, 2015.		
20	CHARLES PARKIN, Cit	Attorney	
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## **State of California County of Los Angeles**

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

GREGG ARDEN ALFVEGREN
COMMISSION # 1978040 0
Notary Public - California Z
LOS ANGELES COUNTY
My Comm. Expires Jun. 9, 2016

(Seal)

### Mike Prlich and Sons Inc. 5103 Elton Street Baldwin Park, California 91706 (626)813-1700 Fax (626)813-1770

### RESOLUTION BY THE BOARD OF DIRECTORS OF MIKE PRLICH AND SONS INC

WHEREAS, THE UNDERSIGNED BEING ALL OF THE DIRECTORS (OR A MAJORITY) OF THE ABOVE-NAMED CORPORATION, HERBY INDIVIDUALY AND COLLECTIVELY CONSENT TO THE FOLLOWING RESOLUTION:

RESOLVED, THAT ANY ONE OR MORE OF THE FOLLOWING OFFICERS OF THIS CORPORATION IS HERBY AUTHORIZED TO ENTER INTO ANY CONTRACT OR EXECUTE ANY INSTUMENT IN THE NAM OF AND ON BEHALF OF THE CORPORATION. SUCH POWER IS GENREAL.

MICHAEL A. PRLICH - PRESIDENT

PETER A. SERDARUSICH SECRETARY/TRESURER

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RESOLVED FURTHER, THAT ANY OF THE ABOVE OFFICERS OF THIS CORPORRATION IS HERBY AUTHORIZED TO EXECUTE ANY DOUCUMENTS OR INSTURMENT ON BEHALF OF THE CORPORATION. THE UNDERSIGNED, BEING ALL OF THE DIRECTORS (OR A MAJORITY) OF THIS CORPORATION, HERBY ADOPT AND CONSET TO THE FOREGOING RESOLUTION IN LIEU OF A MEETING.

DATED: January 22, 2011

President

Secretary/Treasurer

Director

Director