

FIRST AMENDMENT TO CONTRACT NO. 31469

**31469**

THIS FIRST AMENDMENT TO CONTRACT NO. 31469 is made and entered, in duplicate, as of November 4, 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 DEROVATIONS CORPORATION, a Minnesota corporation aka Dero Bike Racks Co. ("Contractor"), whose address is 2657 32<sup>nd</sup> Avenue, Minneapolis, Minnesota 55406, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for the Furnishing of Bike Parking Equipment in the City of Long Beach, California," bids were received, publicly opened on November 4, 2009 and declared on the date specified in said Notice; and

WHEREAS, the City Manager accepted the bid of Contractor; and

WHEREAS, the City Council authorized the City Manager to enter a contract with Contractor for the work described in Plans & Specifications No. R-6821; and

WHEREAS, the parties desire to amend the Contract to clarify the price and payment terms and conditions;

NOW, THEREFORE, in consideration of the mutual terms and conditions contained in Contract No. 31469 and herein, the parties agree as follows:

1. Section 2.A. of Contract No. 31469 is hereby amended in its entirety to read as follows:

"A. City shall pay to Contractor for furnishing the materials and doing the work based on the unit prices set forth in Contractor's "Bid for Furnishing Bike Parking Equipment in the City of Long Beach, California," attached hereto as Exhibit "A", in an amount not to exceed Eight Hundred Thirty-Seven Thousand Seven Hundred Sixty-Four Dollars (\$837,764). It is understood and agreed that the quantities set forth in Exhibit "A" for which unit prices are fixed are estimates only and that City will pay and

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

Contractor will accept, as full payment for these items of work, the unit prices set forth in Exhibit "A" multiplied by the actual number of units performed, constructed or completed as directed by the City Engineer."

2. Except as expressly modified herein, all of the terms and conditions contained in Contract No. 31469 are ratified and confirmed and shall remain in full force and effect.

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.

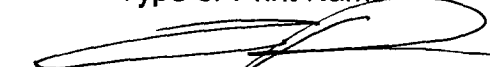
DEROVATIONS CORPORATION, a  
Minnesota corporation aka Dero Bike  
Racks Co.

Nov 18<sup>th</sup>, 2010

By 

Hans Steege  
Type or Print Name

Nov 18<sup>th</sup>, 2010

By 

Corie Ross  
Type or Print Name

"Contractor"

CITY OF LONG BEACH, a municipal  
corporation Assistant City Manager

12.3, 2010

By 

City Manager  
EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

"City"

This First Amendment to Contract No. 31469 is approved as to form on

11/30, 2010.

ROBERT E. SHANNON, City Attorney

By   
Deputy