

1 FIRST AMENDMENT TO CONTRACT NO. 31470

2 **31470**

3 THIS FIRST AMENDMENT TO CONTRACT NO. 31470 is made and
4 entered, in duplicate, as of November 22, 2010 for reference purposes only, pursuant to
5 a minute order adopted by the City Council of the City of Long Beach at its meeting held
6 on November 16, 2010, by and between MARK SAUER CONSTRUCTION, INC., a
7 California corporation ("Contractor"), whose address is 19712 Temescal Canyon Road,
8 Corona, California 92881, and the CITY OF LONG BEACH, a municipal corporation
9 ("City").

10 WHEREAS, pursuant to a "Notice Inviting Bids for the Improvement of
11 Rancho Los Cerritos Arroyo Restoration, Entryway, Visitors Center, Caretaker's
12 Residence, Trash Enclosure & Driveway Slurry Coat in the City of Long Beach,
13 California," bids were received, publicly opened on October 1, 2009 and declared on the
14 date specified in said Notice; and

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

16 WHEREAS, the City Council authorized the City Manager to enter a
17 contract with Contractor for the work described in Plans & Specifications No. R-6726;

18 WHEREAS, the parties desire to increase the Contract amount by
19 \$280,133;

20 NOW, THEREFORE, in consideration of the mutual terms and conditions in
21 the Contract and in this First Amendment, the parties agree as follows:

22 1. Section 2 of Contract No. 31470 is hereby amended to read as
23 follows:

24 "2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s)
25 for materials and work identified in Contractor's "Bid for the Improvement of Rancho Los
26 Cerritos Arroyo Restoration, Entryway, Visitors Center, Caretaker's Residence, Trash
27 Enclosure & Driveway Slurry Coat in the City of Long Beach, California," attached hereto
28 as Exhibit "A", provided, however, that City shall not pay more than Two Million Four

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

1 Hundred Eighteen Thousand One Hundred Thirty-Three Dollars (\$2,418,133) for the term
2 of the Contract.”

3 2. Except as expressly amended in this First Amendment, all terms and
4 conditions in Contract No. 31470 are ratified and confirmed and shall remain in full force
5 and effect.

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

8 MARK SAUER CONSTRUCTION, INC., a
9 California corporation

10 12/15, 2010

By [Signature]

President

MARK SAUER

Type or Print Name

11
12 12/15, 2010

By Janeene M. Durham

Secretary

Janeene M. Durham

Type or Print Name

15 “Contractor”

16 CITY OF LONG BEACH, a municipal
17 corporation

Assistant City Manager

18 1.12, 2011

By [Signature]

EXERCISED PURSUANT
CITY MANAGER POSITION 301 OF
THE CITY CHARTER.

19 “City”

20 This First Amendment to Contract No. 31470 is approved as to form on

21 1/3, 2011.

22 ROBERT E. SHANNON, City Attorney

23 By [Signature]

24 Deputy

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