

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

FIFTH AMENDMENT TO CONTRACT NO. 32487

32487

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3 THIS FIFTH AMENDMENT TO CONTRACT NO. 32487 is made and
4 entered, in duplicate, as of December 19, 2016 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on
6 December 13, 2016, by and between C J CONCRETE CONSTRUCTION, INC., a
7 California corporation ("Contractor"), whose address is 10142 Shoemaker Avenue, Santa
8 Fe Springs, California 90670, and the CITY OF LONG BEACH, a municipal corporation
9 ("City").

10 WHEREAS, pursuant to a Notice Inviting Bids for Annual Contract for
11 Concrete Repairs and Related Improvements in the City of Long Beach, California, dated
12 November 30, 2011, and published by City, bids were received, publicly opened and
13 declared on the date specified in said Notice; and

14 WHEREAS, City and Contractor entered into Contract No. 32487 (the
15 "Contract") for the work described in the bid documents; and

16 WHEREAS, City and Contractor entered into a First Amendment to the
17 Contract to extend the term to December 31, 2013 and increase the not to exceed amount
18 to \$8,000,000; and

19 WHEREAS, City and Contractor entered into a Second Amendment to the
20 Contract to extend the term to December 30, 2014 and increase the not to exceed amount
21 to \$13,000,000; and

22 WHEREAS, City and Contractor entered into a Third Amendment to the
23 Contract to extend the term to December 30, 2015 and increase the not to exceed amount
24 to \$18,000,000; and

25 WHEREAS, City and Contractor entered into a Fourth Amendment to the
26 Contract to extend the term to December 30, 2016 and increase the not to exceed amount
27 to \$23,000,000; and

28 WHEREAS, City and Contractor again desire to extend the term;

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

3 1. 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 January 1, 2012, and shall terminate at 11:59 p.m. on December 30, 2017,
6 unless sooner terminated as provided in this Contract, or unless the services or the Project
7 is completed sooner."

8 2. Except as expressly amended in this Fifth Amendment, all terms and
9 conditions in Contract No. 32487 are ratified and confirmed and shall remain in full force
10 and effect.

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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.

C J CONCRETE CONSTRUCTION, INC.,
a California corporation

_____, 20__

By _____
Name John C. Sarno
Title President

_____, 20__

By _____
Name John C. Sarno
Title Secretary

"Contractor"

CITY OF LONG BEACH, a municipal corporation

Jan. 17, 2017

By _____
City Manager

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

This Fifth Amendment to Contract No. 32487 is approved as to form on

1/5, 2017

CHARLES PARKIN, City Attorney

By _____
Deputy