

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

SECOND AMENDMENT TO CONTRACT NO. 31471

31471

THIS SECOND AMENDMENT TO CONTRACT NO. 31471 is made and entered, in duplicate, as of November 7, 2011 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 November 1, 2011, by and between ALL AMERICAN ASPHALT, a California corporation ("Contractor"), whose address is 400 E. Sixth Street, Corona, California 92879, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for the Annual Contract for Street Improvements in the City of Long Beach, California," bids were received, publicly opened on November 18, 2009 and declared on the date specified in said Notice; and

WHEREAS, the parties entered Contract No. 31471 for the work described in the bid documents; and

WHEREAS, the parties desire to increase the Contract amount by an additional \$6,000,000 for a total not to exceed amount of \$12,000,000 and extend the term;

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

1. Section 2 of Contract No. 31471 is hereby amended to read as follows:

"2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s) for materials and work identified in Contractor's "Bid for the Annual Contract for Street Improvements in the City of Long Beach, California," attached hereto as Exhibit "A"; provided, however, that City shall not pay more than Twelve Million Dollars (\$12,000,000) for the term of the Contract."

2. Section 4 of Contract No. 31471 is hereby amended to read as follows:

"4. TIME FOR CONTRACT. The term of this Contract shall begin on

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1 December 16, 2009 and shall end on December 15, 2012 or on City's payment of the
2 not-to exceed dollar amount hereunder to Contractor as specified in Section 2, whichever
3 occurs first."

4 3. Except as expressly amended in this Second Amendment, all terms
5 and conditions in Contract No. 31471 are ratified and confirmed and shall remain in full
6 force and effect.

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

9 ALL AMERICAN ASPHALT, a California
10 corporation

11 DECEMBER 9, 2011

11 By 
12 VICE - President

12 ROBERT BRADLEY
13 Type or Print Name

13 DECEMBER 9, 2011

13 By 

14 Secretary
14 MARK LUBER
15 Type or Print Name

16 "Contractor"

17 CITY OF LONG BEACH, a municipal
18 corporation

18 12-16, 2011

19 By  Assistant City Manager
20 City Manager

21 "City"

21 EXECUTED PURSUANT
22 TO SECTION 301 OF
23 THE CITY CHARTER.

22 This Second Amendment to Contract No. 31471 is approved as to form on

23 12/14, 2011.

24 ROBERT E. SHANNON, City Attorney

25 By 
26 Deputy

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Riverside

On December 9, 2011 before me, Brenda L. Royster, Notary Public
Date Here Insert name and Title of the Officer

personally appeared Robert Bradley and Mark Luer
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature Brenda L. Royster
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to person relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document Second Amendment to Contract – City of Long Beach

Document Date: December 9, 2011 Number of Pages: 3

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robert Bradley

Individual

Corporate Officer – Title(s): Vice-President

Partner – Limited General

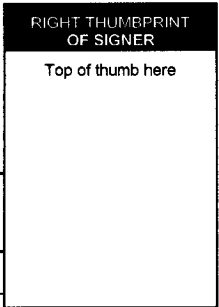
Attorney in Fact

Trustee

Other: _____

Signer is Representing:

All American Asphalt



Signer's Name: Mark Luer

Individual

Corporate Officer – Title(s): Secretary

Partner – Limited General

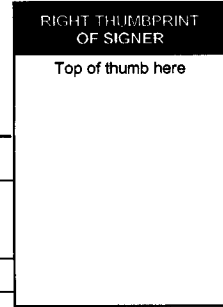
Attorney in Fact

Trustee

Other: _____

Signer is Representing:

All American Asphalt





ALL AMERICAN ASPHALT ALL AMERICAN AGGREGATES

P.O. BOX 2229, CORONA, CA 92878-2229
STATE CONTRACTORS LICENSE #267073-A

CORPORATE RESOLUTION

Resolved, that this Corporation, All American Asphalt, on December 5, 2011 designated Robert Bradley to represent our Corporation in the capacity of President.

A handwritten signature in black ink, appearing to read 'Mark Luer', written over a horizontal line.

Mark Luer, Secretary