

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

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FIRST AMENDMENT TO DESIGN-BUILD CONTRACT NO. 35869

35869

THIS FIRST AMENDMENT TO DESIGN-BUILD CONTRACT NO. 35869 is made and entered, in duplicate, as of February 23, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on February 9, 2021, by and between EBS GENERAL ENGINEERING, INC., a California corporation ("Design-Builder"), with a place of business at 1345 Quarry Street, Suite 101, Corona, California 92879, and the CITY OF LONG BEACH, a municipal corporation ("Owner" or "City").

WHEREAS, the City and Design-Builder (the "Parties") entered into Design-Build Contract No. 35869 (the "Contract") whereby Design-Builder agreed to provide services for curb ramps; and

WHEREAS, the term of the Contract began on March 1, 2021 and ends on February 28, 2023, or on the City's payment of the non-to-exceed dollar amount under the Contract, whichever occurs first; and

WHEREAS, the City Council authorized a contract term of two (2) years, with the option to renew for two (2) additional one-year periods, at the discretion of the City Manager;

WHEREAS, the Parties desire to extend the term of the Contract by one (1) additional one-year period;

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

1. Section 5.1 of the Agreement is hereby amended to read as follows.
"5.1 The term of this Contract shall begin on March 1, 2021 and shall end on February 28, 2024, or on City's payment of the not-to exceed dollar amount hereunder to Contractor as specified in Section 6, whichever occurs first."

2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35869 are ratified and confirmed and shall remain in full force

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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.

EBS GENERAL ENGINEERING, INC., a California corporation

March 03, 2023

By [Signature]
Name Joseph Nanci
Title Vice President

_____, 2023

By _____
Name _____
Title _____

"Consultant"

EXECUTED PURSUANT TO SECTION 301 OF CITY OF LONG BEACH, a municipal corporation THE CITY CHARTER.

March 29, 2023

By Linda J. Jakum
City Manager

"City"

This First Amendment to Agreement No. 35869 is approved as to form on

MARCH 21, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy