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

## THIRD AMENDMENT TO CONTRACT NO. 29041

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THIS THIRD AMENDMENT TO CONTRACT NO. 29041 is made and entered, in duplicate, as of June 25, 2007 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 19, 2007, by and between DAMON CONSTRUCTION, INC., a California corporation ("Contractor"), and the CITY OF LONG BEACH ("City").

WHEREAS, the parties entered Contract No. 29041 whereby Contractor agreed to construct sidewalk repairs, curb ramps and related improvements; and

WHEREAS, the First Amendment to Contract No. 29041 increased the contract amount by \$1,500,000, for a total amount of \$7,000,000; and

WHEREAS, the Second Amendment to Contract No. 29041 increased the contract amount by \$4,000,000, for a total amount of \$11,000,000;

WHEREAS, the parties desire to again increase the total Contract amount;

NOW, THEREFORE, in consideration of the mutual terms and conditions in

Contract No. 29041 and herein, the parties agree as follows:

- 1. Section 2 of Contract No. 29041 is hereby amended to read as follows:
- "2. PRICE AND PAYMENT. Consultant shall furnish specialized services more particularly set forth in Exhibit 'A-2', attached to the Second Amendment and incorporated by this reference, in accordance with the standards of the profession, and City desires to increase the Contract amount by \$2,000,000, for a total amount, not to exceed \$13,000,000."
- 2. Except as expressly amended herein, all terms and conditions in Contract No. 29041 are ratified and confirmed and shall remain in full force 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. DAMON CONSTRUCTION, INC., a California corporation しいして (Type or Print Name) retary (Type or Print Name) "Contractor" CITY OF LONG BEACH, a municipal OFFICE OF THE CITY ATTORNEY ROBERT E. SHANNON, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664 corporation City Manager "City" This Third Amendment to Contract No. 29041 is approved as to form on 7/31, 2007. ROBERT E. SHANNON, City Attorney By You'h Come Deputy