

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4694

THIRD AMENDMENT TO CONTRACT NO. 35153

35153

THIS THIRD AMENDMENT TO CONTRACT NO. 35153 is made and entered, as of December 1, 2022, 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 December 18, 2018, by and between CJ CONCRETE CONSTRUCTION, INC., a California corporation ("Contractor"), whose address is 10142 Shoemaker Avenue, Santa Fe Springs, California 90670, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 35153 (the "Contract") whereby Contractor agreed to provide the work described in Project Plans and Specifications No. R-7140, Contract for Curb Ramps and Related Improvements in the City of Long Beach, California, in the amount of Ten Million Dollars (\$10,000,000) for a period of two (2) years; and

WHEREAS, the Parties entered into a First Amendment to the Contract to extend the term to December 31, 2021; and

WHEREAS, the Parties entered into a Second Amendment to the Contract to extend the term to December 31, 2022, add Ten Million Dollars (\$10,000,000) for a total not to exceed amount of Twenty Million Dollars (\$20,000,000) and attach an updated rate sheet; and

WHEREAS, the Parties desire to extend the term for one additional one (1) year period, and attach an updated rate sheet;

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

1. Section 4 of the Contract is hereby amended to read as follows:

"4. TIME FOR CONTRACT. The term of this Contract shall commence at midnight on January 1, 2019, and shall terminate at 11:59 p.m. on December 31, 2023, unless sooner terminated as provided in this Contract, or unless the services or the Project is completed sooner. Time is of the essence hereunder. City will suffer damage if the work

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1 is not completed within the time stated, but those damages would be difficult or impractical
2 to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated
3 in the Contract Documents."

4 2. The Rates in Exhibit "A-1" to the Second Amendment to the Contract
5 are hereby amended and replaced by Exhibit "A-2", attached hereto and incorporated
6 herein.

7 3. Except as expressly modified herein, all of the terms and conditions
8 contained in Contract No. 35153 are ratified and confirmed and shall remain in full force
9 and effect.

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

3 CJ CONCRETE CONSTRUCTION, INC., a
4 California corporation

5 By [Signature]
6 Name John C. Sarno
7 Title President

8 By [Signature]
9 Name John C. Sarno
10 Title Secretary

11 "Contractor"

12 CITY OF LONG BEACH, a municipal
13 corporation

14 By Sandra J. Jakurs

CITY MOVED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

15 "City"

16 This Third Amendment to Contract No. 35153 is approved as to form on

17 December 13, 2022.

18 CHARLES PARKIN, City Attorney

19 By [Signature]
20 Deputy

Exhibit A-2

CJ Construction
Long Beach R-7140 8% Increase
10/21/2022

Item No.	Item Description	Quantity	Unit	3% Increase 08/30/2021		8% Increase 10/21/2022	
				Unit Price	Item Total	Unit Price	Item Total
1	Curb Ramp Case A, Detail 1A	40	EA	4,428.00	177,160.00	4,783.32	191,332.80
2	Curb Ramp Case A, Detail 1B	120	EA	4,429.00	531,480.00	4,783.32	573,996.40
3	Curb Ramp Case A, Detail 2	15	EA	4,428.00	66,435.00	4,783.32	71,749.80
4	Curb Ramp Case A, Detail 3 or 4	15	EA	4,429.00	66,435.00	4,783.32	71,749.80
5	Curb Ramp Case B, Detail 1A	20	EA	4,429.00	88,580.00	4,783.32	95,666.40
6	Curb Ramp Case B, Detail 2	5	EA	4,429.00	22,145.00	4,783.32	23,916.60
7	Curb Ramp Case B, Detail 3 or 4	5	EA	4,429.00	22,145.00	4,783.32	23,916.60
8	Curb Ramp Case C	180	EA	4,429.00	798,640.00	4,783.32	765,331.20
9	Curb Ramp Case D, Detail 1A	15	EA	4,429.00	66,435.00	4,783.32	71,749.80
10	Curb Ramp Case D, Detail 1B	15	EA	4,429.00	66,435.00	4,783.32	71,749.80
11	Curb Ramp Case D, Detail 3 or 4	10	EA	4,429.00	44,290.00	4,783.32	47,833.20
12	Curb Ramp Case E	20	EA	4,429.00	88,580.00	4,783.32	95,666.40
13	Curb Ramp Case F	10	EA	4,429.00	44,290.00	4,783.32	47,833.20
14	Curb Ramp Case G	10	EA	4,429.00	44,290.00	4,783.32	47,833.20
15	Curb Ramp Case H	50	EA	4,429.00	221,450.00	4,783.32	239,166.00
16	Install ADA Detectable Warning Surface (No Ramp Construction)	850	SF	41.20	35,020.00	44.50	37,821.60
17	Remove Existing and Construct PCC Sidewalk, 3" Thick	5,000	SF	7.73	38,625.00	8.34	41,715.00
18	Remove Existing and Construct PCC Sidewalk or Driveway, 4" Thick	3,000	SF	8.24	24,720.00	8.80	26,697.60

19	Remove Existing and Construct PCC Alley Intersection or Driveway, 6" Thick	2,000	SF	11.33	22,660.00	12.24	24,472.80
20	Remove Existing and Construct PCC Alley, 6" Thick	5,000	SF	11.33	56,650.00	12.24	61,182.00
21	Remove Existing and Construct PCC Spandrel 8" Thick	1,500	SF	16.48	24,720.00	17.80	26,897.60
22	Remove Existing and Construct PCC Cross Gutter 8" Thick	2,500	SF	16.48	41,200.00	17.80	44,486.00
23	Remove Concrete Improvements and Backfill with Topsoil	5,000	SF	2.06	10,300.00	2.22	11,124.00
24	Remove and Replace Asphalt Concrete Pavement	1,500	SF	11.33	16,995.00	12.24	18,354.60
25	Stump Removal up to and Including 24" Diameter Trunk	3	EA	515.00	1,545.00	556.20	1,668.80
26	Stump Removal 25" and Greater Diameter Trunk	3	EA	515.00	1,545.00	556.20	1,668.80
27	Tree Removal up to and Including 24" Diameter Trunk	8	EA	1,030.00	8,240.00	1,112.40	8,899.20
28	Tree Removal 25" and Greater Trunk	8	EA	2,575.00	20,600.00	2,781.00	22,248.00
29	Shave Roots at Curb	750	LF	10.30	7,725.00	11.12	8,343.00
30	Shave Roots at Sidewalk	7,500	LF	10.30	77,250.00	11.12	83,430.00
31	Tree Prune	550	EA	257.50	141,625.00	278.10	152,955.00
32	Lawn Sodding	1,000	SF	4.12	4,120.00	4.45	4,449.60
33	Adjust City Manhole Frame & Cover	5	EA	824.00	4,120.00	889.92	4,449.60
34	Adjust L.A.C.S.D. Manhole Frame & Cover	3	EA	1,030.00	3,090.00	1,112.40	3,337.20
35	Adjust Water Valve Sleeve & Cover	8	EA	515.00	4,120.00	556.20	4,449.60
36	Adjust Water Meter Box & Cover	10	EA	515.00	5,150.00	556.20	5,562.00
37	Adjust Gas Valve Box & Cover	6	EA	515.00	2,575.00	556.20	2,781.00
38	Replace Pull Box	200	EA	824.00	164,800.00	889.92	177,984.00
39	Relocate Pull Box	25	EA	6,180.00	154,500.00	6,674.40	166,880.00

40	Adjust Survey Monument Casing & Cover	3	EA	515.00	1,545.00	556.20	1,668.60
41	Install Survey Monument Casing & Cover	3	EA	515.00	1,545.00	556.20	1,668.60
42	Survey Benchmark Type 1	25	EA	515.00	12,875.00	556.20	13,905.00
43	Replace Property Marker or Corner and Tag	150	EA	515.00	77,250.00	556.20	83,430.00
44	Certification of Curb Ramp	500	EA	824.00	412,000.00	888.92	444,860.00
45	Replace Curb Drain	25	EA	360.50	9,012.50	388.34	9,733.50
46	Remove Existing and Construct PCC Curb, GB Type A1	1,500	LF	30.90	46,350.00	33.37	50,058.00
47	Remove Existing and Construct PCC Curb, GB Type A1, Integral	1,000	LF	28.84	28,840.00	31.15	31,147.20
48	Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=1.5'	1,500	LF	46.36	69,525.00	50.06	75,087.00
49	Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=2'	200	LF	61.80	12,360.00	66.74	13,348.80
50	Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=7'	200	LF	61.80	12,360.00	66.74	13,348.80
51	Remove Existing and Construct PCC Bus Stop Street Pad, 10" Thick	2,000	SF	18.54	37,080.00	20.02	40,046.40
52	Unclassified Excavation	125	CY	77.25	9,656.25	83.43	10,428.75
53	Crushed Miscellaneous Base, 6" Min. Under PCC Improvements	6,000	SF	2.58	15,450.00	2.78	16,686.00
54	Curb Painting	1,250	LF	9.27	11,587.50	10.01	12,514.50
55	Reflectorized Paint Traffic Striping/Pavement Markings	1,200	SF	8.24	9,888.00	8.90	10,679.04
56	Reflectorized Thermoplastic Traffic Striping/Pavement Markings	1,200	SF	9.27	11,124.00	10.01	12,013.92
57	Loop Detector	5	EA	618.00	3,090.00	667.44	3,337.20
58	Grind 0.25" - 0.75" PCC Sidewalk	5,000	LF	15.45	77,250.00	16.69	83,430.00
					3,989,473.25	4,308,631.11	

MINUTES OF MEETING OF THE BOARD OF DIRECTORS TAKEN BY
UNANIMOUS WRITTEN CONSENT OF CJ CONCRETE CONSTRUCTION, INC.

A California Corporation

The undersigned, all being directors of CJ Concrete Construction, Inc. a California Corporation, acting in accordance with bylaws of the corporation and taking said action without a formal meeting to hereby adopt the following resolutions:

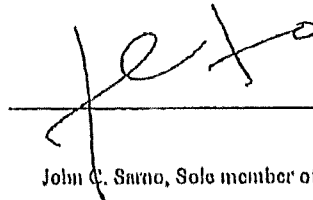
BE IT THEREFORE RESOLVED THAT 1) John C. Sarno, President, 2) John C. Sarno, Secretary and 3) John C. Sarno, Treasurer is hereby authorized to execute to contracts and other legal instruments and to bind said corporation accordingly as is appropriate.

BE IT THEREFORE RESOLVED further that the signature of above will bind the above corporation.

IN WITNESS THEREOF, the undersigned, being all the directors of the corporation, has executed the Consent effective as of this 2nd day of February 2021.

Board of Directors:

Dated 2/2/2021



John C. Sarno, Sole member of the Board of Directors