

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

THIRD AMENDMENT TO CONTRACT NO. 35388

35388

THIS THIRD AMENDMENT TO CONTRACT NO. 35388 is made and entered, as of March 8, 2023, 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 September 3, 2019, by and between C J 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. 35388 (the "Contract") whereby Contractor agreed to provide as-needed construction of curb ramps and concrete-related improvements in the City of Long Beach, California, pursuant to the work described in Project Plans and Specifications No. R-7149 in an amount not to exceed Seven Million Dollars (\$7,000,000) for a period of two (2) years with the option to extend the term for three (3) additional one-year periods; and

WHEREAS, the Parties entered into a First Amendment to the Contract to extend the term to October 31, 2022, and attach an updated rate sheet; and

WHEREAS, the Parties entered into a Second Amendment to extend the term one (1) additional one-year period, attach an updated rate sheet, attach HUD 4010, and attach Federal Wage Rate CA20190022MOD4; and

WHEREAS, the Parties desire to add Two Million Eight Hundred Eighty-Eight Thousand Dollars (\$2,888,000) to the Agreement;

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

1. Section 2.A. of the Contract is hereby amended to read as follows:

"A. City shall pay to the Contractor the amount(s) for materials and work identified in Contractor's Bid for Contract for As-Needed Construction of Curb Ramps and Concrete-Related Improvements in the City of Long Beach, California, attached hereto as Exhibit "A-2"; provided, however, that the total compensation to Contractor shall not exceed

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

1 Nine Million Eight Hundred Eighty-Eight Thousand Dollars (\$9,888,000) during the term of
2 this Contract."

3 2. Except as expressly modified herein, all of the terms and conditions
4 contained in Contract No. 35388 are ratified and confirmed and shall remain in full force
5 and effect.

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

8 C J CONCRETE CONSTRUCTION, INC., a
9 California corporation

10 March 16, 2023

By [Signature]
Name John Sarno
Title President

12 March 16, 2023

By [Signature]
Name John Sarno
Title Secretary

15 EXECUTED PURSUANT
16 TO SECTION 301 OF
17 THE CITY CHARTER.

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

18 March 21, 2023

By [Signature]
City Manager

"City"

20 This Third Amendment to Contract No. 35388 is approved as to form on

21 MARCH 16, 2023.

23 DAWN MCINTOSH, City Attorney

By [Signature]
Deputy