

FOURTH AMENDMENT TO CONTRACT NO. 35198

35198

THIS FOURTH AMENDMENT TO CONTRACT NO. 35198 is made and entered, in duplicate, as of March 21, 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 March 12, 2019, 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. 35198 (the "Contract") whereby Contractor agreed to provide the work described in Project Plans and Specifications No. R-7137, Contract for Concrete Repairs and Related Improvements; and

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

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add Eight Million Dollars (\$8,000,000) to the Contract for a total not to exceed amount of Eighteen Million Dollars (\$18,000,000); and

WHEREAS, the Parties entered into a Third Amendment to extend the term of the Agreement to March 31, 2023, and attach an updated rate sheet; and

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

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 April 1, 2019, and shall terminate at 11:59 p.m. on March 31, 2024, 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

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
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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-2" to the Third Amendment are hereby
5 amended in accordance with Exhibit "A-3", attached hereto and incorporated by this
6 reference.

7 3. Except as expressly modified herein, all of the terms and conditions
8 contained in Contract No. 35198 are ratified and confirmed and shall remain in full force
9 and effect.

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

12
13 3/28, 2023

14
15 3/28, 2023

CJ CONCRETE CONSTRUCTION, INC., a
California corporation

By [Signature]
Name JOHN SARNO
Title PRESIDENT

By [Signature]
Name JOHN SARNO
Title SECRETARY

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

18
19
20
21 3/31/2023, 2023

By [Signature]
City Manager

"City"

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23
24 This Fourth Amendment to Contract No. 35198 is approved as to form on
25 MARCH 28, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

EXHIBIT A-3

| CJ CONCRETE RATES | | | |
|-------------------|--|------|-------------|
| ITEM | DESCRIPTION | ITEM | UNIT |
| 1 | Remove Concrete Improvements and Backfill with Topsoil | SF | \$ 12.36 |
| 2 | Remove and Replace Asphalt Concrete Pavement | SF | \$ 12.36 |
| 3 | Stump Removal up to and including 24" Diameter Trunk | EA | \$ 289.22 |
| 4 | Stump Removal 25" and over Diameter Trunk | EA | \$ 407.88 |
| 5 | Tree Removal up to and including 24" Diameter Trunk | EA | \$ 1,297.80 |
| 6 | Tree Removal 25" and over Diameter Trunk | EA | \$ 1,557.36 |
| 7 | Shave Roots at Curb | LF | \$ 8.65 |
| 8 | Shave Roots at Sidewalk | LF | \$ 8.65 |
| 9 | Tree Pruning | EA | \$ 229.90 |
| 10 | Lawn Sodding | SF | \$ 8.65 |
| 11 | Plant Tree, 24" Box | EA | \$ 519.12 |
| 12 | Plant Tree, 36" Box | EA | \$ 1,260.72 |
| 13 | Unclassified Excavation | CY | \$ 80.34 |
| 14 | Adjust City Manhole Frame & Cover | EA | \$ 741.60 |
| 15 | Adjust L.A.C.S.D. Manhole Frame & Cover | EA | \$ 741.60 |
| 16 | Adjust Water Valve Box & Cover | EA | \$ 741.60 |
| 17 | Reconstruct Water Valve Box & Cover | EA | \$ 741.60 |
| 18 | Adjust Gas Valve Box & Cover | EA | \$ 741.60 |
| 19 | Replace Street Light Pull Box | EA | \$ 618.00 |
| 20 | Replace Traffic Signal Pull Box | EA | \$ 618.00 |
| 21 | Relocate Pull Box | EA | \$ 1,854.00 |
| 22 | Install Survey Monument Type C with Casting & Cover | EA | \$ 556.20 |
| 23 | Install Survey Monument Type A | EA | \$ 704.52 |
| 24 | Adjust Survey Monument Casting & Cover | EA | \$ 482.04 |
| 25 | Replace Survey Bench Mark, Type 1 | EA | \$ 424.12 |
| 26 | Replace Centerline ties or Property Markers | EA | \$ 482.04 |
| 27 | Replace Curb Drain | EA | \$ 424.12 |
| 28 | Remove Existing and Construct PCC Curb, GB Type A1 | LF | \$ 42.41 |
| 29 | Remove Existing and Construct PCC Curb, GB Type A1, Integral | LF | \$ 33.93 |
| 30 | Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=1.6' | LF | \$ 52.11 |
| 31 | Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=2.0' | LF | \$ 58.16 |
| 32 | Remove Existing and Construct PCC Curb & Gutter, GB Type A2, W=7' | LF | \$ 84.82 |
| 33 | Curb Ramp Case A, Detail 1A | EA | \$ 4,944.00 |
| 34 | Curb Ramp Case A, Detail 1B | EA | \$ 4,944.00 |
| 35 | Curb Ramp Case A, Detail 2 | EA | \$ 4,944.00 |
| 36 | Curb Ramp Case A, Detail 3 or 4 | EA | \$ 4,944.00 |
| 37 | Curb Ramp Case B, Detail 1A | EA | \$ 4,944.00 |
| 38 | Curb Ramp Case B, Detail 2 | EA | \$ 4,944.00 |
| 39 | Curb Ramp Case B, Detail 3 or 4 | EA | \$ 4,944.00 |
| 40 | Curb Ramp Case C | EA | \$ 4,944.00 |
| 41 | Curb Ramp Case D, Detail 1A | EA | \$ 4,944.00 |
| 42 | Curb Ramp Case D, Detail 1B | EA | \$ 4,944.00 |
| 43 | Curb Ramp Case D, Detail 3 or 4 | EA | \$ 4,944.00 |
| 44 | Curb Ramp Case E | EA | \$ 4,944.00 |
| 45 | Curb Ramp Case F | EA | \$ 4,944.00 |
| 46 | Curb Ramp Case G | EA | \$ 4,944.00 |
| 47 | Curb Ramp Case H | EA | \$ 4,944.00 |
| 48 | Install ADA Detectable Warning Surface (No Ramp Construction) | SF | \$ 48.47 |
| 49 | Certification of Curb Ramp | EA | \$ 988.80 |
| 50 | Remove Existing and Construct PCC Sidewalk, 3" Thick | SF | \$ 7.17 |
| 51 | Grind 0.25" - 0.75" PCC Sidewalk | LF | \$ 12.12 |
| 52 | Remove Existing and Construct PCC Driveway, 4" Thick | SF | \$ 8.03 |
| 53 | Remove Existing and Construct PCC Driveway, 6" Thick | SF | \$ 9.89 |
| 54 | Remove Existing and Construct PCC Alley Intersection, 6" Thick | SF | \$ 9.89 |
| 55 | Remove Existing and Construct PCC Pavement, 6" Thick | SF | \$ 9.27 |
| 56 | Remove Existing and Construct PCC Pavement, 8" Thick | SF | \$ 21.81 |
| 57 | Remove Existing and Construct PCC Bus Stop Street Pad, 10" Thick | SF | \$ 21.81 |
| 58 | Remove Existing and Construct PCC Cross Gutter or Spandrel, 8" Thick | SF | \$ 18.18 |
| 59 | Stamped Concrete, 4" Thick | SF | \$ 18.54 |
| 60 | Crushed Miscellaneous Base, 6" Thick Under PCC Improvements ² | SF | \$ 1.24 |
| 61 | Crushed Miscellaneous Base ² | CY | \$ 6.18 |
| 62 | Asphalt Concrete Pavement | TONS | \$ 363.53 |
| 63 | Curb Painting | LF | \$ 10.91 |
| 64 | Reflectorized Paint Traffic Striping/Pavement Markings | SF | \$ 10.91 |
| 65 | Reflectorized Thermoplastic Traffic Striping/Pavement Markings | SF | \$ 10.91 |
| 66 | Relocate Sign and Post | EA | \$ 185.40 |
| 67 | Install New Sign on Existing Post | EA | \$ 185.40 |
| 68 | Install New Sign and Post | EA | \$ 185.40 |
| 69 | Loop Detectors | EA | \$ 727.06 |