

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

FOURTH AMENDMENT TO CONTRACT NO. 35388

35388

THIS FOURTH AMENDMENT TO CONTRACT NO. 35388 is made and entered, as of September 13, 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 the Contract to extend the term to October 31, 2023, attach an updated rate sheet, attach HUD 4010, and attach Federal Wage Rate CA20190022MOD4; and

WHEREAS, the Parties entered into a Third Amendment to the Contract to increase the total authority amount to Nine Million Eight Hundred Eighty-Eight Thousand Dollars (\$9,888,000); and

WHEREAS, the Parties desire to extend the term of the Agreement using the final one-year period extension option, 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

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1 midnight on November 1, 2019, and shall terminate at 11:59 p.m. on October 31, 2024,
2 unless sooner terminated as provided in this Contract, or unless the services or the Project
3 is completed sooner. Time is of the essence hereunder. City will suffer damages if the work
4 is not completed within the time stated, but those damages would be difficult or impractical
5 to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated
6 in the Contract Documents."

7 2. The Rates attached as Exhibit "A-2" in the Second Amendment to the
8 Agreement are hereby amended and replaced by Exhibit "A-3", attached hereto and
9 incorporated herein.

10 3. Except as expressly modified herein, all of the terms and conditions
11 contained in Contract No. 35388 are ratified and confirmed and shall remain in full force
12 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.

C J CONCRETE CONSTRUCTION, INC., a
California corporation

3
4
5 SEPTEMBER 26, 2023

By [Signature]
Name John Sarno
Title President/CEO

6
7 SEPTEMBER 26, 2023

By [Signature]
Name HECTOR HERNANDEZ
Title SUPERINTENDENT

8
9
10 EXECUTED PURSUANT
11 TO SECTION 301 OF
12 THE CITY CHARTER.

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

13 October 17, 2023

By [Signature]
City Manager

"City"

15 This Fourth Amendment to Contract No. 35388 is approved as to form on
16 October 12, 2023.

17 DAWN MCINTOSH, City Attorney

18 By [Signature]
19 Deputy
20

Exhibit A-3

Rate Update

CONTRACTOR: CJ CONCRETE CONSTRUCTION INC.
Address: 10142 Shoemaker Ave Santa Fe Springs Ca 90670
Phone: 562 777 2222
Contract for Concrete Repairs and Related Improvements R-7149
FY 23-24 November 1, 2023 to October 31, 2024
City of Long Beach

ITEM No.	ITEM DESCRIPTION	UNIT	Rates
1	Curb Ramp Case A, Detail 1A	EA	\$ 5,300.00
2	Curb Ramp Case A, Detail 1B	EA	\$ 5,300.00
3	Curb Ramp Case A, Detail 2	EA	\$ 5,300.00
4	Curb Ramp Case A, Detail 3 or 4	EA	\$ 5,300.00
5	Curb Ramp Case B, Detail 1A	EA	\$ 5,300.00
6	Curb Ramp Case B, Detail 1B	EA	\$ 5,300.00
7	Curb Ramp Case B, Detail 3 or 4	EA	\$ 5,300.00
8	Curb Ramp Case C	EA	\$ 5,300.00
9	Curb Ramp Case D, Detail 1A	EA	\$ 5,300.00
10	Curb Ramp Case D, Detail 1B	EA	\$ 5,300.00
11	Curb Ramp Case D, Detail 3 or 4	EA	\$ 5,300.00
12	Curb Ramp Case E	EA	\$ 5,300.00
13	Curb Ramp Case F	EA	\$ 5,300.00
14	Curb Ramp Case G	EA	\$ 5,300.00
15	Curb Ramp Case H	EA	\$ 5,300.00
16	Install ADA Detectable Warning Surface (no ramp construction)	EA	\$ 48.00
17	Remove Existing and Construct PCC Sidewalk 3" Thick	SF	\$ 9.50
18	Grind 0.25" - 0.75" PCC Sidewalk	LF	\$ 15.00
19	Remove Existing and Construct PCC Driveway, 4" Thick	SF	\$ 10.00
20	Remove Existing and Construct PCC Driveway, 6" Thick	SF	\$ 12.00
21	Remove Existing and Construct PCC Alley Intersection 6" Thick	SF	\$ 10.00
22	Remove Existing and Construct PCC Cross Gutter or Spandrel, 8" Thick	SF	\$ 20.00
23	Remove Existing and Construct PCC Pavement, 6" Thick	SF	\$ 12.00
24	Remove Existing and Construct PCC Pavement, 8" Thick	SF	\$ 22.00
25	Remove Concrete Improvements and Backfill with Top Soil	SF	\$ 11.12
26	Remove and Replace Asphalt Pavement	SF	\$ 13.00
27	Stump Removal up to and including 24" Diameter Trunk	EA	\$ 400.00
28	Stump Removal 25" and Over Diameter Trunk	EA	\$ 500.00
29	Tree Removal up to and including 24" Diameter Trunk	EA	\$ 1,500.00
30	Tree Removal 25" and over Diameter Trunk	EA	\$ 1,500.00
31	Shave Roots at Curb	SF	\$ 8.50
32	Shave Roots at Sidewalk	SF	\$ 8.50
33	Tree Prune	EA	\$ 300.00
34	Lawn Seeding	EA	\$ 8.50
35	Adjust City Manhole Frame & Cover	EA	\$ 667.44
36	Adjust L.A.C.D. Manhole frame & Cover	EA	\$ 667.44
37	Adjust Water Valve Box & Cover	EA	\$ 667.44
38	Adjust Gas Valve & Box	EA	\$ 667.44
39	Replace Street Light Pull Box	EA	\$ 950.00