

SECOND AMENDMENT TO CONTRACT NO. 29802

29802

THIS SECOND AMENDMENT TO CONTRACT NO. 29802 is made and entered, in duplicate, as of July 31, 2008 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 October 10, 2006, by and between ATHENA ENGINEERING, INC., a California corporation ("Contractor"), whose address is 456 East Foothill Boulevard, San Dimas, California 91773, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for Job Order Contract No. 9, City of Long Beach, California," dated August 18, 2006, and published by City, bids were received, publicly opened and declared on the date specified in said Notice; and

WHEREAS, the City Manager accepted the bid of Contractor; and

WHEREAS, the City Council authorized the City Manager to enter a contract with Contractor for the work described in the bid documents; and

WHEREAS, the parties desire to extend the term of the Contract;

NOW, THEREFORE, in consideration of the mutual terms and conditions contained in the Contract and this Second Amendment, the parties agree as follows:

1. Section 4.A. of Contract No. 29802 is hereby amended in its entirety to read as follows:

"4. TIME FOR CONTRACT.

A. The initial term of this Contract shall begin on November 15, 2006 and shall end on November 14, 2007. The first extended term of this Contract shall begin on November 15, 2007 and shall end on November 14, 2008 or on City's payment of Two Million Dollars (\$2,000,000) hereunder to Contractor for the extended term plus any money remaining from the previous term, whichever occurs first. The second and last extended term of this Contract shall begin on November 15, 2008 and shall end on November 14, 2009 or on City's payment of Two Million Dollars (\$2,000,000) hereunder to Contractor for the extended term plus any money remaining from the previous terms,

1 whichever occurs first."

2 2. Except as expressly amended in this Second Amendment, all terms
3 and conditions in Contract No. 29802 are ratified and confirmed and shall remain in full
4 force and effect.

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

7 ATHENA ENGINEERING, INC., a
8 California corporation

9 August 25, 2008

By [Signature]

10 Jannie Chiera

Type or Print Name

11 9/9/, 2008

By [Signature]

12 RICHARD D. CHIERA

Type or Print Name

13 "Contractor"

14 CITY OF LONG BEACH, a municipal
15 corporation

16 September 24, 2008

By [Signature] Assistant City Manager

17 City Manager
18 EXECUTED PURSUANT
19 TO SECTION 301 OF
20 THE CITY CHARTER.

"City"

21 This Second Amendment to Contract No. 29802 is approved as to form on

22 September 17, 2008.

23 ROBERT E. SHANNON, City Attorney

24 By [Signature]
25 Deputy