

SECOND AMENDMENT TO CONTRACT NO. 29804

29804

THIS SECOND AMENDMENT TO CONTRACT NO. 29804 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 on October 10, 2006, by and between NEW CREATION ENGINEERING & BUILDERS, INC., a California corporation ("Contractor"), whose address is, 17809 Clark Avenue, Bellflower, California 90706, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting bids for Job Order Contract No. 8, 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 describe in the bid documents; and

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

NOW, THEREFORE, in consideration of the mutual terms and conditions in Contract No. 29804 and this Second Amendment, the parties agree as follows:

1. Section 4.A. of Contract No. 29804 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

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

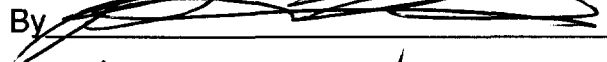
1 to Contractor for the extended term plus any money remaining from the previous terms,
2 whichever occurs first."

3 2. Except as expressly amended in this Second Amendment, all terms
4 and conditions in Contract No. 29804 are ratified and confirmed and shall remain in full
5 force 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.

NEW CREATION ENGINEERING &
BUILDERS, INC., a California corporation

8
9
10 August 7, 2008

By 
BRIAN CHUN
(Type or Print Name)

11
12 _____, 2008

By _____
(Type or Print Name)

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

13
14
15
16
17 August 28, 2008

By  Assistant City Manager
City Manager

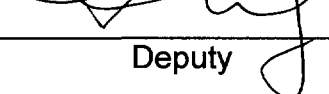
"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

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20 This Second Amendment to Contract No. 29804 is approved as to form on

21 August 25, 2008.

22
23 ROBERT E. SHANNON, City Attorney

24 By 
Deputy