

THIRD AMENDMENT TO CONTRACT NO. 31522  
**31522**

THIS THIRD AMENDMENT TO CONTRACT NO. 31522 is made and entered, in duplicate, as of October 11, 2011 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 February 9, 2010, by and between MACKONE DEVELOPMENT, INC., a California corporation, whose address is 2244 Beverly Blvd., Los Angeles, California 90057 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for Job Order Contract in the City of Long Beach, California," bids were received, publicly opened and declared on the date specified in said Notice; and

WHEREAS, the City Manager accepted the bid of Contractor for Job Order Contract No. 12; and

WHEREAS, the parties entered Contract No. 31522 for the work described in the bid documents; and

WHEREAS, the parties desire to increase the Contract amount by \$1,000,000 and extend the term;

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

1. Section 2 of Contract No. 31522 is hereby amended to read as follows:

"2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s) for each Work Order based on the adjustment factor in Contractor's Bid, attached hereto as Exhibit "A"; provided, however, that City shall not pay more than Three Million Dollars (\$3,000,000) for the term of the Contract."

2. Section 4.A. of Contract No. 31522 is hereby amended to read as follows:

"4. TIME FOR CONTRACT.

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

A. The term of this Contract shall begin on February 10, 2010 and shall end on February 9, 2013 or on City's payment of the not-to exceed dollar amount hereunder to Contractor as specified in Section 2, whichever occurs first."

3. Except as expressly amended in this Third Amendment, all terms and conditions in Contract No. 31522 are ratified and confirmed and shall remain in full force and effect.

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

MACKONE DEVELOPMENT, INC., a California corporation

By [Signature]  
President

Scott Yang

Type or Print Name

By [Signature]  
Secretary

Scott Yang

Type or Print Name

"Consultant"

CITY OF LONG BEACH, a municipal corporation

By [Signature] Assistant City Manager  
City Manager

"City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER

This Third Amendment to Contract No. 31522 is approved as to form on

11.30, 2011.

ROBERT E. SHANNON, City Attorney

By [Signature]  
Deputy