

FIRST AMENDMENT TO CONTRACT NO. 34897

34897

THIS FIRST AMENDMENT TO CONTRACT NO. 34897 is made and entered, in duplicate, as of February 6, 2020 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 August 20, 2019, by and between USS CAL. BUILDERS, INC., a California corporation ("Contractor"), whose address is 8051 Main Street, Stanton, California 90680, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 34897 (the "Contract") whereby Contractor agreed to provide the work described in Project Plans and Specifications No. R-7113 for the Houghton Park Community Center Project ("Project"); and

WHEREAS, due to unforeseen and additional worked needed on the Project, the Parties desire to add \$1,414,783 with a 5% contingency for a total not to exceed amount of \$6,733,245;

NOW, THEREFORE, in consideration of the mutual terms and conditions herein contained, the Parties agree as follows:

1. Section 2.A of the Contract is hereby amended to read as follows:

"A. City shall pay to Contractor the amount(s) for materials and work identified in Contractor's Bid for Houghton Park Community Center in the City of Long Beach, California, attached to the Contract as Exhibit "A"; provided, however, that the total compensation to Contractor shall not exceed the maximum cumulative amount of Six Million Seven Hundred Thirty-Three Thousand Two Hundred Forty-Five Dollars (\$6,733,245) for the estimated quantities established in the Bid, subject to additions or deductions as provided in the Contract Documents."

2. Except as expressly modified herein, all of the terms and conditions contained in Contract No. 34897 are ratified and confirmed and shall remain in full force and effect.

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

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.

3 USS CAL. BUILDERS, INC., a California
4 corporation

5 2/12/2020, 2020

6 By [Signature]
Name ERIC OTHMAN
Title Secretary

7 FEB, 12th, 2020

8 By [Signature]
Name ALLEN OTHMAN
Title CEO

9 "Contractor"

10 CITY OF LONG BEACH, a municipal
11 corporation

12 February 19, 2020

13 By [Signature]
Name Rebecca L. Harner
Title City Manager

14 **EXECUTED PURSUANT**
15 **TO SECTION 301 OF**
16 **THE CITY CHARTER**

17 This First Amendment to Contract No. 34897 is approved as to form on

18 2-18, 2020.

19 CHARLES PARKIN, City Attorney

20 By [Signature]
21 Deputy