

FIRST AMENDMENT TO CONTRACT NO. 35153

**35153**

THIS FIRST AMENDMENT TO CONTRACT NO. 35153 is made and entered, in duplicate, as of December 1, 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 December 18, 2018, by and between CJ 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. 35153 (the "Contract") whereby Contractor agreed to provide the work described in Project Plans and Specifications No. R-7140, Contract for Curb Ramps and Related Improvements in the City of Long Beach, California; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period;

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 midnight on January 1, 2019, and shall terminate at 11:59 p.m. on December 31, 2021, unless sooner terminated as provided in this Contract, or unless the services or the Project is completed sooner. The Parties have the option to extend the term for two (2) additional one-year periods. Time is of the essence hereunder. City will suffer damage if the work is not completed within the time stated, but those damages would be difficult or impractical to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated in the Contract Documents."

2. Except as expressly modified herein, all of the terms and conditions contained in Contract No. 35153 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 CJ CONCRETE CONSTRUCTION, INC., a  
4 California corporation

5 \_\_\_\_\_, 2020

By [Signature]  
Name John Sazo  
Title President

7 \_\_\_\_\_, 2020

By [Signature]  
Name John Sazo  
Title President

9 "Contractor"

10 CITY OF LONG BEACH, a municipal  
11 corporation

12 December 22, 2020

By [Signature]  
City Manager

14 "City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER

15 This First Amendment to Contract No. 35153 is approved as to form on  
16 December 17, 2020.

17 CHARLES PARKIN, City Attorney

18 By [Signature]  
19 Deputy

MINUTES OF MEETING OF THE BOARD OF DIRECTORS TAKEN BY  
UNANIMOUS WRITTEN CONSENT OF CJ CONCRETE CONSTRUCTION, INC.

A California Corporation

The undersigned, all being directors of CJ Concrete Construction, Inc. a California Corporation, acting in accordance with bylaws of the corporation and taking said action without a formal meeting to hereby adopt the following resolutions:

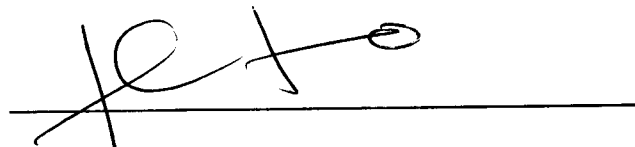
BE IT THEREFORE RESOLVED THAT 1) John C. Sarno, President, 2) John C. Sarno, Secretary and 3) John C. Sarno, Treasurer is hereby authorized to execute to contracts and other legal instruments and to bind said corporation accordingly as is appropriate.

BE IT THEREFORE RESOLVED further that the signature of above will bind the above corporation.

IN WITNESS THEREOF, the undersigned, being all the directors of the corporation, has executed the Consent effective as of this 2<sup>nd</sup> day of February 2020.

Board of Directors:

Dated 2/2/20



John C. Sarno, Sole member of the Board of Directors