Robert E. Shannon City Attorney of Long Beach 333 West Ocean Boulevard Long Beach, California 90802-4664 Telephone (562) 570-2200

SECOND AMENDMENT TO AGREEMENT NO. 28424

THIS SECOND AMENDMENT TO AGREEMENT NO. 28424 is made and entered, in duplicate as of March 16, 2006 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 March 14, 2006, by and between CONCEPT MARINE ASSOCIATES, INC., a California corporation ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Agreement No. 28424 and Consultant agreed to provide Construction Management Services ("Project"); and

WHEREAS, the parties desire to increase the amount of this Agreement and extend its term:

NOW, THEREFORE, in consideration of the mutual terms and conditions in Agreement No. 28424 and herein, the parties agree as follows:

- 1. Section 1.A. of Agreement No. 28424 is amended in its entirety to read as follows:
- "1. A. <u>SCOPE OF WORK OF SERVICES</u>. Consultant shall furnish services more particularly set forth in Exhibit "A," attached hereto and incorporated herein by this reference, in accordance with the standards of the profession, and City shall pay for said services in the manner described below, at the rates shown on Exhibit "A," not to exceed \$3,000,000.00."
- 2. Section 2.A. of the Agreement is amended in its entirety to read as follows:
- "2. <u>TERM AND TERMINATION</u>. A. The term of this Agreement shall commence at midnight on June 17, 2003, and shall terminate at 11:59 p.m. on June 16, 2008, unless sooner terminated as provided in this Agreement, or unless the services to be performed hereunder or the Project is completed sooner."
 - 3. Except as expressly amended herein, all terms and conditions in

Agreement No. 28424 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 herein.	
	CONCEPT MARINE ASSOCIATES, INC., a California corporation
MAY 15,2006, 2006	President GORDAN R. FULTON
May 15, 2006, 2006	By Secretary
	(Type or Print Name)
	"Consultant"
- na	CITY OF LONG BEACH, a municipal corporation
	By Christine J. Shippey ESSISTANT City Manager
	"City" EXECUTED PURSUANT TO SECTION 301 OF
This Second Amendment	THE CITY CHARTER to Agreement No. 28424 is approved as to form
on <u>6 15</u> , 2006.	
, , , , , , , , , , , , , , , , , , ,	ROBERT E SHANNON, City Attorney
	By Affrim
	Senior Deputy
	·
	,
DFG:3-16-06(2dAmd#28424 - Concept Marine)03-04008 L:\APPS\CtyLaw32\WPDOCS\D020\P004\00086891.WPD	