

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 SEVENTH AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687

2 **31687**

3 THIS SEVENTH AMENDMENT TO DESIGN-BUILD CONTRACT NO.
4 31687 is made and entered, in duplicate, as of January 1, 2014, for reference purposes
5 only, pursuant to a minute order adopted by the City Council of the City of Long Beach at
6 its meeting held on December 3, 2013, by and between BELLINGHAM MARINE
7 INDUSTRIES, INC., a Washington corporation ("Design-Builder"), with a place of
8 business at 1205 Business Park Drive, Dixon, California 95620, and the CITY OF LONG
9 BEACH, a municipal corporation ("City").

10 WHEREAS, the parties executed Design-Build Contract No. 31687 on June
11 28, 2010 whereby Design-Builder agreed to provide City with construction and
12 engineering design services for Alamitos Bay Marina rebuild project, which have
13 continued to the present time; and

14 WHEREAS, the parties desire to amend Design-Build Contract No. 31687
15 to increase Design-Builder's payment under the Contract for work related to maintenance
16 dredging and repair of the Peter Archer Rowing Dock in the amount of One Hundred
17 Seventy-Eight Thousand Five Hundred and Thirty Dollars (\$178,530.00) in accordance
18 with the amended scope of work attached as Exhibit "C-7";

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

21 1. Section 6.1 of Design-Build Contract No. 31687 is hereby amended
22 and restated in its entirety to read as follows:

23 "6.1 Contract Price. Owner shall pay Design-Builder in accordance with
24 Article 6 of the General Conditions of Contract an amount not to exceed Thirty-Nine
25 Million Five Hundred and Ten Thousand Two Hundred Ninety-Five Dollars
26 (\$39,510,295.00) ("Contract Price,") subject to adjustments made in accordance with the
27 General Conditions of Contract. Unless otherwise provided in the Contract Documents,
28

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 the Contract Price is deemed to include all sales, use, consumer and other taxes
2 mandated by applicable Legal Requirements.”

3 2. The parties agree that Design-Builder shall perform emergency
4 maintenance dredging at the Peter Archer Rowing Dock identified in Exhibit “A-7”
5 attached. Design-Builder shall remove up to five hundred cubic yards (500 cy) of dredge
6 material and thereafter transport and deposit said material at the Port of Long Beach
7 Middle Harbor fill site in accordance with the amended scope of work attached as Exhibit
8 “C-7”.

9 3. The parties agree that Design-Builder shall perform routine repair
10 and maintenance of the Peter Archer Rowing Dock identified in Exhibit “B-7” attached,
11 including, installing sixteen (16) missing floats of like design and type; anchoring
12 perimeter pontoons to the deck; and installing rollers and skidplates to support the
13 gangway. Said repair and maintenance shall be in accordance with the amended scope
14 of work attached as Exhibit “C-7”.

15 ///

16 ///

17 ///

18

19

20

21

22

23

24

25

26

27

28

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 4. Except as expressly amended in this Seventh Amendment, all terms
2 and conditions in Design-Build Contract No. 31687 are ratified and confirmed and shall
3 remain in full force and effect.

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

6
7
8 12/19 _____, 2013

BELLINGHAM MARINE INDUSTRIES,
INC., a Washington corporation

By J. Everett Babbitt
President
J. Everett Babbitt

9
10 12/19 _____, 2013

Type or Print Name
By Paul Chapman
Secretary CFO
Paul Chapman
Type or Print Name

11
12
13
14
15 12.31 _____, 2013

"Design-Builder"

CITY OF LONG BEACH, a municipal
corporation
By [Signature] Assistant City Manager
City Manager

"City" EXECUTED PURSUANT
 TO SECTION 301 OF
 THE CITY CHARTER.

16
17
18
19 This Seventh Amendment to Design-Build Contract No. 31687 is approved
20 as to form on 12/23 _____, 2013.

CHARLES PARKIN, City Attorney
By [Signature]
Deputy

21
22
23
24
25
26
27
28

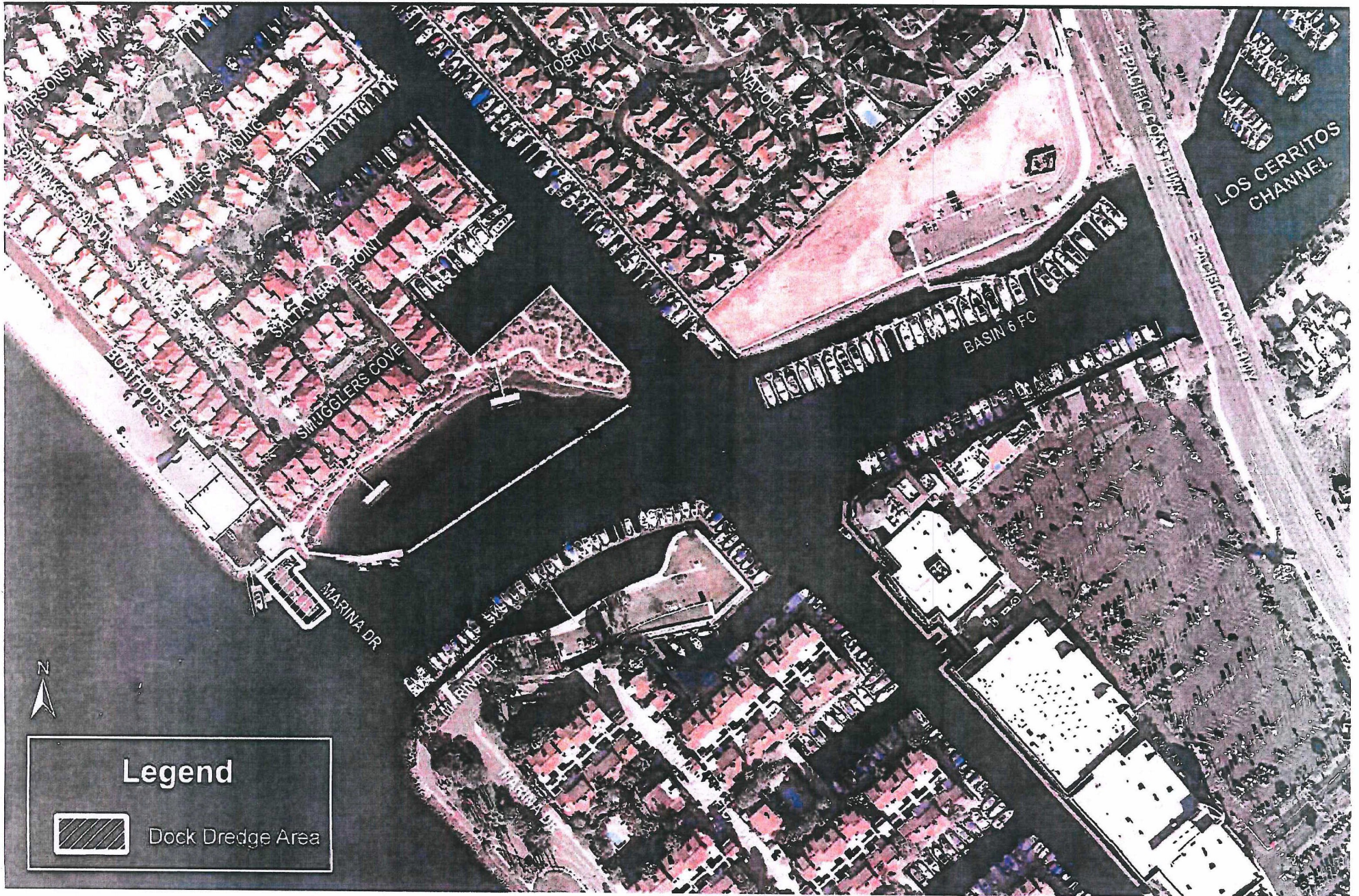


Location Map

Peter Archer Rowing Center

Proposed Dredge Area

Exhibit A-7



Peter Archer Rowing Center Dock
5750 Boathouse Lane

Exhibit B-7

Existing Conditions



Bellingham
Marine
Industries, Inc.

8810 Sparling Lane
Dixon, CA 95620

(707) 678-2385
FAX (707) 678-1760



City of Long Beach
Department of Parks, Recreation and Marine Bureau
205 Marina Drive
Long Beach, CA 90803

December 19, 2013

Attention:

CC: Charlene Angsuco, City of Long Beach, Tidelands Capitol Improvement Program
Elvira Hallinan, City of Long Beach, Department of Parks Recreation and Marine Bureau
Glenn Estrella, Transystems Corp, INC.
Tracy Stofferahn, Anchor QEA, LLC

Reference: **PCO #102R, Peter Archer Rowing Center Dock Dredging**

Ms Angsuco:

Attached you will find our proposal for PCO #102R, Peter Archer Rowing Center Dock and Dredging. This price includes all costs from our Subcontractor Manson Construction Co. (MCC) for the work per plans of the Maintenance Dredging of Peter Archer Rowing Center, Long Beach CA as provided by Tracy Stofferahn, AnchorQEA on October 7th, 2013. The proposed PCO includes the dredging scope of work as listed only.

The proposed PCO includes the dredging scope of work as listed only:

Mobilization/ Demobilization; Lump Sum of \$51,450

MCC will mobilize the labor and equipment necessary to complete as required to the project site. Upon completion of the MCC work, all labor and equipment will be demobilized from the project site.

Dredging with "In Water" Disposal at a location within the Port of Long Beach
Approximately 500 cubic yards for a total Lump Sum amount of \$64,050

MCC will dredge to the specified depths and dispose of the material in water at a location within the Port of Long Beach with adequate depth and access for a tug boat and dump scow.

Remove and dispose Debris Located within the Dredge Area; Lump sum of \$16,800

MCC will remove the unknown debris within the dredge area to the specified dredge depths and dispose of the debris at a proper disposal facility. This proposal does not take into account any hazardous or debris that requires special handling. Any debris classified as hazardous or requiring special handling will be billed as an extra to the City of Long Beach.

This Proposal excludes the cost of any bonds or permits (except those associated with MCC equipment)
Other exclusions as listed by MCC proposal (attached).

Dock repairs scope to be further defined and submitted for final cost at a later date. Repairs to be performed as mutually agreed within an allowance item of \$30,000.

Exclusions:

Pre-Dredge Surveys

Post Dredge Surveys

Water Quality Monitoring

Construction Management Services

Engineering for Dock repair

If you have any questions on this issue, please contact me.

Sincerely,

Edward J. Heaton

Ed Heaton
Senior Project Manager,
Bellingham Marine Industries, Inc.



Bellingham
Marine
Industries, Inc.

1205 Business Park Drive
Dixon, CA 95620

(707) 678-2385
FAX (707) 678-1760
CSL #442499

Project: Alamitos Phase 1 Construction
Owner: City of Long Beach
Dept of Parks, Recreation & Marine Bureau
205 Marina Drive

PCO No. 102R
Date: 10/28/13
Job No. 3713

This Proposed Change Order modifies the Contract as follows:

	Cost	Days
1. Manson Mobilization/Demobilization	\$51,450.00	0
2. Dredging approximately 500 cy	\$64,050.00	0
3. Remove and Dispose Debris Located within dredge area	\$16,800.00	0
4. Dock Repair Allowance	\$30,000.00	0

TOTAL \$162,300.00 0

Upon execution of this Proposed Change Order, the changes reflected herein will become a Change Order to the Contract Documents.

The Contract Sum will be adjusted in the amount of \$162,300.00

And the original Contract Time will be adjusted by the following number of Days 0

Bellingham Marine Industries

City of Long Beach

1205 Business Park Drive
Dixon, CA 95620

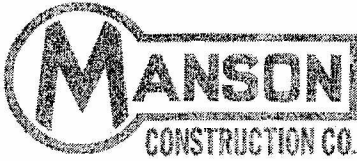
Dept of Parks, Recreation & Marine Bureau
205 Marina Drive

By: _____

By: _____

Date: _____

Date: _____



340 GOLDEN SHORE, SUITE 310, • LONG BEACH, CALIFORNIA 90802 (562) 983-2340
CALIFORNIA CONTRACTOR'S LICENSE #A-220319 • FAX (562) 436-2156

October 25, 2013

Bellingham Marine
1205 Business Park Drive
Dixon, CA 95620

Attention: Mr. Edward Heaton

Subject: Peter Archer Rowing Center Dock Dredging

Dear Mr. Heaton,

Manson Construction Co. (MCC) would like to submit the following quotation to provide labor and equipment to complete the scope of work as discussed for the above referenced project. The following proposal will remain applicable to December 31, 2013.

Bid Items:

Bid Item 1: Mobilization / Demobilization
Lump Sum \$ 49,000

MCC will mobilize the labor and equipment necessary to complete the above referenced project as required to the project site. Upon completion of the MCC work, all labor and equipment will be demobilized from the project site.

Bid Item 2: Dredging with "In Water" Disposal at a Location within the Port of Long Beach
Approximately 500 cubic yards @ \$ 122.00 / CY for a total amount of \$ 61,000

MCC will dredge to the specified depths and dispose of the material in water at a location within the Port of Long Beach with adequate depth and access for a tug boat and dump scow.

Bid Item 5: Remove and Dispose Debris Located within the Dredge Area
Lump Sum \$ 16,000

MCC will remove the unknown debris within the dredge area to the specified dredge depths and dispose of the debris at a proper disposal facility. This proposal does not take into account any hazardous or debris that requires special handling. Any debris classified as hazardous or requiring special handling will be billed as an extra to the Bellingham.

SAN FRANCISCO OFFICE
200 Cutting Boulevard
Richmond, California 94804-2128
Phone (510) 232-6319
Fax (510) 232-4528
California License # A-220319

SEATTLE OFFICE
5209 East Marginal Way S.
Seattle, WA 98134
Phone (206) 762-0850
Fax (206) 764-8595
WA License # MANSOCC032M1

JACKSONVILLE OFFICE
4309 Pablo Oaks Court, Suite 1
Jacksonville, Florida 32224
Phone (904) 821-0211



MCC Inclusions:

- U.S. Longshoreman and Harbor Insurance.
- MCC is a union contractor.
- Required vessel insurance, certifications, and permits.
- On-site supervision for MCC work.
- Certification of Health and Safety Plan by certified industrial hygienist.

MCC Exclusions:

- Cost of bond (Bond rate 1% if necessary).
- All permits (except those associated with MCC equipment).
- Pre-dredge and Post-dredge surveys.

MCC Conditions:

- Manson will include daily interim dredge progress surveys based on readings from the divers "pneumofathometer". No lead line readings under the float within the dredge template are included in this price. Lead line readings will be taken around the perimeter of the existing dock for quality control to verify the "pneumofathometer" data.

This quotation is contingent on signing a mutually agreeable contract and is subject to equipment availability. Thank you for the opportunity to provide this proposal. If you have any questions or need any additional information, please contact the undersigned at (562) 983-2340.

Sincerely,
Manson Construction Co.

A handwritten signature in black ink that reads 'Mark Stuessy'. The signature is fluid and cursive, with a large loop at the end.

Mark Stuessy, P.E.
Senior Estimator