

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

1 EIGHTH AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687

2 **31687**

3 THIS EIGHTH AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687
4 is made and entered, in duplicate, as of April 16, 2014, for reference purposes only,
5 pursuant to a minute order adopted by the City Council of the City of Long Beach at its
6 meeting held on April 15, 2014, by and between BELLINGHAM MARINE INDUSTRIES,
7 INC., a Washington corporation ("Design-Builder"), with a place of business at 1323
8 Lincoln Street, Bellingham, Washington 98229, and the CITY OF LONG BEACH, a
9 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 the Alamitos Bay Rehabilitation 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 Phase 4 of
16 the Project, outlined in Exhibit "B-8," in the amount of One Million Eight Hundred Forty-
17 Eight Thousand Seven Hundred and Twelve Dollars (\$1,848,712.00) for the SCE/utility
18 Backbone at Basins 2 and 3 in the Alamitos Bay Marina; and

19 WHEREAS, the parties desire to amend Design-Build Contract No. 31687
20 for as needed stand-by pay in the amount of Eighteen Thousand Dollars (\$18,000.00) per
21 month for no more than four (4) months, per Exhibit "B-8A";

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

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

26 "6.1 Contract Price. Owner shall pay Design-Builder in accordance with
27 Article 6 of the General Conditions of Contract an amount not to exceed Forty-One Million
28 Four Hundred and Thirty-One Thousand and Seven Dollars (\$41,431,007.00) ("Contract

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1 Price," as illustrated in Exhibit "B-8", attached to this Eighth Amendment and incorporated
2 herein by reference), subject to adjustments made in accordance with the General
3 Conditions of Contract. Unless otherwise provided in the Contract Documents, the
4 Contract Price is deemed to include all sales, use, consumer and other taxes mandated
5 by applicable Legal Requirements."

6 2. Except as expressly amended in this Eighth Amendment, all terms
7 and conditions in Design-Build Contract No. 31687 are ratified and confirmed and shall
8 remain in full force and effect.

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

BELLINGHAM MARINE INDUSTRIES,
INC., a Washington corporation

11
12 April 22, 2014

By [Signature]
President
J. EVERETT BARRIO
Type or Print Name

13
14
15 April 22, 2014

By [Signature]
Secretary
TINA M. JEFFCOAT
Type or Print Name

"Design-Builder"

CITY OF LONG BEACH, a municipal
corporation

16
17
18
19
20 4.25, 2014

By [Signature] Assistant City Manager
City Manager

"City"

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

21
22
23
24 This EIGHTH Amendment to Design-Build Contract No. 31687 is approved
25 as to form on April 23, 2014.

CHARLES PARKIN, City Attorney

26
27
28 By [Signature]
Deputy

REV 2

SCHEDULE OF VALUES Basin 2,3 SCE Work, Revision 1		Basin 2,3 SCE Work			Comments
		Phase Quantity	Unit Price	Total Sell	
Design and General Conditions					
21.01	Engineer Construction Support	1	53,000.00	\$53,000	<i>Added Scope</i>
21.02	Bonds and Insurance	1	25,040.00	\$25,040	<i>Added Scope</i>
21.03	General Conditions	1.5	61,282.67	\$91,924	<i>Added Scope, & Reduced GCs here based on spreading BMI's Project Manager over 2 jobs during this portion of the work being completed.</i>
				\$169,964	
Marine					
22.01	Equipment Mobilization	0	0.00	\$0	
22.02	Float Demolition and Disposal	0	0.00	\$0	
22.03	Pile Removal and Disposal	0	0.00	\$0	
22.04	Dredging and Disposal Offshore	0	0.00	\$0	
22.05	Dredging to Upland	0	0.00	\$0	
22.06	Basin 1 Pile Procurement	0	0.00	\$0	
22.07	Pile Installation	0	0.00	\$0	
22.08	Basin 1 Float Procurement	0	0.00	\$0	
22.09	Float Installation	0	0.00	\$0	
22.10	Float Apurtenance Supply and Install	0	0.00	\$0	
22.11	Marine Utility Installation	0	0.00	\$0	
22.12	Gangway Procurement	0	0.00	\$0	
22.13	Gangway Installation	0	0.00	\$0	
22.14	Gangway Platforms	0	0.00	\$0	
22.15	Basin 1 Seawall Grouling	0	0.00	\$0	
22.16	Dredging and Disposal Offshore Additions (Increased Quantities since Original Bid April 2008)	0	0.00	\$0	
22.17	Seawall Rip Rap	0	0.00	\$0	
22.18	Install Pile Jackets	0	0.00	\$0	
22.19	Handrail Removal	0	0.00	\$0	
22.20	Handrail Core Drilling	0	0.00	\$0	
22.21	Handrail Purchase and Installation	0	0.00	\$0	
22.22	On Dock Sewer and Connection	0	0.00	\$0	
				\$0	
Uplands					
23.01	SCE Work- based on approved SCE drawing	1	727,886.00	\$727,886	<i>Added Scope</i>
23.06	Allowance for Bird and Mammal Monitoring	1	10,926.00	\$10,926	<i>Added Scope</i>
23.07	Allowance for Biological Mitigation	1	0.00	\$0	<i>Added Scope; Removed this since it is all landside work and we haven't used these allowances on previous work.</i>
				\$738,812	
Total Basin 2,3- SCE Work				\$908,776	

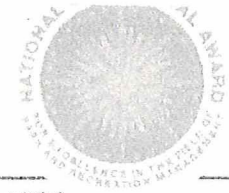
REV 2

SCHEDULE OF VALUES Basin 2,3 Landside Utilities, Revision 1		Basin 2,3 Landside Utilities			
		Phase Quantity	Unit Price	Total Sell	Comments
Design and General Conditions					
21.01	Engineer Construction Support	1	71,742.00	\$71,742	
21.02	Bonds and Insurance	1	25,040.00	\$25,040	
21.03	General Conditions	1.5	61,282.67	\$91,924 \$188,706	<i>Added Scope (original bid had 4 years of general conditions). Reduced GCs here based on spreading BMI's Project Manager over 2 jobs during this portion of the work being completed.</i>
Marine					
22.01	Equipment Mobilization	0	0.00	\$0	
22.02	Float Demolition and Disposal	0	0.00	\$0	
22.03	Pile Removal and Disposal	0	0.00	\$0	
22.04	Dredging and Disposal Offshore	0	0.00	\$0	
22.05	Dredging to Upland	0	0.00	\$0	
22.06	Basin 1 Pile Procurement	0	0.00	\$0	
22.07	Pile Installation	0	0.00	\$0	
22.08	Basin 1 Float Procurement	0	0.00	\$0	
22.09	Float Installation	0	0.00	\$0	
22.10	Float Apurtenance Supply and Install	0	0.00	\$0	
22.11	Marine Utility Installation	0	0.00	\$0	
22.12	Gangway Procurement	0	0.00	\$0	
22.13	Gangway Installation	0	0.00	\$0	
22.14	Gangway Platforms	0	0.00	\$0	
22.15	Basin 1 Seawall Grouting	0	0.00	\$0	
22.16	Dredging and Disposal Offshore Additions (Increased Quantities since Original Bid April 2008)	0	0.00	\$0	
22.17	Seawall Rip Rap	0	0.00	\$0	
22.18	Install Pile Jackets	0	0.00	\$0	
22.19	Handrail Removal	0	0.00	\$0	
22.20	Handrail Core Drilling	0	0.00	\$0	
22.21	Handrail Purchase and Installation	0	0.00	\$0	
22.22	On Dock Sewer and Connection	0	0.00	\$0	<i>Added Scope</i>
Uplands					
23.01	Electrical (from SCE Work to Seawall)	1	461,093.00	\$461,093	
23.02	Wet Utilities (Potable, Sewer, Fire)	1	191,177.00	\$191,177	
23.05	Gas	0	0.00	\$0	
23.06	Restroom Building	0	0.00	\$0	
23.07	AC / Concrete	0	0.00	\$0	
23.08	Striping	0	0.00	\$0	
23.09	Signage	0	0.00	\$0	
23.10	Allowance for Bird and Mammal Monitoring	1	10,926.00	\$10,926	<i>Added Scope Added Scope; Removed this since it is all landside work and we haven't used these allowances on previous work.</i>
23.11	Allowance for Biological Mitigation	1	0.00	\$0	
Total Basin 2,3- Landside Utilities for Marina Only (Not Restroom)				\$663,196 \$851,902	



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697
(562) 570-3100 • FAX (562) 570-3109
www.LBParks.org

selected
best in the nation

March 20, 2014

Jim Puder, President
Bellingham Marine Industries
8810 Sparling Lane
Dixon, CA 95620

Reference: Alamitos Bay Rebuild Project Stand-By

This letter serves as official notification that the City of Long Beach, Department of Parks, Recreation and Marine (PRM) would like to place your organization on stand-by effective April 1, 2014, at a cost of \$18,000 per month, until further notice. As you are aware, PRM is working with the City Manager's office and the Department of Financial Management to determine the best way to proceed.

Should you have any questions, please feel free to contact me at (562) 570-3100 or you may contact Elvira Hallinan, Acting Manager, Marine Bureau at (562) 570-3215.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Chapjian".

George Chapjian
Director
Parks, Recreation and Marine

GC:EH:vac

C: Transystems
Contract File
Elvira Hallinan, Acting Manager, Marine Bureau