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

TENTH AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687

THIS TENTH AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687 is made and entered, in duplicate, as of March 18, 2015, 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 17, 2015, by and between BELLINGHAM MARINE INDUSTRIES, INC., a Washington corporation ("Design-Builder"), with a place of business at 8810 Sparling Lane, Dixon, CA 95620, and the CITY OF LONG BEACH, a municipal corporation ("City").

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

WHEREAS, the parties desire to amend Design-Build Contract No. 31687 to increase Design-Builder's payment under the Contract for work related to Phase 6 of the Project, outlined in Exhibit "B-10.1," in the amount of Fourteen Million Four Hundred Eighty-Three Thousand One Hundred and Sixty-Four Dollars (\$14,483,164.00) for the waterside construction of Docks 9 (partial), 10, 11, and 12 in Basin 2, commonly known as gangways 15, 16, 17, 18, 19, and 20 as listed under schedule of values "Balance of Basin 2" (Exhibit B-10.1); and

WHEREAS, the parties desire to amend Design-Build Contract No. 31687 to increase Design Builder's payment under the contract for work related to Phase 7 as outlined in Exhibit B-10.2, in the amount of Eight-Hundred and Eighty-Nine Thousand Three Hundred and Eighty-Nine Dollars (\$889,389.00) for the partial demolition and disposal of existing docks within Basin 3 to provide waterside dredge access into Basin 3, as well as dredging of the area; and

WHEREAS, the parties desire to amend Design-Build Contract No. 31687 by adding a total contingency amount of Seven Hundred and Twenty-Four Thousand

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WHEREAS, the parties desire to amend the contract to reduce contract authority to reflect cost savings and/or reallocation;

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

- 1. Section 6.1 of Design-Build Contract No. 31687 is hereby amended and restated in its entirety to read as follows:
- "6.1 Contract Price. Owner shall pay Design-Builder in accordance with Article 6 of the General Conditions of Contract an amount not to exceed Sixty-Six Million Four Hundred Eighty-Seven Thousand and Ninety-Eight Dollars (\$66,487,098.00) ("Contract Price," as illustrated in Exhibit "C-10" attached to this Tenth Amendment and incorporated herein by reference), subject to adjustments made in accordance with the General Conditions of Contract. Unless otherwise provided in the Contract Documents, the Contract Price is deemed to include all sales, use, consumer and other taxes mandated by applicable Legal Requirements."

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2. Except as expressly amended in this Tenth Amendment, all terms and conditions in Design-Build Contract No. 31687 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 above.

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 above.
March 23 Chlaru liekey, 2015 Walaru Richey, 2015	President President Type or Print Name Type or Print Name
	"Design-Builder"
April 16, 2015	CITY OF LONG BEACH, a municipal corporation Sistem City Manager City Manager TO SECTION 301 OF THE CITY CHARTER.
This Tenth Amendment to Des	sign-Build Contract No. 31687 is approved as
to form on <u>March 31</u> , 2015.	
	CHARLES PARKIN, City Attorney
	By Deputy

Design and General Conditions		SCHEDULE OF VALUES Balance of Basin 2- Waterside Work Only	_	-i- a w % .		
Design and General Conditions 1		Offity	Basin 2- Waterside Work			
Engineer Construction Support						
1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$50,127 1 50,127 00 \$252,332 50,991,59 \$599,159 \$599,159 \$599,159 \$599,159 \$599,159 \$599,159 \$599,159 \$599,159 \$1,411,126 \$1,411		Design and General Conditions				
Marine						
Equipment Mobilization 1 212,504 00 \$212,504			I '			
Float Demolition and Disposal		Marine			\$1,411,126	
1	2.01	Equipment Mobilization	1	212,504 00	\$212_504	
2.04 Dredging and Disposal Offshore	2.02	Float Demolition and Disposal	1	1 681 924 00		
2.05 Prile Procurement 2.07 Prile Installation 2.08 Float Procurement 2.08 Float Procurement 2.09 Float Installation 3.08 Float Installation 4.806.464.00 3.4806.464 3.09 Float Installation 4.806.464.00 3.965.402 3.97 Float Installation 5.751.00 5.751 3.965.402 3.97 Float Installation 4.806.464.00 3.965.402 3.97 Float Installation 5.751.00 5.751	2.03	Pile Removal and Disposal	1	554 594 00	\$554_594	
2.07 Pile Installation 1 624.614 00 5624.614 2.08 Float Procurement Allowance for Laboratory Testing (10% verification) for Concrete Floats 1 5.751.00 \$5.751 2.09 Float Installation 1 965.402.00 \$965.402 2.10 Float Apurtenance Supply and Install 1 258,001.00 \$258.001 2.11 Marine Utility Installation 1 2,171,343.00 \$2.171,343.00 \$2.171,343.00 \$2.171,343.00 \$2.171,343.00 \$3.00 \$3.0000 \$3.000 \$3.00000 \$3.0000 \$3.0000 \$3.0000 \$3.0000 \$3.0000 \$3.0000 \$3.0000 \$3.0000 \$3.0	- 1					
2.08 Float Procurement 1 4,806,464,00 \$4,806,464 3,000 \$4,806,464 4,806,46	2.06	Pile Procurement	- 1	211,838 00	\$211 838	
2.08 Float Procurement 1 4,806,464,00 \$4,806,464 3,000 \$4,806,464 4,806,46						
Allowance for Laboratory Testing (10% verification) for Concrete Floats 1 5,751 00 \$5.751 2.09 Float Installation 1 965,402 00 \$965,402 2.10 Float Apurtenance Supply and Install 1 258,001.00 \$258,001 2.11 Marine Utility Installation 1 2,171,343 00 \$2,171,342 2.12 Gangway Procurement 1 89,857.00 \$89,857 2.13 Gangway Installation 1 17,167.00 \$17,167 2.14 Gangway Platforms 0 0.00 \$0 2.15 Seawall Grouting Basin 2 9,084 52,46 \$476,607 2.16 Seawall Repair- Basin 2 1 24,341.00 \$24,341 2.17 Seawall Rip Rap 622 272.82 \$169,596 2.18 Allowance for Existing Rock Work Recontouring 40 1,771.03 \$70,841 2.19 Install Pile Jackets 0 0.00 \$0 2.20 Handrail Removal 1 20,863.00 \$20,863 2.21 Handrail Core Drilling 0 included included 2.22 Handrail Purchase and Installation 1 485,589.00 \$485,589 3.01 Electric Utility Upgrades 1 0.00 \$0 3.02 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.03 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.04 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.05 Allowance for Biological Mitigation 9 4,791.78 \$43,126 592,289	2.07	Pile Installation	1	624 614 00	\$624.614	
1	2.08		1	4 806 464 00	\$4 806 464	
2.10 Float Apurtenance Supply and Install 2.11 Marine Utility Installation 2.12 Gangway Procurement 2.13 Gangway Procurement 2.14 Gangway Installation 3.15 Seawall Grouting Basin 2 2.16 Seawall Repair Basin 2 2.17 Seawall Rip Rap 3.18 Allowance for Existing Rock Work Recontouring 3.19 Install Pile Jackets 3.10 Handrail Core Drilling 3.11 Landrail Purchase and Installation 3.12 Handrail Purchase and Installation 3.13 Allowance for Waterline Upgrades 3.14 Allowance for Waterline Upgrades 3.15 If Electric Utility Upgrades 3.16 Allowance for Catch Basin Filters 3.17 Allowance for Biological Mitigation 4 1.791.78 \$43.126 \$992,289	.08A		1	5,751.00	\$5.751	
2.11 Marine Utility Installation 1 2.171,343 00 \$2.171,343	2.09	Float Installation	1	965,402 00	\$965,402	
2.12 Gangway Procurement 2.13 Gangway Installation 2.14 Gangway Installation 2.15 Seawall Grouting Basin 2 2.16 Seawall Repair- Basin 2 2.17 Seawall Rip Rap 2.18 Allowance for Existing Rock Work Recontouring 2.19 Install Pile Jackets 2.20 Handrail Removal 2.21 Handrail Core Drilling 2.22 Handrail Purchase and Installation 2.23 On Dock Sewer and Connection 2.24 Journal of Sewer and Connection 2.25 Leftric Utility Upgrades 3.01 Allowance for SCE Work 3.03 Allowance for Catch Basin Filters 3.06 Allowance for Biological Mitigation 3.07 Allowance for Biological Mitigation 3.07 Allowance for Biological Mitigation 3.07 Allowance for Biological Mitigation 3.08 Allowance for Biological Mitigation 3.08 Allowance for Biological Mitigation 3.09 Allowance for Biological Mitigation 3.00 Allowance for Biological Mitigation 3.01 Allowance for Biological Mitigation 3.02 Allowance for Biological Mitigation 3.03 Allowance for Biological Mitigation 3.04 Allowance for Biological Mitigation 3.07 Allowance for Biological Mitigation 3.08 Allowance for Biological Mitigation 3.09 Allowance for Biological Mitigation 3.00 Allowance for Biological Mitigation	2.10	Float Apurtenance Supply and Install	1	258,001.00	\$258,001	
2.16 Seawall Repair- Basin 2	2.12 2.13	Gangway Procurement Gangway Installation	1	89 857 00 17,167 00	\$17,167	
2.18 Allowance for Existing Rock Work Recontouring 1.771.03 \$70.841 2.19 Install Pile Jackets 0 0.00 \$0 1.20 Handrail Removal 1 20.863.00 \$20.863 2.21 Handrail Core Drilling 1 20.863.00 \$20.863 1 included included 2.22 Handrail Purchase and Installation 1 485.589.00 \$485.589 2.23 On Dock Sewer and Connection 1 144,302.00 \$144,302 \$12,979,74 Uplands 3.01 Electric Utility Upgrades 3.02 Allowance for SCE Work 1 0.00 \$0 3.03 Allowance for Waterline Upgrades 1 0.00 \$0 3.04 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.05 Allowance for Catch Basin Filters 1 0.00 \$0 3.06 Allowance for Bird and Mammal Monitoring 9 5,462.56 \$49.163 3.07 Allowance for Biological Mitigation 9 4.791.78 \$43.126 \$92,289					\$476,607 \$24,341	
2.19 Install Pile Jackets 0 0.00 \$0 \$0 \$2.20 Handrail Removal 1 20.863.00 \$20.863 \$20.21 Handrail Core Drilling 0 included included included included	2.17	Seawall Rip Rap	622	272 82	\$169,596	
2.23 On Dock Sewer and Connection	2 ₋₁₉ 2 ₋₂₀	Install Pile Jackets Handrail Removal	0 1	0.00 20.863.00	\$0 \$20.863	
Uplands S12,979,74	2.22	Handrail Purchase and Installation	1	485,589 00	\$485,589	
Uplands 3.01 Electric Utility Upgrades 1 0 00 \$0 \$0 \$0 \$0 \$0 \$	2.23	On Dock Sewer and Connection	1	144,302.00	\$144,302	
3.03 Allowance for Waterline Upgrades 1 0.00 \$0 3.04 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.05 Allowance for Catch Basin Filters 1 0.00 \$0 3.06 Allowance for Bird and Mammal Monitoring 9 5.462.56 \$49,163 3.07 Allowance for Biological Mitigation 9 4.791.78 \$43.126 \$92,289		Electric Utility Upgrades	1		\$0	
3.04 Allowance for Storm and Sanitary Upgrades 1 0.00 \$0 3.05 Allowance for Catch Basin Filters 1 0.00 \$0 3.06 Allowance for Bird and Mammal Monitoring 9 5.462.56 \$49,163 3.07 Allowance for Biological Mitigation 9 4.791.78 \$43,126 \$92,289						
3.05 Allowance for Catch Basin Filters 1 0.00 \$0 3.06 Allowance for Bird and Mammal Monitoring 9 5.462.56 \$49,163 3.07 Allowance for Biological Mitigation 9 4.791.78 \$43.126 \$92,289						
3.07 Allowance for Biological Mitigation 9 4.791.78 \$43.126 \$92,289						
3.07 Allowance for Biological Mitigation 9 4.791.78 \$43.126 \$92,289	3.06	Allowance for Bird and Mammal Monitoring	9	5,462.56		
			1 - 150 - 1		\$43 126	
		Total Phase- Basin 2 Waterside Work			\$92,289 \$14,483,16	

	SCHEDULE OF VALUES Waterside Access through Basin 3	Waterside Access through Basin 3			
	1447	Phase Quantity	Unit Price	Total Sell	
	Design and General Conditions	deditities	1 1100	0011	
1.01	Engineer Construction Support	1	0 00	\$0	
	Bonds and Insurance	1	10,445.00	\$10,445	
	General Conditions		0.00		
11.03	seneral Conditions	1	0 00	\$0 \$10,445	
- 1	Marine				
22.01	Equipment Mobilization	1	0 00	\$0	
22 02	Float Demolition and Disposal	1	152,061.00	\$152,061	
22.03	Pile Removal and Disposal	1	204_699 00	\$204 699	
22.04	Dredging and Disposal Offshore	19.305 -	26 23	\$506,337	
	Dredging to Upland	0	0 00	\$0	
22.06	Pile Procurement	0	0.00	\$0	
	Pile Installation	0	0.00	\$0	
	Float Procurement	0	0.00	\$0	
	Float Installation	0	0 00	\$0	
		0	0.00	\$0	
- 1	0 Float Apurtenance Supply and Install 1 Utility Terminations in Access Docks		15,847 00	\$15.847	
	Gangway Procurement	1 0	0.00	\$0	
		0	0 00	\$0	
	Gangway Installation				
	Gangway Platforms	0	0 00	\$0	
	Seawall Grouting- Basin 2	0	0.00	\$0	
- C	Seawall Repair- Basın 2	0	0 00	\$0	
22 17	Seawall Rip Rap	0	0 00	\$0	
22.18	Allowance for Exisiting Rock Work Recontouring	0	0.00	\$0	
22,19	Install Pile Jackets	0	0.00	\$0	
22.20	Handrail Removal	1	0 00	\$0	
22.21	Handrail Core Drilling	0	included	included	
2222	Handrail Purchase and Installation	0	0.00	\$0	
	On Dock Sewer and Connection	0	0.00	\$0	
44.43		1	0.00	\$878,944	
	Uplands				
	Electric Utility Upgrades	0	0,00	\$0	
	Allowance for SCE Work	0	0.00	\$0	
	Allowance for Waterline Upgrades	0	0.00	\$0	
	Allowance for Storm and Sanitary Upgrades	0	0.00	\$0	
23.05	Allowance for Catch Basin Filters	0	0.00	\$0	
23.06	Allowance for Bird and Mammal Monitoring	0	0.00	\$0	
23.07	Allowance for Biological Mitigation	0	0.00	\$0	
	Total Phase- Waterside Access through Basin		· · · · · · · · · · · · · · · · · · ·	\$0	
	3			\$889,389	
		100	Acres and the	\$889,389	

BELLINGHAM MARINE INDUSTRIES CONTRACT NO. 31687

Council Date	Document	Decription	Amount	Running Total
2/16/2010	Initial Contract	Basin 4 -Phase 1A	\$ 11,800,000	
8/9/2011	1st Amendment	Basin 4 -Phase 1B	\$ 6,430,000	\$ 18,230,000
4/3/2012	2nd Amendment	Change Orders	\$ 541,847	\$ 18,771,847
5/1/2012	3rd Amendment	Basin 1 -Phase 2A	\$ 3,632,150	\$ 22,403,997
9/4/2012	4th Amendment	Basin 1 -Phase 2B	\$ 8,363,618	\$ 30,767,615
11/20/2012	5th Amendment	Basin 1 -Phase 2C	\$ 5,347,682	\$ 36,115,297
6/18/2013	6th Amendment	Basin 5 -Phase 4	\$ 3,216,468	\$ 39,331,765
12/3/2013	7th Amendment	Pete Archer Dock	\$ 178,530	\$ 39,510,295
4/15/2014	8th Amendment	SCE/Utilites	\$ 1,848,712	\$ 41,359,007
		Stand-by	\$ 72,000	\$ 41,431,007
8/19/2014	9th Amendmente	Basin 2 - Phase 5	\$ 9,575,610	\$ 51,006,617
2/28/2015	Adjustment - Basin	1 to SCE (5th Amend)	\$ (600,000)	\$ 50,406,617
2/28/2015	Adjustment - Pete	Archer (7th Amend)	\$ (16,230)	\$ 50,390,387
3/17/2015	10th Amendment	Basin 2 - Phase 6	\$ 14,483,164	\$ 64,873,551
		Contingency - Phase 6	\$ 724,158	\$ 65,597,709
		Dredge Access - Phase 7	\$ 889,389	\$ 66,487,098

REVISED CONTRACT AMOUNT \$ 66,487,098