

1 FIRST AMENDMENT TO AGREEMENT NO. 36427

2 **36427**

3 THIS FIRST AMENDMENT TO AGREEMENT NO. 36427 is made and
4 entered, in duplicate, as of June 30, 2023, for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting on July
6 19, 2022, by and between ALBERT HOLGUIN dba WORLD WIDE CONSTRUCTION, a
7 sole proprietor, whose address is 1621 West 25th Street, #266, San Pedro, California
8 90732 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, pursuant to a "Notice Inviting Bids for Job Order Contract (JOC)
10 in the City of Long Beach, California," bids were received, publicly opened on March 4,
11 2022, and declared on the date specified in said Notice; and

12 WHEREAS, the parties entered into Contract No. 36427 for the work
13 described in the bid documents to furnish all necessary labor, supervision, tools, materials,
14 supplies, appliances, equipment and transportation for the work described in each Work
15 Order, as defined in Specification No. R-7193, said work to be performed according to the
16 Contract Documents; and

17 WHEREAS, in accordance with Long Beach Municipal Code ("LBMC")
18 section 2.84.100 and the terms of Contract No. 36427, the City is required to pay Contractor
19 the amount(s) for each Work Order based on the adjustment factor in Contractor's Bid,
20 provided, however, that the city shall not pay more than Two Million Dollars (\$2,000,000)
21 for the term of the Contract. Furthermore, no individual Work Order project shall exceed
22 Seven Hundred and Fifty Thousand Dollars (\$750,000); and

23 WHEREAS, the Parties desire to reduce the Contract amount by One Million
24 Dollars (\$1,000,000), for a total Contract amount of One Million Dollars (\$1,000,000);

25 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
26 conditions herein contained, the Parties agree as follows:

27 1. Section 3 of Contract No. 36427 is hereby amended to read as
28 follows:

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 "PRICE AND PAYMENT. City shall pay to Contractor the amount(s) for each
2 Work Order based on the adjustment factor in Contractor's Bid, attached hereto as Exhibit
3 "A"; provided, however, that City shall not pay more than One Million Dollars
4 (\$1,000,000.00) for the term of the Contract. Furthermore, no individual Work Order project
5 shall exceed Seven Hundred and Fifty Thousand Dollars (\$750,000)."

6 2. Except as expressly modified herein, all of the terms and conditions
7 contained in Agreement No. 36427 are ratified and confirmed and shall remain in full force
8 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.

11
12
13 July 5 _____, 2023

ALBERT HOLGUIN dba WORLD WIDE
CONSTRUCTION, a sole proprietor

By [Signature]
Name Albert Holguin
Title Owner

14
15 _____, 2023

By _____
Name _____
Title _____

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

16
17
18
19
20 July 11 _____, 2023

By Linda J. Takem
City Manager

21 EXECUTED PURSUANT
22 TO SECTION 301 OF
23 THE CITY CHARTER.

"City"

This First Amendment to Agreement No. 36427 is approved as to form on

24 July 6 _____, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

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