

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 FIRST AMENDMENT TO CONTRACT NO. 32403

2 **32403**

3 THIS FIRST AMENDMENT TO CONTRACT NO. 32403 is made and
4 entered, in duplicate, as of February 23, 2012 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 February 21, 2012, by and between AIS CONSTRUCTION COMPANY, a California
7 corporation ("Contractor"), whose address is 1110 Eugenia Place, Suite 200, Carpinteria,
8 California 93013, and the CITY OF LONG BEACH, a municipal corporation ("City").

9 WHEREAS, pursuant to a "Notice Inviting Bids for the Restoration and
10 Improvements of Colorado Lagoon, Phase 1, Part 2, in the City of Long Beach,
11 California," dated August 3, 2011, and published by City, bids were received, publicly
12 opened and declared on the date specified in said Notice; and

13 WHEREAS, the parties entered Contract No. 32403 whereby Contractor
14 agreed to provide such services; and

15 WHEREAS, the parties desire to amend the Scope of Work attached to the
16 Contract and increase the Contract for a total not to exceed amount of \$7,000,000;

17 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
18 conditions in Contract No. 32403 and herein, the parties agree as follows:

19 1. The Scope of Work in Exhibit "A" to the Contract is hereby amended
20 in accordance with Exhibit "A-1", attached hereto and incorporated by this reference.

21 2. Section 2.A. of Contract No. 32403 is hereby amended to read as
22 follows:

23 "2. PRICE AND PAYMENT.

24 A. City shall pay to Contractor the amount(s) for materials and
25 work identified in Contractor's "Bid for the Restoration and Improvements of
26 Colorado Lagoon, Phase 1, Part 2, in the City of Long Beach, California," attached
27 hereto as Exhibit "A" and as amended by Exhibit "A-1"; provided, however, that
28 City shall not pay more than Seven Million Dollars (\$7,000,000) for the term of the

1 Contract.”

2 3. Except as expressly modified herein, all of the terms and conditions
3 contained in Contract No. 32403 are ratified and confirmed and shall remain in full force
4 and effect.

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

7 AIS CONSTRUCTION COMPANY, a
8 California corporation

9 March 8, 2012

By [Signature]

President

Andrew Sheaffer

Type or Print Name

11 March 8, 2012

By Linda Sheaffer

Secretary

Linda Sheaffer

Type or Print Name

14 “Contractor”

15 CITY OF LONG BEACH, a municipal
16 corporation

17 3.29, 2012

By [Signature] Assistant City Manager

City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

19 “City”

20 This First Amendment to Contract No. 32403 is approved as to form on

21 3/26, 2012.

22 ROBERT E. SHANNON, City Attorney

23 By [Signature]

24 Deputy

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AMENDED SCOPE OF WORK**Contract No. 32403****The following items are hereby deleted**

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE (IN FIGURES)	ITEM TOTAL (IN FIGURES)
1.	Mobilization/ Demobilization/Site Preparation – West Arm	1	LS	(\$400,000.00)	(\$400,000.00)
2.	Stormwater Pollution Prevention Plan (SWPPP) and Sediment and Erosion Control – West Arm	1	LS	(\$50,000.00)	(\$50,000.00)
3.	Side Slope Grading/ Excavation and Truck to Port of Long Beach – West Arm	2,950	CY	(\$55.00)	(\$162,250.00)
4.	(S) Mechanical Dredge and Truck to Port of Long Beach – West Arm	24,850	CY	(\$69.00)	(\$1,714,650.00)
5.	(S) Sediment Treatment – West Arm	19,950	CY	(\$65.00)	(\$1,296,750.00)

Credit \$3,623,650

The following items are hereby added

35.	Mobilization/ West/Central/North Arm	1	LS	\$994,425.00	\$994,425.00
36.	SWPPP Sediment Control/Erosion Control	1	LS	\$120,000.00	\$120,000.00
37.	Side Slope Grading/ Excavation truck to POLB	1	LS	\$168,000.00	\$168,000.00
38.	(S) Mechanical Dredge and truck to POLB West/Central/North	1	LS	\$3,073,200.00	\$3,073,200.00
39.	Sediment Treatment/Drying West/Central/North Arms	1	LS	\$2,472,375.00	\$2,472,375.00
40.	Demobilization	1	LS	\$172,000.00	\$172,000.00

\$7,000,000