

FIRST AMENDMENT TO CONTRACT NO. 29802

**29802**

THIS FIRST AMENDMENT TO CONTRACT NO. 29802 is made and entered, in duplicate, as of October 29, 2007 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 October 10, 2006, by and between ATHENA ENGINEERING, INC., a California corporation, whose address is 446 Borrega Court, San Dimas, California 91773 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, pursuant to a "Notice Inviting Bids for Job Order Contract No. 9, City of Long Beach, California," dated August 18, 2006, and published by City, bids were received, publicly opened and declared on the date specified in said Notice; and

WHEREAS, the City Manager accepted the bid of Contractor; and

WHEREAS, the City Council authorized the City Manager to enter a contract with Contractor for the work described in the bid documents; and

WHEREAS, the parties desire to extend the term of the Contract;

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

1. Section 4.A. of Contract No. 29802 is hereby amended in its entirety to read as follows:

"4. TIME FOR CONTRACT.

A. The initial term of this Contract shall begin on November 15, 2006 and shall end on November 14, 2007. The first extended term of this Contract shall begin on November 15, 2007 and shall end on November 14, 2008 or on City's payment of Two Million Dollars (\$2,000,000) hereunder to Contractor, whichever occurs first. On the natural expiration date of the extended term or on City's payment of \$2,000,000 to Contractor during the extended term, City may, at its option, extend the term for one (1) separate, consecutive period of one (1) year by giving notice to Contractor of City's intent to extend. If City exercises its option to extend, the parties shall sign an amendment to

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

1 the Contract relating to such option for an additional period of twelve (12) months or until  
2 City pays to Contractor \$2,000,000 during said extension period."

3 2. Except as expressly amended in this First Amendment, all terms and  
4 conditions in Contract No. 29802 are ratified and confirmed and shall remain in full force  
5 and effect.

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

8 ATHENA ENGINEERING, INC., a California  
corporation

9 November 14, 2007 By 

10 Richard D. Chiera

11 (Type or Print Name)

12 Vice President

13 (Title)

14 \_\_\_\_\_, 2007 By \_\_\_\_\_

15 (Type or Print Name)

16 (Title)

17 "Contractor"

18 CITY OF LONG BEACH, a municipal  
19 corporation

20 11/16, 2007 By 

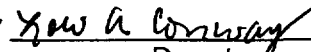
21 City Manager

22 "City"

23 This First Amendment to Contract No. 29802 is approved as to form on

24 11/15, 2007.

25 ROBERT E. SHANNON, City Attorney

26 By   
27 Deputy