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

FOURTH AMENDMENT TO CONTRACT NO. 30343

THIS FOURTH AMENDMENT TO CONTRACT NO. 30343 is made and entered, in duplicate, as of October 27, 2009 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 November 6, 2007, by and between NOBEST INCORPORATED, a California corporation ("Contractor"), whose address is 7600 Acacia Avenue, Garden Grove, California 92841, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Contract No. 30343 whereby Contractor agreed to provide the work described in Plans & Specifications No. R-6720; and

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

NOW, THEREFORE, in consideration of the mutual terms and conditions herein contained, the parties agree as follows:

- 1. Section 4 of Contract No. 30343 is amended in its entirety to read as follows:
- "4. <u>TIME FOR CONTRACT</u>. The original term of this Contract shall commence at midnight on November 1, 2007, and shall terminate at 11:59 p.m. on October 31, 2008. The first extended term shall commence at midnight on November 1, 2008, and shall terminate at 11:59 p.m. on October 31, 2009. The second extended term shall commence at midnight on November 1, 2009, and shall terminate at 11:59 p.m. on December 31, 2009, unless sooner terminated as provided in this Contract, or unless the services or the Project is completed sooner. Time is of the essence hereunder. City will suffer damage if the work is not completed within the time stated, but those damages would be difficult or impractical to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated in the Contract Documents."
- Except as expressly modified herein, all of the terms and conditions contained in Contract No. 30343 are ratified and confirmed and shall remain in full force and effect.

COPPICE OF THE CITY At LOCANET ROBERT E. SHANNON, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664	1	IN WITNESS WHEREOF, the parties have caused this document to be duly
	2	executed with all formalities required by law as of the date first stated above.
	3	NOBEST INCORPORATED, a California
	4	corporation
	5	
	6	Type or Print Name
	7	/0-29 ,2009 By toler free Secretary
	8	ROBERT MODLAND # Type or Print Name
	9	"Contractor"
	10	Contractor
	11	CITY OF LONG BEACH, a municipal
	12	corporation Assistant City Manager
	13	
	14	TO SECTION 301 OF
	15	This Fourth Amendment to Contract No. 30343 is approved as to form on
	16	10/30 , 2009.
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	18	ROBERT E. SHANNON, City Attorney
	19	By
	20	Deputy
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