

FIRST AMENDMENT TO AGREEMENT NO. 28249

**28249**

THIS FIRST AMENDMENT is made and entered, in duplicate, as of January 1, 2006 or reference purposes only, pursuant to an order adopted by the City Council of the City of Long Beach at its meeting on January 24, 2006, by and between Concept Marine Associates, a Division of TranSystems Corporation, a Missouri corporation (formerly known as Concept Marine Associates, Inc., a California corporation), with a place of business at 1853 Embarcadero, Oakland, California 94606 ("Consultant"), and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the City required specialized services requiring unique skills to be performed in connection with the improvement of Shoreline and Rainbow Harbor Marinas in the City of Long Beach ("Project"); and

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

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

1. Section 2 of Agreement No. 28249 is hereby amended in its entirety to read as follows:

"2. TERM. The term of this Agreement shall commence at midnight on January 1, 2003, and shall terminate at 11:59 p.m. on December 31, 2007, unless sooner terminated as provided in this Agreement, or unless the services to be performed hereunder or the Project is completed sooner."

2. Except as expressly amended herein, the terms and conditions of Agreement No. 28249 are ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this document to be duly

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executed with all of the formalities required by law as of the date first stated above.

Concept Marine Associates, a Division of  
TranSystems Corporation

Date: 2/6/06, 2006

By [Signature]  
REGIONAL VICE President

By [Signature]  
Vice President  
"Consultant"

CITY OF LONG BEACH

Date: 2/23, 2006

By [Signature]  
City Manager

"City"

This First Amendment is approved as to form on 2/13, 2006.

ROBERT E. SHANNON, City Attorney

By [Signature]  
Deputy

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

JCP:06-00477 (01-30-06)  
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