

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

1 THIRD AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687

2 **31687**

3 THIS THIRD AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687 is  
4 made and entered, in duplicate, as of **MAY 4 2012**, for reference purposes only,  
5 pursuant to a minute order adopted by the City Council of the City of Long Beach at its  
6 meeting held on May 1, 2012, by and between BELLINGHAM MARINE INDUSTRIES,  
7 INC., a Washington corporation ("Design-Builder"), with a place of business at 1205  
8 Business Park Drive, Dixon, California 95620, and the CITY OF LONG BEACH, a  
9 municipal corporation ("City").

10 WHEREAS, the parties executed Design-Build Contract No. 31687 on June  
11 28, 2010 whereby Design-Builder agreed to provide City with construction and  
12 engineering design services for Alamitos Bay Marina, Basin 4, which have continued to  
13 the present time; and

14 WHEREAS, the parties desire to amend Design-Build Contract No. 31687  
15 to increase Design-Builder's payment under the Contract for work related to Phase 2A of  
16 the Project in the amount of Three Million Six Hundred Thirty-Two Thousand One  
17 Hundred and Fifty Dollars (\$3,632,150.00);

18 NOW, THEREFORE, in consideration of the mutual terms and conditions in  
19 the Contract and in this Third Amendment, the parties agree as follows:

20 1. Section 6.1 of Design-Build Contract No. 31687 is hereby amended  
21 and restated in its entirety to read as follows:

22 "6.1 Contract Price. Owner shall pay Design-Builder in accordance with  
23 Article 6 of the General Conditions of Contract an amount not to exceed Twenty-Two  
24 Million Four Hundred and Three Thousand Nine Hundred Ninety-Seven Dollars  
25 (\$22,403,997.00) ("Contract Price," as illustrated in Exhibit "B-3", attached to this Third  
26 Amendment and incorporated herein by reference.), subject to adjustments made in  
27 accordance with the General Conditions of Contract. Unless otherwise provided in the  
28 Contract Documents, the Contract Price is deemed to include all sales, use, consumer

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1 and other taxes mandated by applicable Legal Requirements."

2           2. Except as expressly amended in this Third Amendment, all terms  
3 and conditions in Design-Build Contract No. 31687 are ratified and confirmed and shall  
4 remain in full force 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  
8 BELLINGHAM MARINE INDUSTRIES,  
INC., a Washington corporation

9 May 4, 2012

By J. Everett Babbitt  
President

J. EVERETT BABBITT  
Type or Print Name

11 May 4 2012

By Diana M. Jettcoat  
Secretary

Tina M. Jettcoat  
Type or Print Name

14 "Design-Builder"

15 CITY OF LONG BEACH, a municipal  
16 corporation

17 5-11 2012

By Ol H West  
City Manager

18 "City"

20 This Third Amendment to Design-Build Contract No. 31687 is approved as  
21 to form on May 7 2012.

22 ROBERT E. SHANNON, City Attorney

23  
24 By Jay J. Anderson  
Deputy



**ALAMITOS BAY MARINA**

SCHEDULE OF VALUES				
Phase 2- Basln 1 Construction		PHASE 2 A		
5/2/2012		Phase	Unit	Total
Design and General Conditions		Quantity	Price	Sell
21.01	Engineer Construction Support	1	35,000.00	\$35,000
21.02	Bonds and Insurance	1	60,000.00	\$60,000
21.03	General Conditions	1	176,065.00	\$176,065
				\$271,065
<b>Marine</b>				
22.01	Equipment Mobilization	1	222,275.00	\$222,275
22.02	Float Demolition and Disposal	1	580,704.00	\$580,704
22.03	Pile Removal and Disposal	251	2,656.32	\$666,736
22.04	Dredging and Disposal Offshore	60000	28.19	\$1,691,370
22.05	Dredging to Upland	1	0.00	\$0
22.05	Basin 1 Pile Procurement	166	0.00	\$0
22.06	Pile Installation	166	0.00	\$0
22.07	Basin 1 Float Procurement	79122	0.00	\$0
22.08	Float Installation	38430	0.00	\$0
22.09	Float Apurtenance Supply and Install	38430	0.00	\$0
22.10	Marine Utilty Installation	38430	0.00	\$0
22.11	Gangway Procurement	5	0.00	\$0
22.12	Gangway Installation	5	0.00	\$0
22.13	Gangway Platforms	1	0.00	\$0
22.14	Basin 1 Seawall Grouting	1290	0.00	\$0
22.15	Basin 1 Seawall Repair	1	0.00	\$0
22.16	Seawall Rip Rap	235	0.00	\$0
22.17	Install Pile Jackets	0	0	\$0
22.18	Handrail Removal	1620	0.00	\$0
22.19	Handrail Core Drilling	270	0.00	\$0
22.20	Handrail Purchase and Installatlon	1620	0.00	\$0
22.21	On Dock Sewer and Connection	52	0.00	\$0
				\$3,161,085
<b>Uplands</b>				
23.01	Electric Utilty Upgrades	1	0.00	\$0
				\$0
<b>Allowances</b>				
24.01	Allowance for SCE Work	1	0.00	\$0
24.02	Allowance for Waterline Upgrades	1	0.00	\$0
24.03	Allowance for Storm and Sanitary Upgrades	1	0.00	\$0
24.04	Allowance for Catch Basin Filters	1	0.00	\$0
24.05	Allowance for Bird and Mammal Monitoring	1	0.00	\$0
24.06	Allowance for Biological Mitigation	1	0.00	\$0
24.07	Allowance for Displaced Boat Storage	1	200,000.00	\$200,000
				\$200,000
<b>Total Phase 2A-Basln 1</b>				<b>\$3,632,150</b>