$\frac{\text{SECOND AMENDMENT TO DESIGN-BUILD CONTRACT NO. 31687}}{31687}$

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

WHEREAS, the parties desire to amend Design-Build Contract No. 31687 to increase Design-Builder's payment under the Contract for work related to Phase 1B of the Project in the amount of \$541,847.00;

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

- 1. Section 6.1 of Design-Build Contract No. 31687 is hereby amended and restated in its entirety to read as follows:
- "6.1 Contract Price. Owner shall pay Design-Builder in accordance with Article 6 of the General Conditions of Contract an amount not to exceed Eighteen Million Seven Hundred Seventy-One Thousand Eight Hundred Forty-Seven Dollars (\$18,771,847.00) ("Contract Price," as illustrated in Exhibit "B-2", attached to this Second Amendment and incorporated herein by reference.), subject to adjustments made in accordance with the General Conditions of Contract. Unless otherwise provided in the Contract Documents, the Contract Price is deemed to include all sales, use, consumer and other taxes mandated by applicable Legal Requirements."

1	2. Except as expressly amended in this Second Amendment, all terms
2	and conditions in Design-Build Contract No. 31687 are ratified and confirmed and shall
3	remain in full force and effect.
4	IN WITNESS WHEREOF, the parties have caused this document to be duly
5	executed with all formalities required by law as of the date first stated above.
6	BELLINGHAM MARINE INDUSTRIES, INC.,/a Washington corporation
7 8	Rue Comstall 4/21, 2012 By Event Bobbut
9	President SABBIT
10	Type or Print Name By War Song Song Start
11	Secretary OT
12	Type or Print Name
13	"Design-Builder"
14	CITY OF LONG BEACH, a municipal
15	corporation
16	, 2012 By City Manager
17	"City"
18	This Second Amendment to Design-Build Contract No. 31687 is approved
19	as to form on May 4, 2012.
20	ROBERT E. SHANNON, City Attorney
21	$A_{2} \cap A_{1}$
22	By Mulmon Deputy
23	VV
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ALAMITOS BAY MARINA REBUILD PROJECT PHASE 1 – CHANGE ORDER LIST

Dry Boat Yard Design

\$46,493

The California Coastal Commission permit requires that the City build an additional dry vessel storage yard with 100 spaces and public access. This change order will cover the cost for design of that facility.

Waste Oil Design

\$16,606

The California Coastal Commission permit requires the City to implement best management practices regarding waste oil removal and disposal. This will result in the addition of secure waste oil deposit facilities in the marina. This change order will cover the cost of that design.

Biological Monitor

\$22,232

The California Coastal Commission requires expert monitors to monitor environmental impacts during construction. This change order will cover the cost of that monitor.

On-dock Pumpouts

\$44,045

The California Coastal Commission permit requires on-dock pumpouts for slips 30 feet or larger. This is a green initiative, and this change order will cover the cost of that system for Basin 4.

LED Lights

\$12,300

This change order covers the cost to install environmentally friendly LED lights in the dock lights.

Restroom HazMat Abatement

\$21,136

Asbestos was found in the Basin 4 and Boathouse Lane restrooms, and must be handled as a hazardous waste for removal and disposal. This change order covers that added cost.

Fence Change for Public

\$7.140

The contractor fenced the marina parking lot when construction started. However, residents were concerned that Long Beach Yacht Club events would cause an adverse impact to residential parking. As a result, an agreement was brokered to add a gate, new fence, and signage to open the lot for the public during construction. This change order covers that cost.

Over-Dredge

\$37,260

Dredge quantities are estimated. Regulatory permits normally allow for a two-foot over-dredge, recognizing that dredging, particularly when using a clamshell, is not exact. This change order represents payment for the dredge spoils that were actually dredged over the design depth.

Underground Wire HazMat

\$4,249

Electrical wiring containing asbestos was discovered when relocating palm trees as part of the project. This material must be handled and disposed of as hazardous waste. This change order will cover those costs.

Long Beach Yacht Club Parking Lot

\$204,386

The Long Beach Yacht Club paid the City \$1 million for the rebuilding of the longdock adjacent to the Club, which was deposited in the Marina Fund (TF 403). The cost of the longdock was \$795,614. The differential is to be used to upgrade the parking lot adjacent to the Club in the same manner as the parking lot upgrades in the adjoining parking lots. This change order will cover those costs.

Water Pipe Replacement

\$101,000

While connecting the dock water to the existing lateral water line, pressure changes were noted, indicating subterranean water leaks. A sinkhole near the edge of the seawall further confirms those leaks. This change order reflects the cost of replacing that line, from the seawall to the street.

Hazardous Waste at Eelgrass Mitigation Site

\$25,000

While digging up the dirt at the eelgrass mitigation site, an odor was discovered in 30 cubic yards of material. This material needs to be treated and disposed of as hazardous waste. This change order reflects those costs.

TOTAL CHANGE ORDERS:

\$541,847