

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

FIRST AMENDMENT TO CONTRACT NO. 31429

31429

THIS FIRST AMENDMENT TO CONTRACT NO. 31429 is made and entered, in duplicate, as of January 8, 2010 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 December 15, 2009, by and between HUMPHREY CONSTRUCTORS, a California corporation ("Contractor"), whose address is 21314 Hideout Drive, Diamond Bar, California 91765, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, the parties entered Contract No. 31429 whereby the Contractor agreed to furnish all necessary labor, supervision, tools, materials, supplies, appliances, equipment and transportation for the work described in Plans & Specifications No. R-6809 for the Construction of Storm Drain Pollution Trap Nets at Pump Station SD13 in the City of Long Beach, California; and

WHEREAS; certain language regarding the Davis Bacon Act Compliance needs to be updated;

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

1. Exhibit "A", Davis Bacon Act Compliance, paragraph 2(b) is hereby amended to read as follows:

"In addition to the clauses contained in Item 3, above, in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other statutes cited in 29 CFR 5.1, the City of Long Beach shall require that the contractor or subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of six years from the completion of the contract for all laborers and mechanics, including guards and watchmen, working on the contract. Such records shall contain the name and address of each such employee, social security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid.

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1 Further, the City of Long Beach shall require that the records to be maintained under this
2 paragraph shall be made available by the contractor or subcontractor for inspection,
3 copying, or transcription by authorized representatives of the State Water board, USEPA,
4 the City of Long Beach and the Department of Labor, and the contractor or subcontractor
5 will permit such representatives to interview employees during working hours on the job."

6 2. Except as expressly amended in this First Amendment, all terms and
7 conditions in Contract No. 31429 are ratified and confirmed and shall remain in full force
8 and effect.

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

11 HUMPFREY CONSTRUCTORS, a
12 California corporation

13 Jan 14, 2010 By [Signature]
14 Richard Humphrey
15 President
16 Type or Print Name

17 Jan 14, 2010 By [Signature]
18 Trista Humphrey
19 Secretary
20 Type or Print Name

"Contractor"

21 CITY OF LONG BEACH, a municipal
22 corporation Assistant City Manager

23 Jan 26, 2010 By [Signature]
24 EXECUTED PURSUANT
25 TO SECTION 301 OF
26 THE CITY CHARTER.
27 City Manager

"City"

28 This First Amendment to Contract No. 31429 is approved as to form on
1-20, 2010.

ROBERT E. SHANNON, City Attorney
By [Signature]
Deputy