

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 FIFTH AMENDMENT TO CONTRACT NO. 34582

2 **34582**

3 THIS FIFTH AMENDMENT TO CONTRACT NO. 34582 is made and
4 entered, in duplicate, as of March 16, 2022 for reference purposes only, pursuant to a
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on
6 March 15, 2022, by and between GOOD-MEN ROOFING AND CONSTRUCTION INC., a
7 California corporation, whose address is 3940 Hancock Street, Suite 220, San Diego,
8 California 92110 ("Contractor"), and the CITY OF LONG BEACH, a municipal corporation
9 ("City").

10 WHEREAS, pursuant to a Notice Inviting Bids for Job Order Contract, City of
11 Long Beach, California, bids were received, publicly opened on February 17, 2017 and
12 declared on the date specified in said Notice; and

13 WHEREAS, the City Manager accepted the bid of Contractor; and

14 WHEREAS, City and Contractor (the "Parties") entered into Contract No.
15 34582 (the "Contract") for the work described in the bid documents; and

16 WHEREAS, the Parties entered into a First Amendment to the Contract to
17 extend the term to March 21, 2019 and add \$2,000,000 for a total not to exceed amount of
18 \$4,000,000; and

19 WHEREAS, the Parties entered into a Second Amendment to the Contract
20 to extend the term to March 21, 2020 and add updated Construction Task Catalog
21 information; and

22 WHEREAS, the Parties entered into a Third Amendment to the Contract to
23 extend the term to March 21, 2021, add \$2,000,000 for a total not to exceed amount of
24 \$6,000,000 and add updated Construction Task Catalog information; and

25 WHEREAS, the Parties entered into a Fourth Amendment to the Contract to
26 extend the term to March 21, 2022; and

27 WHEREAS, the Parties desire to extend the term one (1) additional one-year
28 period and increase the single job order project cost limit to \$750,000;

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1 NOW, THEREFORE, in consideration of the mutual terms, covenants, and
2 conditions herein contained, the Parties agree as follows:

3 1. Section 2 of the Contract is hereby amended to read as follows:

4 "2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s)
5 for each Work Order based on the adjustment factor in Contractor's Bid, attached to the
6 Contract as Exhibit "A"; provided, however, that City shall not pay more than Six Million
7 Dollars (\$6,000,000) for the term of the Contract. Furthermore, no individual Work Order
8 project shall exceed Seven Hundred Fifty Thousand Dollars (\$750,000)."

9 2. Section 3.A of the Contract is hereby amended to read as follows:

10 "A. The term of this Contract shall begin on March 22, 2017 and shall end
11 on March 21, 2023 or on City's payment of the not-to exceed dollar amount hereunder to
12 Contractor as specified in Section 2, whichever occurs first."

13 3. Except as expressly modified herein, all of the terms and conditions
14 contained in Contract No. 34582 are ratified and confirmed and shall remain in full force
15 and effect.

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

GOOD-MEN ROOFING AND CONSTRUCTION INC., a California corporation

March 24, 2022

By [Signature]
Name Ouspav Galindo Jr
Title President

March 24, 2022

By [Signature]
Name Richard Hancock
Title CFO

"Contractor"

CITY OF LONG BEACH, a municipal corporation

April 1, 2022

By [Signature]
City Manager

"City"

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

This Fifth Amendment to Contract No. 34582 is approved as to form on

March 29, 2022.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy