

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

1 THIRD AMENDMENT TO CONTRACT NO. 34582

2 **34582**

3 THIS THIRD AMENDMENT TO CONTRACT NO. 34582 is made and
4 entered, in duplicate, as of March 25, 2020 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 24, 2020, 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 desire to extend the term one (1) additional one-year
23 period, add \$2,000,000 to the Contract and add updated Construction Task Catalog
24 information;

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

- 27 1. Section 2 of the Contract is hereby amended to read as follows:
28 "2. PRICE AND PAYMENT. City shall pay to Contractor the amount(s)

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1 for each Work Order based on the adjustment factor in Contractor's Bid, attached hereto
2 as Exhibit "A"; provided, however, that City shall not pay more than Six Million Dollars
3 (\$6,000,000) for the term of the Contract. Furthermore, no individual Work Order project
4 shall exceed Five Hundred Thousand Dollars (\$500,000)."

5 2. Section 3.A of the Contract is hereby amended to read as follows:
6 "A. The term of this Contract shall begin on March 22, 2017 and shall end
7 on March 21, 2021 or on City's payment of the not-to exceed dollar amount hereunder to
8 Contractor as specified in Section 2, whichever occurs first."

9 3. Contractor's Bid in Exhibit "A-1" to the Second Amendment to the
10 Contract is hereby amended in accordance with Exhibit "A-2", attached hereto and
11 incorporated by this reference.

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

4/29, 2020

By Gaspar Galindo Jr.
Name Gaspar Galindo Jr.
Title President

4/29, 2020

By Richmond Harmon
Name Richmond Harmon
Title CFD Treasurer

"Contractor"

CITY OF LONG BEACH, a municipal corporation

May 13, 2020

By Rebecca L. Garner
EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER
"City"

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

May 12, 2020.

CHARLES PARKIN, City Attorney

By [Signature]
Deputy

EXHIBIT A-2

The Adjustment Factors submitted with the Bid shall be in effect the full term of the contract including the Base Term and any and all Option Terms.

Construction Task Catalog®

The Construction Task Catalog® is a comprehensive listing of construction related tasks together with a specific unit of measure and a published Unit Price. All Unit Prices are based on local labor, material and equipment prices and are for the direct cost of construction. The language in this exhibit shall replace Section 79, Price Adjustments in Division H of the original specifications, R-7074. This section shall also apply to all subsequent contract renewals, unless indicated otherwise by the City in writing.

- a. The Construction Task Catalog® issued with this Solicitation will be in effect for all years of this contract.
- b. On the annual anniversary of the solicitation, the City shall provide the Contractor with a new Construction Task Catalog® for review and acceptance prior to accepting new work. In general, the Contractor shall use the Construction Task Catalog® in effect on the date that the Job Order Contract process is initiated (i.e. Joint Scope Meeting Invitation). However, the Contractor cannot delay the initiation of the Job Order Contract process to take advantage of a scheduled update of the Construction Task Catalog®. In that event, the Contractor shall use the Construction Task Catalog® that was in effect prior to the update.
- c. The new Construction Task Catalog® will be effective for the twelve (12) month period after the anniversary of the award date. The Construction Task Catalog® that accompanies each anniversary shall only apply to Job Orders initiated after the effective date of that specific renewal option and shall have no impact on Job Orders initiated prior to the effective date of that specific renewal option.

The new Construction Task Catalog shall be available in the Gordian Group Software.