

SECOND AMENDMENT TO CONTRACT NO. 35199

35199

THIS SECOND AMENDMENT TO CONTRACT NO. 35199 is made and entered, in duplicate, as of January 21, 2022 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 March 12, 2019, by and between BITECH CONSTRUCTION COMPANY INC., a California corporation ("Contractor"), whose address is 7371 Walnut Avenue, Buena Park, California 90620, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Contract No. 35199 (the "Contract") whereby Contractor agreed to provide the work described in Project Plans and Specifications No. R-7137, Contract for Concrete Repairs and Related Improvements; and

WHEREAS, the Parties entered into a First Amendment to the Contract to extend the term to March 31, 2022 and attach an updated rate sheet; and

WHEREAS, the Parties desire to extend the term one (1) additional one-year period and attach an updated rate sheet;

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

1. Section 4 of the Agreement is hereby amended to read as follows:

"4. TIME FOR CONTRACT. The term of this Contract shall commence at midnight on April 1, 2019, and shall terminate at 11:59 p.m. on March 31, 2023, unless sooner terminated as provided in this Contract, or unless the services or the Project is completed sooner. The Parties have the option to extend the term for one (1) additional one-year period, at the discretion of the City Manager. Time is of the essence hereunder. City will suffer damage if the work is not completed within the time stated, but those damages would be difficult or impractical to determine. So, Contractor shall pay to City, as liquidated damages, the amount stated in the Contract Documents."

2. The Rates in Exhibit "A-1" to the First Amendment are hereby

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

1 amended in accordance with Exhibit "A-2", attached hereto and incorporated by this
2 reference.

3 3. Except as expressly modified herein, all of the terms and conditions
4 contained in Contract No. 35199 are ratified and confirmed and shall remain in full force
5 and effect.

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

8
9 BITECH CONSTRUCTION COMPANY
INC., a California corporation

10 Jan. 21, 2022 By [Signature]
11 Name Benjamin Kim
12 Title President

13 Jan. 21, 2022 By [Signature]
14 Name Benjamin Kim
15 Title Secretary

16 "Contractor"

17 CITY OF LONG BEACH, a municipal
18 corporation

19 2/8, 2022 By [Signature]
20 City Manager

21 "City"

22 This Second Amendment to Contract No. 35199 is approved as to form on

23 February 3, 2022.

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

24 CHARLES PARKIN, City Attorney

25 By [Signature]
26 Deputy

EXHIBIT "A-2"

R-7137 RATES BITECH CONSTRUCTION					
ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE (IN FIGURES)	ITEM TOTAL (IN FIGURES)
1	REMOVE CONCRETE IMPROVEMENTS & BACKFILL WITH TOPSOIL	3,000	SF	\$ 6.80	\$ 20,400.00
2	REMOVE & REPLACE ASPHALT CONCRETE PAVEMENT	4,000	SF	\$ 13.60	\$ 54,400.00
3	STUMP REMOVAL UPTO & INCLUDING 24" DIAMETER TRUNK	20	EA	\$ 283.00	\$ 5,660.00
4	STUMP REMOVAL 25" & OVER DIAMETER TRUNK	20	EA	\$ 412.00	\$ 8,240.00
5	TREE REMOVAL UP TO & INCLUDING 24" DIAMETER TRUNK	50	EA	\$ 1,658.00	\$ 82,900.00
6	TREE REMOVAL 25" DIAMETER TRUNK	50	EA	\$ 2,961.00	\$ 148,050.00
7	SHAVE ROOTS AT CURB	4,000	LF	\$ 11.33	\$ 45,320.00
8	SHAVE ROOTS AT SIDEWALK	20,000	LF	\$ 11.33	\$ 226,600.00
9	TREE PRUNING	1,000	EA	\$ 374.00	\$ 374,000.00
10	LAWN SODDING	2,000	SF	\$ 5.67	\$ 11,340.00
11	PLANT TREE, 24" BOX	40	EA	\$ 680.00	\$ 27,200.00
12	PLANT TREE, 36" BOX	40	EA	\$ 1,133.00	\$ 45,320.00
13	UNCLASSIFIED EXCAVATION	400	CY	\$ 102.00	\$ 40,800.00
14	ADJUST MANHOLE FRAME & COVER	40	EA	\$ 113.00	\$ 4,520.00
15	ADJUST LACSD MANHOLE FRAME & COVER	40	EA	\$ 113.00	\$ 4,520.00
16	ADJUST WATER VALVE BOX & COVER	40	EA	\$ 227.00	\$ 9,080.00
17	RECONSTRUCT WATER VALVE BOX & COVER	20	EA	\$ 283.25	\$ 5,665.00
18	ADJUST GAS VALVE BOX & COVER	25	EA	\$ 170.00	\$ 4,250.00
19	REPLACE STREET LIGHT PULL BOX	100	EA	\$ 453.00	\$ 45,300.00
20	REPLACE TRAFFIC SIGNAL PULL BOX	100	EA	\$ 850.00	\$ 85,000.00
21	RELOCATE PULL BOX	15	EA	\$ 3,965.50	\$ 59,482.50
22	INSTALL SURVEY MONUMENT TYPE C WITH CASTING & COVER	10	EA	\$ 489.25	\$ 4,892.50
23	INSTALL SURVEY MONUMENT TYPE A	5	EA	\$ 612.85	\$ 3,064.25
24	ADJUST SURVEY MONUMENT CASTING & COVER	5	EA	\$ 420.24	\$ 2,101.20
25	REPLACE SURVEY BENCH MARK, TYPE 1	25	EA	\$ 453.20	\$ 11,330.00
26	REPLACE CENTERLINE TIES OR PROPERTY MARKERS	350	EA	\$ 453.20	\$ 158,620.00
27	REPLACE CURB DRAIN	60	EA	\$ 301.28	\$ 18,076.80
28	REMOVE EXISTING CONSTRUCT PCC CURB, GB TYPE A1	5,000	LF	\$ 38.56	\$ 192,816.00
29	REMOVE EXISTING CONSTRUCT PCC CURB, GB TYPE A1, INTERGRAL	1,000	LF	\$ 38.56	\$ 38,563.20
30	REMOVE EXISTING CONSTRUCT PCC CURB, GB TYPE A2, W=1.5'	10,000	LF	\$ 50.61	\$ 506,142.00
31	REMOVE EXISTING CONSTRUCT PCC CURB, GB TYPE A2, W=2.0'	1,000	LF	\$ 54.23	\$ 54,229.50
32	REMOVE EXISTING CONSTRUCT PCC CURB, GB TYPE A2, W=7'	500	LF	\$ 73.65	\$ 36,822.50
33	CURB RAMP CASE A, DETAIL 1A	15	EA	\$ 5,253.00	\$ 78,795.00
34	CURB RAMP CASE A, DETAIL 1B	50	EA	\$ 5,253.00	\$ 262,650.00
35	CURB RAMP CASE A, DETAIL 2	5	EA	\$ 5,726.80	\$ 28,634.00
36	CURB RAMP CASE A, DETAIL 3 OR 4	5	EA	\$ 5,726.80	\$ 28,634.00
37	CURB RAMP CASE B, DETAIL 1A	10	EA	\$ 8,868.30	\$ 88,683.00
38	CURB RAMP CASE B, DETAIL 2	5	EA	\$ 8,868.30	\$ 44,341.50
39	CURB RAMP CASE B, DETAIL 3 OR 4	5	EA	\$ 8,868.30	\$ 44,341.50
40	CURB RAMP CASE C	50	EA	\$ 4,645.30	\$ 232,265.00
41	CURB RAMP CASE D, DETAIL 1A	5	EA	\$ 4,645.30	\$ 23,226.50
42	CURB RAMP CASE D, DETAIL 1B	5	EA	\$ 4,645.30	\$ 23,226.50
43	CURB RAMP CASE D, DETAIL 3 OR 4	5	EA	\$ 4,645.30	\$ 23,226.50
44	CURB RAMP CASE E	10	EA	\$ 4,645.30	\$ 46,453.00
45	CURB RAMP CASE F	5	EA	\$ 6,540.50	\$ 32,702.50
46	CURB RAMP CASE G	5	EA	\$ 7,570.50	\$ 37,852.50
47	CURB RAMP CASE H	40	EA	\$ 6,056.40	\$ 242,256.00
48	INSTALL ADA DETECTABLE WARNING SURFACE (NO RAMP CONSTRUCTION)	350	SF	\$ 36.15	\$ 12,653.55
49	CERTIFICATION OF CURB RAMP	220	EA	\$ 805.46	\$ 177,201.20
50	REMOVE EXISTING AND CONSTRUCT PCC SIDEWALK, 3" THICK	350,000	SF	\$ 8.65	\$ 3,028,200.00
51	GRIND .025-0.75 PCC SIDEWALK	10,000	LF	\$ 7.93	\$ 79,310.00
52	REMOVE EXISTING AND CONSTRUCT PCC SIDEWALK, 4" THICK	40,000	SF	\$ 9.06	\$ 362,560.00
53	REMOVE EXISTING AND CONSTRUCT PCC SIDEWALK, 6" THICK	6,000	SF	\$ 11.33	\$ 67,980.00
54	REMOVE EXISTING AND CONSTRUCT PCC ALLEY INTERSECTION 6" THICK	12,000	SF	\$ 11.33	\$ 135,960.00
55	REMOVE EXISTING AND CONSTRUCT PCC PAVEMENT 6" THICK	4,000	SF	\$ 13.60	\$ 54,384.00
56	REMOVE EXISTING AND CONSTRUCT PCC PAVEMENT 8" THICK	4,000	SF	\$ 15.86	\$ 63,448.00
57	REMOVE EXISTING AND CONSTRUCT PCC BUS STOP STREET PAD, 10" THICK	6,400	SF	\$ 18.13	\$ 116,019.20
58	REMOVE EXISTING AND CONSTRUCT PCC CROSS GUTTER OR SPANDREL 8" THICK	8,000	SF	\$ 15.86	\$ 126,880.00
59	STAMPED CONCRETE, 4" THICK	3,000	SF	\$ 22.66	\$ 67,980.00
60	CRUSHED MISC BASE, 6" THICK UNDER PCC IMPROVEMENTS	10,000	SF	\$ 2.41	\$ 24,102.00
61	CRUSHED MISC BASE	200	CY	\$ 48.20	\$ 9,640.80
62	ASPHALT CONCRETE PAVEMENT	40	TONS	\$ 301.28	\$ 12,051.00
63	CURB PAINTING	3,000	LF	\$ 3.02	\$ 9,053.70
64	REFLECTORIZED PAINT TRAFFIC STRIPING/PAVEMENT MARKINGS	1,000	SF	\$ 7.23	\$ 7,230.60
65	REFLECTORIZED THERMOPLASTIC TRAFFIC STRIPING/PAVEMENT MARKINGS	1,000	SF	\$ 12.05	\$ 12,051.00
66	RELOCATE SIGN & POST	80	EA	\$ 396.55	\$ 31,724.00
67	INSTALL NEW SIGN ON EXISTING POST	50	EA	\$ 226.60	\$ 11,330.00
68	RELOCATE SIGN & POST	80	EA	\$ 453.20	\$ 36,256.00
69	LOOP DEECTORS	15	EA	\$ 723.08	\$ 10,845.90