

FIRST AMENDMENT TO CONTRACT NO. 35199
35199

THIS FIRST AMENDMENT TO CONTRACT NO. 35199 is made and entered, in duplicate, as of January 19, 2021 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 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, 2022, 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 two (2) additional one-year periods, 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" to the Contract are hereby amended in accordance with Exhibit "A-1", attached hereto and incorporated by this reference.

3. Except as expressly modified herein, all of the terms and conditions

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

1 contained in Contract No. 35199 are ratified and confirmed and shall remain in full force
2 and effect.

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

5 BITECH CONSTRUCTION COMPANY
6 INC., a California corporation

7 _____, 2021

By 
Name BENJAMIN KIM
Title PRESIDENT

9 _____, 2021

By 
Name BENJAMIN KIM
Title SECRETARY

11 "Contractor"

12 CITY OF LONG BEACH, a municipal
13 corporation

14 February 22, 2021

By 
EXECUTED PURSUANT
TO SECTION 301 OF
"City" THE CITY CHARTER

17 This First Amendment to Contract No. 35199 is approved as to form on

18 February 9, 2021.

19 CHARLES PARKIN, City Attorney

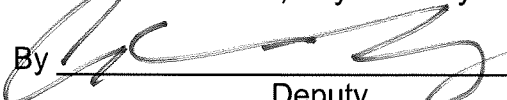
20 By 
21 Deputy

EXHIBIT "A-1"

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R-7137 CONTRACT FOR CONCRETE REPAIRS AND RELATED IMPROVEMENTS**BITECH CONSTRUCTION CO.,INC.**

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE (IN FIGURES)	ITEM TOTAL (IN FIGURES)
1.	REMOVE CONCRETE IMPROVEMENTS AND BACKFILL WITH TOPSOIL	3,000	SF	\$ 6.60	\$ 19,800.00
2.	REMOVE AND REPLACE ASPHALT CONCRETE PAVEMENT	4,000	SF	\$ 13.20	\$ 52,800.00
3.	STUMP REMOVAL UP TO AND INCLUDING 24" DIAMETER TRUNK	20	EA	\$ 275.00	\$ 5,500.00
4.	STUMP REMOVAL 25" AND OVER DIAMETER TRUNK	20	EA	\$ 400.00	\$ 8,000.00
5.	TREE REMOVAL UP TO AND INCLUDING 24" DIAMETER TRUNK	50	EA	\$ 1,610.00	\$ 80,500.00
6.	TREE REMOVAL 25" AND OVER DIAMETER TRUNK	50	EA	\$ 2,875.00	\$ 143,750.00
7.	SHAVE ROOTS AT CURB	4,000	LF	\$ 11.00	\$ 44,000.00
8.	SHAVE ROOTS AT SIDEWALK	20,000	LF	\$ 11.00	\$ 220,000.00
9.	TREE PRUNING	1,000	EA	\$ 363.00	\$ 363,000.00
10.	LAWN SODDING	2,000	SF	\$ 5.50	\$ 11,000.00
11.	PLANT TREE, 24" BOX	40	EA	\$ 660.00	\$ 26,400.00
12.	PLANT TREE, 36" BOX	40	EA	\$ 1,100.00	\$ 44,000.00
13.	UNCLASSIFIED EXCAVATION	400	CY	\$ 99.00	\$ 39,600.00
14.	ADJUST CITY MANHOLE FRAME & COVER	40	EA	\$ 110.00	\$ 4,400.00
15.	ADJUST L.A.C.S.D. MANHOLE FRAME & COVER	40	EA	\$ 110.00	\$ 4,400.00

16.	ADJUST WATER VALVE BOX & COVER	40	EA	\$ 220.00	\$ 8,800.00
17.	RECONSTRUCT WATER VALVE BOX & COVER	20	EA	\$ 275.00	\$ 5,500.00
18.	ADJUST GAS VALVE BOX & COVER	25	EA	\$ 165.00	\$ 4,125.00
19.	REPLACE STREET LIGHT PULL BOX	250	EA	\$ 440.00	\$ 110,000.00
20.	REPLACE TRAFFIC SIGNAL PULL BOX	100	EA	\$ 825.00	\$ 82,500.00
21.	RELOCATE PULL BOX	15	EA	\$ 3,850.00	\$ 57,750.00
22.	INSTALL SURVEY MONUMENT TYPE C WITH CASTING & COVER	10	EA	\$ 475.00	\$ 4,750.00
23.	INSTALL SURVEY MONUMENT TYPE A	5	EA	\$ 595.00	\$ 2,975.00
24.	ADJUST SURVEY MONUMENT CASTING & COVER	5	EA	\$ 408.00	\$ 2,040.00
25.	REPLACE SURVEY BENCH MARK, TYPE 1	25	EA	\$ 440.00	\$ 11,000.00
26.	REPLACE CENTERLINE TIES OR PROPERTY MARKERS	350	EA	\$ 440.00	\$ 154,000.00
27.	REPLACE CURB DRAIN	60	EA	\$ 292.50	\$ 17,550.00
28.	REMOVE EXISTING AND CONSTRUCT PCC CURB, GB TYPE A1	5,000	LF	\$ 37.44	\$ 187,200.00
29.	REMOVE EXISTING AND CONSTRUCT PCC CURB, GB TYPE A1, INTEGRAL	1,000	LF	\$ 37.44	\$ 37,440.00
30.	REMOVE EXISTING AND CONSTRUCT PCC CURB & GUTTER, GB TYPE A2, W=1.5'	10,000	LF	\$ 49.14	\$ 491,400.00
31.	REMOVE EXISTING AND CONSTRUCT PCC CURB & GUTTER, GB TYPE A2, W=2.0'	1,000	LF	\$ 52.65	\$ 52,650.00
32.	REMOVE EXISTING AND CONSTRUCT PCC CURB & GUTTER, GB TYPE A2, W=7'	500	LF	\$ 71.50	\$ 35,750.00

33.	CURB RAMP CASE A, DETAIL1A	15	EA	\$ 5,100.00	\$ 76,500.00
34.	CURB RAMP CASE A, DETAIL1B	50	EA	\$ 5,100.00	\$ 255,000.00
35.	CURB RAMP CASE A, DETAIL2	5	EA	\$ 5,560.00	\$ 27,800.00
36.	CURB RAMP CASE A, DETAIL3 OR 4	5	EA	\$ 5,560.00	\$ 27,800.00
37.	CURB RAMP CASE B, DETAIL1A	10	EA	\$ 8,610.00	\$ 86,100.00
38.	CURB RAMP CASE B, DETAIL2	5	EA	\$ 8,610.00	\$ 43,050.00
39.	CURB RAMP CASE B, DETAIL3 OR 4	5	EA	\$ 8,610.00	\$ 43,050.00
40.	CURB RAMP CASE C	50	EA	\$ 4,510.00	\$ 225,500.00
41.	CURB RAMP CASE D, DETAIL1A	5	EA	\$ 4,510.00	\$ 22,550.00
42.	CURB RAMP CASE D, DETAIL1B	5	EA	\$ 4,510.00	\$ 22,550.00
43.	CURB RAMP CASE D, DETAIL3 OR 4	5	EA	\$ 4,510.00	\$ 22,550.00
44.	CURB RAMP CASE E	10	EA	\$ 4,510.00	\$ 45,100.00
45.	CURB RAMP CASE F	5	EA	\$ 6,350.00	\$ 31,750.00
46.	CURB RAMP CASE G	5	EA	\$ 7,350.00	\$ 36,750.00
47.	CURB RAMP CASE H	40	EA	\$ 5,880.00	\$ 235,200.00
48.	INSTALL ADA DETECTABLE WARNING SURFACE (NO RAMP CONSTRUCTION)	350	SF	\$ 35.10	\$ 12,285.00
49.	CERTIFICATION OF CURB RAMP	220	EA	\$ 782.00	\$ 172,040.00

50.	REMOVE EXISTING AND CONSTRUCT PCC SIDEWALK, 3" THICK	350,000	SF	\$ 8.40	\$ 2,940,000.00
51.	GRIND 0.25" – 0.75" PCC SIDEWALK	10,000	LF	\$ 7.70	\$ 77,000.00
52.	REMOVE EXISTING AND CONSTRUCT PCC DRIVEWAY, 4" THICK	40,000	SF	\$ 8.80	\$ 352,000.00
53.	REMOVE EXISTING AND CONSTRUCT PCC DRIVEWAY, 6" THICK	6,000	SF	\$ 11.00	\$ 66,000.00
54.	REMOVE EXISTING AND CONSTRUCT PCC ALLEY INTERSECTION, 6" THICK	12,000	SF	\$ 11.00	\$ 132,000.00
55.	REMOVE EXISTING AND CONSTRUCT PCC PAVEMENT, 6" THICK	8,000	SF	\$ 13.20	\$ 105,600.00
56.	REMOVE EXISTING AND CONSTRUCT PCC PAVEMENT, 8" THICK	4,000	SF	\$ 15.40	\$ 61,600.00
57.	REMOVE EXISTING AND CONSTRUCT PCC BUS STOP STREET PAD, 10" THICK	6,400	SF	\$ 17.60	\$ 112,640.00
58.	REMOVE EXISTING AND CONSTRUCT PCC CROSS GUTTER OR SPANDREL, 8" THICK	8,000	SF	\$ 15.40	\$ 123,200.00
59.	STAMPED CONCRETE, 4" THICK	3,000	SF	\$ 22.00	\$ 66,000.00
60.	CRUSHED MISCELLANEOUS BASE, 6" THICK UNDER PCC IMPROVEMENTS 2	10,000	SF	\$ 2.34	\$ 23,400.00
61.	CRUSHED MISCELLANEOUS BASE 2	200	CY	\$ 46.80	\$ 9,360.00
62.	ASPHALT CONCRETE PAVEMENT	40	TONS	\$ 292.50	\$ 11,700.00
63.	CURB PAINTING	3,000	LF	\$ 2.93	\$ 8,775.00
64.	REFLECTORIZED PAINT TRAFFIC STRIPING/PAVEMENT MARKINGS	1,000	SF	\$ 7.02	\$ 7,020.00
65.	REFLECTORIZED THERMOPLASTIC TRAFFIC STRIPING/PAVEMENT MARKINGS	1,000	SF	\$ 11.70	\$ 11,700.00
66.	RELOCATE SIGN AND POST	80	EA	\$ 385.00	\$ 30,800.00

67.	INSTALL NEW SIGN ON EXISTING POST	50	EA	\$ 220.00	\$ 11,000.00
68.	INSTALL NEW SIGN AND POST	25	EA	\$ 440.00	\$ 11,000.00
69.	LOOP DETECTORS	15	EA	\$ 702.00	\$ 10,530.00

Notes:

1. The quantities shown in this Bid are estimates for bid comparison only and can vary from actual quantities installed. Payment will be made at the Contract Unit Price for actual quantities constructed, based on field measurements. The City reserves the right to increase or decrease the amount of work or omit portions of the work, as may be deemed necessary or advisable by the Engineer. Sections 3-2.2.2 and 3-2.2.3 of the Standard Specifications do not apply to this Contract. See General Requirements Section 3-2.2.1 for more information.

2. Use of Bid Item Nos. 60 & 61 CMB, if required by a City Standard Plan, will be at the discretion of the Engineer.

**MINUTES OF BOARD DIRECTORS MEETING
OF
BITECH CONSTRUCTION CO., INC.**

The annual meeting of the Board of Directors of **BITECH CONSTRUCTION CO., INC.** (the "Corporation") was held on **February 2, 2017**, immediately following the annual meeting of directors of the Corporation.

There were present at the meeting

Benjamin Byongin Kim / CEO, Secretary, Treasurer

being all the members of the Board of Directors.

It was moved, seconded and unanimously carried that **Benjamin Byongin Kim** act as Temporary Chairperson and that **Benjamin Byongin Kim** act as Temporary Secretary.

The Chairperson presented to the meeting a copy of a **Waiver of Notice of Meeting** which **all of the Directors of the Corporation** had agreed to execute and advised that it was appropriate to authorize the execution and performance thereof by the Corporation. Upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that the chairman be requested to cause the same to be spread at length upon the minutes.

The meeting then proceeded to AUTHORIZE FOLLOWING PERSONNELS TO SIGN ON ANY CONTRACT OR PROPOSAL ON BEHALF OF BITECH CONSTRUCTION CO., INC. until their successors are elected and qualify:

President :	<u>Benjamin Byongin Kim</u>
Treasurer :	<u>Benjamin Byongin Kim</u>
Secretary :	<u>Benjamin Byongin Kim</u>


The President then presented and read the minutes of the annual meeting of Directors of this Corporation, and the same were, on motion duly made, seconded and unanimously carried, in all respects ratified and adopted by this Board of Directors.

There being no further business to come before the meeting, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.

IN WITNESS WHEREOF, I have executed my name as Secretary and have hereunto affixed the corporate seal of the above named Corporation this **2nd day of February, 2021.**

Dated: _____

2/2/21



Secretary

(Seal)