

1 to the proclaimed local emergency caused by homelessness, for a more efficient and
2 timelier project delivery; and

3 WHEREAS, the suspension of LBMC Ch 2.84 that pertains to a single job
4 order threshold for projects which address the proclaimed local emergency caused by
5 homelessness, shall expire on the later of (i) one hundred and eighty (180) days after its
6 effective date, or (ii) with respect to projects begun prior to such date but not yet
7 complete, on the date of completion of such project, unless further extended by the City
8 Council in its discretion by an amendment to LBMC Ch. 2.84; and

9 WHEREAS, the Parties entered into a First Amendment to increase the
10 total Contract authority for a new total amount of Eight Million Dollars (\$8,000,000), and
11 incorporate by reference the City's Project Labor Agreement; and

12 WHEREAS, the Parties entered into a Second Amendment to increase the
13 total Contract authority for a new total amount of Eleven Million Dollars (\$11,000,000);
14 and

15 WHEREAS, the Parties desire to add Nine Million Dollars (\$9,000,000) to
16 the total authority amount, extend the term by one (1) additional one-year term, and add
17 updated Construction Task Catalog information;

18 NOW, THEREFORE, in consideration of the terms and conditions
19 contained herein, the parties agree as follows:

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

21 "A. City shall pay to Contractor the amount(s) for each Work Order
22 based on the adjustment factor in Contractor's Bid, attached hereto as Exhibit "A";
23 provided, however, that City shall not pay more than Twenty Million Dollars (\$20,000,000)
24 for the term of the Contract. Furthermore, no individual Work Order project shall exceed
25 Seven Hundred and Fifty Thousand Dollars (\$750,000)."

26 2. Section 5.A. of the Contract is hereby amended to read as follows:

27 "A. The term of this Contract shall begin on November 1, 2022 and shall
28 end on October 31, 2024, or on City's payment of the not-to exceed dollar amount

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802

1 hereunder to Contractor as specified in section 3, whichever occurs first. The term may
2 be extended for one (1) additional one-year period, at the discretion of the City Manager."

3 3. Exhibit "G" to this Amendment amends Section 79 "PRICE
4 ADJUSTMENTS" of Division H of Specifications R-7193, and is hereby incorporated
5 herein by reference and is attached as Exhibit "G" to the Contract.

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 BITECH CONSTRUCTION COMPANY
9 INC., a California corporation

10 9/20, 2023

By 
President

BENJAMIN KIM

Type of Print Name

11
12 9/20, 2023

By 
Secretary

BENJAMIN KIM

Type or Print Name

13
14
15 EXECUTED PURSUANT
16 TO SECTION 301 OF
17 THE CITY CHARTER.

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

18 10/3, 2023

By 
City Manager

"City"

19
20
21 This Third Amendment to Contract No. 36422 is approved as to form on
22 September 27, 2023.

23 DAWN MCINTOSH, City Attorney

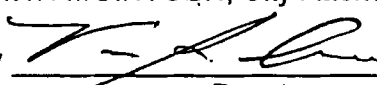
24 By 
25 Deputy
26
27
28

EXHIBIT "G"

EXHIBIT “G”

The language in this exhibit shall replace Division H Section 79, Price Adjustments of the original specifications, R-7193. This section shall also apply to all subsequent contract amendments, unless indicated otherwise by the City in writing.

1. Adjustment Factors

1.1. The Adjustment Factors submitted with the Bid shall be in effect for the full term of the contract including the Base Term and any contract amendments.

2. Construction Task Catalog®

2.1. Upon contract renewal, the City shall provide the Contractor with the new Construction Task Catalog® (CTC) for review and acceptance prior to accepting new work. The CTC issued with this Solicitation will be in effect for the contract term.

2.2. In general, the Contractor shall use the CTC 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 CTC. In that event, the Contractor shall use the CTC that was in effect prior to the update.

2.3. The new CTC will be effective for the twelve (12) month period after the anniversary of the award date. The CTC 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 the Job Orders initiated prior to the effective date of that specific renewal option.

2.4. The new CTC shall be available in the Gordian Group Software.

**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, 2021, immediately following the annual meeting of directors of the Corporation.

There were present at the meeting

Benjamin Byongin Kim / President, 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:

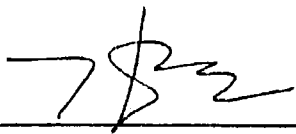
President :	<u>Benjamin Byongin Kim</u>
Treasurer :	<u>Benjamin Byongin Kim</u>
Secretary :	<u>Benjamin Byongin Kim</u>

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)
