

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 add Six Million
10 Dollars (\$6,000,000) to the Contract, for a total amount of Eight Million Dollars
11 (\$8,000,000); and

12 WHEREAS, the Parties desire to add Three Million Dollars (\$3,000,000) to
13 the Contract, for a total amount of Eleven Million Dollars (\$11,000,000);

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

16 1. Section 3 of Contract No. 36422 is hereby amended to read as
17 follows:

18 "3. PRICE AND PAYMENT.

19 A. City shall pay to Contractor the amount(s) for each Work Order
20 based on the adjustment factor in Contractor's Bid, attached hereto as Exhibit "A";
21 provided, however, that City shall not pay more than Eleven Million Dollars
22 (\$11,000,000.00) for the term of the Contract. Furthermore, no individual Work Order
23 project shall exceed Seven Hundred and Fifty Thousand Dollars (\$750,000).

24 B. Notwithstanding Section 3.A., the single job order threshold of Seven
25 Hundred and Fifty Thousand Dollars (\$750,000) shall not apply to projects, which
26 address the proclaimed local emergency caused by homelessness as reasonably
27 determined by the City. Said suspension of the single job order threshold of Seven
28 Hundred and Fifty Thousand Dollars (\$750,000) shall expire on the later of (i) July 23,

1 2023, or (ii) with respect to projects begun prior to such date but not yet complete, on the
2 date of completion of such project."

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
6 7/3
7 _____, 2023

BITECH CONSTRUCTION COMPANY
INC., a California corporation
By [Signature]
President
BENJAMIN KIM
Type or Print Name

8
9 7/3
10 _____, 2023

By [Signature]
Secretary
BENJAMIN KIM
Type or Print Name

"Contractor"

CITY OF LONG BEACH, a municipal
corporation

14
15 July 11
16 _____, 2023

By [Signature]
City Manager

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

"City"

This Second Amendment to Contract No. 36422 is approved as to form on

18 July 6
19 _____, 2023.

DAWN MCINTOSH, City Attorney

By [Signature]
Deputy

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

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