

## **AMENDMENT NUMBER 2 TO “CONSTRUCTION CONTRACT FOR CAPITAL IMPROVEMENTS”**

THIS AMENDMENT NUMBER 2 TO AGREEMENT FOR CONSTRUCTION CONTRACT FOR CAPITAL IMPROVEMENTS (the “Second Amendment”) is made and entered into as of February 21, 2024 by and between the CITY OF IRVINE, a municipal corporation (“City”) and ABM ELECTRICAL & LIGHTING SOLUTIONS, INC., a Delaware corporation (“Contractor”), for the purpose of amending the written “Construction Contract for Capital Improvements” entered into between City and Contractor as of April 1, 2022, City of Irvine contract number 20347 (the “Agreement”).

1. In accordance with EXHIBIT I, attached hereto, the following changes are incorporated into the Agreement:
  - a. The expiration date of the Agreement is changed from January 31, 2024 to January 31, 2025.
  - b. The Adjustment Factors have been increased.
2. The not-to-exceed value remains unchanged at \$990,000.00.
3. Except as set forth in this Second Amendment, all terms, conditions and provisions of the Agreement are unchanged and remain in full force and effect.

(Signatures follow on next page)

IN WITNESS WHEREOF, the parties hereto have caused this Second Amendment to the Agreement to be executed by their respective duly authorized agents as of the date first set forth above.

**CITY OF IRVINE**

**ABM ELECTRICAL & LIGHTING SOLUTIONS, INC.**

*Kory L Reeves, Vice President of Operations*  
97C7A0FAD993485...

By:

DocuSigned by:  
*Sean Crumby*  
D0B786D14D324B0...

Its: Director of Public Works and Transportation

By:

Kory Reeves

Its: Vice President of Operations

DocuSigned by:  
*Chan Onechanh, Area General Manager*  
11E7A835F651473...

By:

DocuSigned by:  
*Oliver Chi*  
7809AA719A2B4C7...

Its: City Manager

By:

Chan Onechanh

Its: Area General Manager

Attest:

By:

DocuSigned by:  
*Carl Peterson*  
0FCAD91F02E547D...

Its: City Clerk

APPROVED AS TO FORM:  
RUTAN & TUCKER, LLP

By:

DocuSigned by:  
*Jeffrey T. Melching, City Attorney*  
DABE8686180C4BB...

## EXHIBIT I

**AGREEMENT TO  
MODIFY AND EXTEND  
SOURCEWELL CONTRACT #CA-R8-E01-123021-ABM**

THIS AGREEMENT TO MODIFY AND EXTEND, Sourcewell Contract #CA-R8-E01-123021-ABM, is effective upon the date of the last signature below.

Sourcewell and ABM Industries Inc. (“Contractor”) have entered into an Indefinite Quantity Construction Contract, Contract Number **CA-R8-E01-123021-ABM**, with an initial term ending January 31, 2023, and three bilateral options to extend for an additional one-year term (“Contract”). The Contract has previously been extended by the parties for the term ending January 31, 2024. The parties agree that the Contractor’s Adjustment Factors will be modified, and that Sourcewell’s offer of a one-year extension term will be accepted by Contractor.

MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending January 31, 2025:

<b><u>Base Year Index</u></b>		
Date	Index	
1	December 2020	11625.95
2	January 2021	11627.94
3	February 2021	11698.79
4	March 2021	11749.75
5	April 2021	11849.32
6	May 2021	11989.91
7	June 2021	12112.05
8	July 2021	12237.69
9	August 2021	12463.13
10	September 2021	12464.55
11	October 2021	12464.94
12	November 2021	12467.32

**Base Year Average 12062.6116**

<b><u>Second Year Index</u></b>		
Date	Index	
1	December 2022	13160.29
2	January 2023	13175.03
3	February 2023	13175.93
4	March 2023	13176.30
5	April 2023	13229.57
6	May 2023	13288.27
7	June 2023	13345.00
8	July 2023	13424.98
9	August 2023	13472.56
10	September 2023	13485.67
11	October 2023	13497.97
12	November 2023	13510.57

**Second Year Average 13328.5116**

$$\text{Adjustment: } \frac{\text{Second Year Index Average}}{\text{Base Year Index Average}} = \frac{13328.5116}{12062.6116} = 1.1049$$

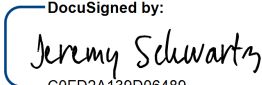
CA-R8-E01-123021-ABM	Original Adjustment Factor	x	Adjustment	=	Adjustment Factor 02/01/24 through 01/31/25
Normal Working Hours – Prevailing Wage	0.9656		1.1049		1.0669
Other Than Normal Working Hours – Prevailing Wage	1.0134		1.1049		1.1197
Secured/Medical Facilities – Prevailing Wage Rate	1.0616		1.1049		1.1730
All-Union Wage	0.9656		1.1049		1.0669
Non Pre-Priced	1.1676		1.0000		1.1676

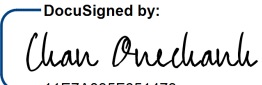
EXERCISE OF OPTION: EXTENSION

Contractor and Sourcewell hereby desire and agree to extend the Contract, with the above modification, for the period February 1, 2024 through January 31, 2025.

Sourcewell

ABM Industries Inc.

DocuSigned by:  
  
 By: \_\_\_\_\_  
 Jeremy Schwartz  
 Title: Chief Procurement Officer

DocuSigned by:  
  
 By: \_\_\_\_\_  
 Chan Onechanh  
 Title: Area General Manager SoCal

Date: 2/7/2024 | 3:58 PM CST

Date: 2/7/2024 | 1:38 PM CST