SECOND AMENDMENT
TO
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
COMMUNITY BENEFITS AGREEMENT
FOR CONSTRUCTION AND MAJOR REHABILITIATION
FUNDED BY PROPOSITION R

This second amendment ("Second Amendment") to the Community Benefits Agreement No. A3885.13 for Construction and Major Rehabilitation Funded by Proposition R ("CBA") is entered into and effective March 14, 2017, by and between the Southwestern Community College District, the San Diego County Building and Construction Trades Council and Signatory Unions (Collectively "Parties").

I.
RECITALS

A. The Parties entered into the CBA, effective December 12, 2013; and

B. The first amendment ("First Amendment") was by document executed on behalf of the District May 14, 2015, modifying section 5.6 of the CBA; and

C. The Parties desire to now amend the CBA to modify its project scope and make other minor revisions.

II.
AGREEMENT

NOW THEREFORE, THE PARTIES ENTER INTO THIS SECOND AMENDMENT AS FOLLOWS:

1. Section 2.2 of the CBA is restated to read as follows:

"Covered Contract" means a contract (and related subcontracts) for capital improvement work, which is awarded during the term of this CBA or other identified projects as determined by the District, that exceeds one-million ($1,000,000.00) and is paid for in whole or in part by Proposition R and/or Measure Z funds.

2. From the Effective Date of this SECOND Amendment, the term "Measure R" as used in the CBA shall mean "Measure R and/or Measure Z," as applicable.

3. Section 3.3 of the CBA is restated to read as follows:

The Project Work will provide many opportunities for Small Business Enterprises to participate as Contractors or suppliers, and the Parties therefore agree that they will cooperate with all efforts of the District, the Project Labor Coordinator, and other organizations retained by the District for this purpose, to encourage and assist the

participation of Small Business Enterprises in Project Work. Specifically, all Parties understand that the District has placed a strong emphasis on the utilization of local small businesses on the Project. Each Party agrees that it shall employ demonstrable efforts to encourage utilization in an effort to support this emphasis. This may include, for example, participation in outreach programs, education and assistance to businesses not familiar with working on projects of this scope, and the encouragement of local residents to participate in Project Work through programs and procedures jointly developed to prepare and encourage such local residents for apprenticeship programs and formal employment on the Project Work through the referral programs sponsored and/or supported by the Parties to this CBA. Further, the Parties shall ensure that the provisions of this CBA do not inadvertently establish impediments to participation of such Small Business Enterprises and residents of the District.

4. Subsection (a) of Section 4.2 of the CBA is restated to read as follows:

All construction, major rehabilitation and renovation work, funded in whole or in part by Measure R and/or Measure Z funds, which exceed one million dollars ($1,000,000.00) as determined by engineer's estimates prior to the submittal of the Project to DSA, are covered by the terms and conditions of this CBA; and

5. Section 23.1 of the CBA is restated to read as follows:

Duration. This CBA (as amended by the First Amendment and this Second Amendment) shall be effective March 15, 2017 ("Effective Date") and shall be subject to renewal by the parties five (5) years after the Effective Date (provided, however, it shall continue in effect for all work awarded prior to such termination date until the completion of such Project Work). The Parties agree to discuss extensions or modifications of this CBA based on the District's determination as to whether the CBA achieves its intent.

In witness whereof the Parties have caused this Second Amendment to be executed as follows.

Dated: March 14, 2017

SOUTHWESTERN COMMUNITY COLLEGE DISTRICT

By: _____

Kindred Murillo
Superintendent/President

Dated: March 14, 2017

SAN DIEGO BUILDING AND CONSTRUCTION TRADES COUNCIL

By: _____

Business Manager
Tom Lemmon

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Approved as to form by the Office of the Purchasing, Contracting & Central Services Director
Amendment No. 2 To
Approval No.: A3885.13
Date: 3/3/17