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

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FIRST AMENDMENT TO AGREEMENT NO. 36646

36646

THIS FIRST AMENDMENT TO AGREEMENT NO. 36646 is made and entered, as of August 23, 2023 for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on June 20, 2023, by and between Enterprise FM Trust, Inc., DBA Enterprise Fleet Management, Inc., a Missouri corporation ("Vendor"), with a place of business at 9315 Olive Boulevard, Saint Louis, Missouri 63132, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City desires to lease vehicles for various Police operations ("Equipment"); and

WHEREAS, City and Vendor (the "Parties") entered into Agreement No. 36646 (the "Agreement") whereby Vendor agreed to provide these services; and

WHEREAS, the Parties desire to amend the Agreement to clarify that the not to exceed dollar amount of \$187,000 is an annual allocation;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the Parties agree as follows:

> 1. Section 1.B. of the Agreement is hereby amended to read as follows.

"B. Scope of Work.

- 1. Vendor shall lease vehicles of substantially the same type and kind leased under the Sourcewell Contract, except as modified by Exhibit "B" attached hereto and incorporated by this reference, for a total annual amount not to exceed One Hundred Eighty Seven Thousand (\$187,000), inclusive of tax and fees."
- 2. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 36646 are ratified and confirmed and shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties have caused this document to be duly executed with all formalities required by law as of the date first stated above. ENTERPRISE FM TRUST INC., DBA ENTERPRISE FLEET MANAGEMENT, INC., a Missouri corporation Seat 18 Name John Title Vice President Name Michael Gerges Title VP of Finance "Vendor" CITY OF LONG BEACH, a municipal corporation City Manager

"City"

This First Amendment to Agreement No. 36646 is approved as to form on

September 19 , 2023.

DAWN MCINTOSH, City Attorney

Deputy

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ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California County of Los Angeles	
On <u>September 22, 2023</u> before n	ne, Maria Mildred Santiago Grape, Notary Public, (insert name and title of the officer)
personally appeared	
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	
WITNESS my hand and official seal. Signature	MARIA MILDRED SANTIAGO GRAPE Notary Public - California Los Angeles County Commission # 2334911 My Comm. Expires Oct 6, 2024 (Seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. State of Californ County of personally appeared Name(s) of Signer(s) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s). or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. MARLYN LARIOS Notary Public - California Orange County Commission # 2385434 y Comm. Expires Jul 13, 202 ignature of Notary Public Place Notary Seal Above OPTIONAL . Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. **Description of Attached Document** Title or Type of Document: Contract Ammendment 2 Signer(s) Other Than Named Above: Number of Pages: Signer's Name: Corporate Officer - Title(s): VP & VP □ Corporate Officer — Title(s): _ □ Partner — □ Limited □ General ☐ Partner — ☐ Limited ☐ General ☐ Individual ☐ Attorney in Fact Individual ☐ Attorney in Fact ☐ Trustee ☐ Guardian or Conservator ☐ Trustee □ Guardian or Conservator ☐ Other: ☐ Other:

Signer Is Representing:

Signer Is Representing: FM Inst Tuc &

EFM Inc.