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

SECOND AMENDMENT TO AGREEMENT NO. 35528

THIS SECOND AMENDMENT TO AGREEMENT NO. 35528 is made and entered, in duplicate, as of March 30, 2022, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on April 14, 2020, by and between A & A TOWING, INC., a California corporation ("Contractor"), with a place of business at 3204 Cherry Ave., Long Beach, CA 90807, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Contractor (the "Parties") entered into Agreement no. 35528 (the "Agreement") whereby Contractor agreed to provide as-needed vehicle towing ("Project"); and

WHEREAS, the parties entered into a First Amendment to revise the annual amount of the Agreement; and

WHEREAS, the parties currently desire to enter into a Second Amendment to revise the annual contract amount and extend the term for an additional one-year period;

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

1. Section 1.A. of Agreement No. 35528 is hereby amended to read as follows:

"A. Contractor shall furnish specialized services more particularly described in Exhibit "A", attached to this Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, in an annual amount not to exceed Eighty-Seven Thousand Two Hundred Twenty-Five Dollars (\$87,225), at the rates or charges shown in Exhibit "B". Contractor is not entitled to any money under this Agreement unless the City, in its sole discretion, requests Contractor to provide services pursuant to this Agreement."

	2.	Section 2. of Agreement No. 35528 is hereby amended to read as
follows:		

- "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on May 1, 2020, and shall terminate at 11:59 p.m. on April 30, 2023, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. City shall have the option to extend the term of this Agreement for two (2) additional one-year periods, at the discretion of the City Manager."
- Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35528 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. TOWING, INC., a California corporation By Name Title By Name Title "Consultant" CITY OF LONG BEACH, a municipal corporation TO SECTION 301 OF "City" THE CITY CHARTER. This Second Amendment to Agreement No. 35528 is approved as to form , 2022.

CHARLES PARKIN, City Attorney

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