## OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664

## THIRD AMENDMENT TO AGREEMENT NO. 34562

THIS THIRD AMENDMENT TO AGREEMENT NO. 34562 is made and entered, in duplicate, as of March 27, 2019, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on January 10, 2017, by and between SUPREME TOWING SERVICE, INC. DBA CITY TOW SERVICE, a California corporation ("Contractor"), with a place of business at 704 WEST 17TH ST., LONG BEACH, CA 90813, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City requires specialized services requiring unique skills to be performed in connection with As Needed Towing Services ("Project"); and

WHEREAS, the parties entered Agreement No. 34562 whereby Contractor agreed to provide these services; and

WHEREAS, the parties desire to extend the term and add the annual amount of One Hundred Seventy Thousand Dollars (\$170,000) for a total not to exceed contract amount of Six Hundred Ninety Thousand Dollars (\$690,000);

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. 34562 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 the terms and conditions stated herein, and City shall pay for these services in the manner described below, in the amounts not to exceed One Hundred Fifty Thousand Dollars (\$150,000) annually for the period of May 1, 2016 through April 30, 2018, Two Hundred Twenty Thousand Dollars (\$220,000) annually for the period of May 1, 2018 through April 30, 2019, and One Hundred Seventy Thousand Dollars

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(\$170,000) annually for the period of May 1, 2019 through April 30, 2020, at the rates or charges shown in Exhibit "B"."

- 2. Section 2. Of Agreement No. 34562 is hereby amended to read as follows:
  - "2. <u>TERM</u>. The term of this Agreement shall commence at midnight on May 1, 2016, and shall terminate at 11:59 p.m. on April 30, 2020, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner."
- 3. Section 31, is hereby added to Agreement No. 34499 to read as follows:
  - "A. <u>VERIFICATION OF TOW OPERATOR PERMITS.</u>

    Contractor shall furnish a list of current tow operators with corresponding permit numbers to the Superintendent of Towing & Lien Sales on an annual basis, and upon request, for the purpose of verifying the status of tow operator permits required by the Long Beach Municipal Code."
- 4. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 34562 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 4 executed with all formalities required by law as of the date first stated above. 2 3 SUPREME TOWING SERVICE, INC. DBA TOW SERVICE, California CITY 4 corporation 5 6 Name 7 8 Title Secretary 9 **Tom Modica Assistant City Manager** "Contractor" 10 **EXECUTED PURSUANT** CITY OF LONG BEACH, a municipal 11 TO SECTION 301 OF OFFICE OF THE CITY ATTORNEY CHARLES PARKIN, City Attorney 333 West Ocean Boulevard, 11th Floor Long Beach, CA 90802-4664 corporation THE CITY CHARTER 12 2019 13 City Manager 14 "Citv" 15 This Third Amendment to Agreement No. 34562 is approved as to form on 16 17 CHARLES PARKIN, City Attorney 18 19 Deputy 20 21 22 23 24 25 26 27 28