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

SECOND AMENDMENT TO AGREEMENT NO. 34549

THIS SECOND AMENDMENT TO AGREEMENT NO. 34549 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 MIGHTY TRANSPORT, INC. DBA FRANK SCOTTO TOWING, a California corporation ("Contractor"), with a place of business at 1750 W. 223RD ST., TORRANCE, CA 90501, 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. 34549 whereby Contractor agreed to provide these services; and

WHEREAS, the parties desire to extend the term and add the annual amount of Forty Thousand Dollars (\$40,000) for a total not to exceed contract amount of One Hundred and Thirty Thousand Dollars (\$130,000);

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. 34549 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 Thirty Thousand Dollars (\$30,000) annually for the period of May 1, 2016 through April 30, 2019, and Forty Thousand Dollars (\$40,000) annually for the period of May 1, 2019 through April 30, 2020, at the rates or charges shown in Exhibit "B"."

2	follows:
3	"2. <u>TERM.</u> The term of this Agreement shall commence at
4	midnight on May 1, 2016, and shall terminate at 11:59 p.m. on April 30, 2020,
5	unless sooner terminated as provided in this Agreement, or unless the services or
6	the Project is completed sooner."
7	3. Section 31. is hereby added to Agreement No. 34499 to read as
8	follows:
9	"A. <u>VERIFICATION OF TOW OPERATOR PERMITS.</u> Contractor
10	shall furnish a list of current tow operators with corresponding permit numbers to
11	the Superintendent of Towing & Lien Sales on an annual basis, and upon request,
12	for the purpose of verifying the status of tow operator permits required by the Long
13	Beach Municipal Code."
14	4. Except as expressly modified herein, all of the terms and conditions
15	contained in Agreement No. 34549 are ratified and confirmed and shall remain in full
16	force and effect.
17	
18	
19	
20	<i>III</i>
21	<i>III</i>
22	III
23	III
24	<i>III</i>
25	<i>III</i>
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27	<i>III</i>
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Section 2. Of Agreement No. 34549 is hereby amended to read as

2.

1 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. 2 3 MIGHTY TRANSPORT, INC. DBA FRANK **SCOTTO** TOWING, 4 corporation 5 2019 By 6 Name Title 7 2019 8 Name 1/VI Tom Modica Title Vice 9 Assistant City Manager "Contractor" 10 **EXECUTED PURSUANT** TO SECTION 301 OF 11 CITY OF LONG BEACH, a municipal THE CITY CHARTER corporation 12 13 City Manager 14 "City" 15 This Second Amendment to Agreement No. 34549 is approved as to form 16 2019. on 17 CHARLES PARKIN, City Attorney 18 19 Ву Deputy 20 21 22 23 24 25 26 27 28

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