

**AMENDMENT NUMBER THREE  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH G&W TOWING**

This Amendment is made and entered into this 29th day of February, 2016 (“Effective Date”) by and between the CITY OF COSTA MESA, a municipal corporation (“City”) and G&W TOWING, INC., a California corporation and licensed automobile towing service (“Consultant”).

WHEREAS, Consultant and City entered into an agreement on March 3, 2009, for Consultant to provide towing services (the “Agreement”); and

WHEREAS, Section 4.1 of the Agreement provides that the term of the Agreement shall end on February 28, 2014 and that the City, at its sole option, may extend the Agreement for three (3) additional one (1) year periods upon recommendation from the Police Department; and

WHEREAS, the parties entered into Amendment Number Two to the Agreement to extend the term for one year, expiring February 28, 2016, and now desire to extend the term for an additional year to expire on February 28, 2017.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The term of the Agreement shall be extended one year, ending February 28, 2017.
2. Consultant shall use the Adjusted Tow Rate Schedule attached as Exhibit “1” to this Amendment for the provision of services under the Agreement until such time as the rate schedule is adjusted pursuant to the terms of the Agreement.
3. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hand by their duly authorized representatives as of the day and year first above written.

[Signatures appear on the following page.]

CITY OF COSTA MESA,  
A municipal corporation

[Redacted Signature]

Date:

3/7/14

*Acting*

Chief Executive Officer

G&W TOWING, INC.

[Redacted Signature]

Date:

3-1-16

Signature

*G. W. Miller, Pres.*

Name and Title

[Redacted Name and Title]

Social Security or Taxpayer ID Number

ATTEST:

[Redacted Signature]

City Clerk

APPROVED AS TO FORM:

[Redacted Signature]

City Attorney

DEPARTMENTAL APPROVAL

[Redacted Signature]

Rob Sharpnack, Police Chief

INTERIM FINANCE DIRECTOR APPROVAL

[Redacted Signature]

Steve Dunivent

*JD*

**EXHIBIT 1**

---

**ADJUSTED TOW RATE SCHEDULE**

FORMULA ACCORDING TO TOW POLICY:  $A = B \times (C/D)$

A = Adjusted Fees Effective 6/1/2015

B = Base fees as originally set by the City Council and for later years, as adjusted by CPI pursuant to executed PSA

C = Monthly index for the third month prior to July of each year in which each fee rate adjustment is to become effective

D = Monthly index for the month of the Effective Date of this Lease

FOR 2015	A	B	C - APRIL 2015 CPI	D - MARCH 2014 CPI
BASIC TOW	\$168	\$167	243.569	242.491
FLATBED % MEDIUM	\$188	\$187	243.569	242.491
HEAVY	\$302	\$301	243.569	242.491
MOTORCYCLE	\$188	\$187	243.569	242.491
OUTSIDE STORAGE CAR	\$41	\$41	243.569	242.491
INSIDE STORAGE CAR	\$58	\$58	243.569	242.491
OUTSIDE STORAGE TRUCK	\$52	\$52	243.569	242.491
INSIDE STORAGE TRUCK	\$58	\$58	243.569	242.491
OUTSIDE STORAGE MOTORCYCLE	\$23	\$23	243.569	242.491
TOW DOLLY	\$52	\$52	243.569	242.491
R&R LINKAGE	\$26	\$26	243.569	242.491
ROLLOVER WINCHING	\$58	\$58	243.569	242.491
HOURLY LABOR	\$168	\$167	243.569	242.491
AFTER HOURS RELEASE	\$52	\$52	243.569	242.491
SERVICE	\$73	\$73	243.569	242.491