

**AMENDMENT NUMBER THREE  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH  
F. M. THOMAS AIR CONDITIONING, INC.**

This Amendment Number Three ("Amendment") is made and entered into this 31st day of July, 2019 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and F. M. THOMAS AIR CONDITIONING, INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on August 1, 2012 for Consultant to provide heating-ventilation-air conditioning ("HVAC") maintenance and repair services (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of five (5) years, with the option to extend the term of the Agreement for three (3) additional one (1) year periods; and

WHEREAS, on July 31, 2017, City and Consultant extended the term of the Agreement through July 31, 2018; and

WHEREAS, on July 31, 2018, City and Consultant extended the term of the Agreement through July 31, 2019; and

WHEREAS, City and Consultant now desire to extend the term for one (1) additional year, through July 31, 2020, and to set forth Consultant's compensation for the extended period.

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 through July 31, 2020.
2. For the period commencing August 1, 2019 and ending July 31, 2020, Consultant's compensation shall not exceed Seventy-Seven Thousand Five Hundred Sixty-Eight Dollars (\$77,568.00).
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement, as amended, not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Quenton Martin  
City Manager

Date: 8/13/19

CONSULTANT

Tom Feyko  
Signature  
Tom Feyko  
Name and Title

Date: 7/30/2019

ATTEST:

Brenda Green 8/14/19  
City Clerk



APPROVED AS TO FORM:

[Signature]  
City Attorney

Date: 8/12/19

APPROVED AS TO INSURANCE:

[Signature]  
Risk Management

Date: 8/5/19

APPROVED AS TO CONTENT:

[Signature]  
Project Manager

Date: 8/6/19

DEPARTMENTAL APPROVAL:

Raja Setheeran  
Public Services Director

Date: 8/6/19

APPROVED AS TO PURCHASING:

Kellyaten  
Finance Director

Date: 8/1/19