

**AMENDMENT NUMBER FOUR TO
MAINTENANCE SERVICES AGREEMENT
WITH
F.M. THOMAS AIR CONDITIONING, INC.**

This Amendment Number Four ("Amendment") is dated August 1, 2024, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and F.M. THOMAS AIR CONDITIONING, INC., a California corporation. ("Contractor").

WHEREAS, City and Contractor entered into an agreement dated August 1, 2020 for Contractor to provide heating, ventilation, and air conditioning services ("HVAC") maintenance and repair services (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for an initial term of two years, with the option to extend the Agreement for three additional one-year periods; and

WHEREAS, on March 2, 2021, City and Contractor changed the Scope of Services and maximum annual compensation through Amendment Number One to the Agreement; and

WHEREAS, on July 31, 2022, City and Contractor again amended the Scope of Services to include HVAC maintenance and repair at the City's Bridge Shelter, located at 3175 Airway Drive, Costa Mesa, through Amendment Number Two to the Agreement; and

WHEREAS, on August 1, 2023, pursuant to Section 4.1 of the Agreement, City and Contractor extended the term of the Agreement through July 31, 2024, through Amendment Number Three to the Agreement; and

WHEREAS, City and Contractor desire to extend the Agreement for final year, commencing on August 1, 2024 and ending on July 31, 2025, with no increase or decrease in compensation.

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 extend through July 31, 2025.
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
3. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
4. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

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 above written.

CONTRACTOR

Tom Feyka
Signature

Date: 8/09/2024

Tom Feyka President
Name and Title

CITY OF COSTA MESA

Lori Ann Farrell Harrison
Lori Ann Farrell Harrison
City Manager

Date: 9/3/2024

ATTEST:

Brenda Green
Brenda Green
City Clerk



Date: 9/6/2024

APPROVED AS TO FORM:

Kimberly Hall Barlow
Kimberly Hall Barlow
City Attorney

Date: 9/3/24

APPROVED AS TO INSURANCE:

Ruth Wang
Ruth Wang
Risk Management

Date: 8/14/24

APPROVED AS TO CONTENT:

Daniel Jozola
Daniel Jozola
Project Manager

Date: 8/26/24

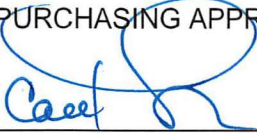
DEPARTMENTAL APPROVAL:



Raja Sethuraman
Public Works Director

Date: 8-29-24

PURCHASING APPROVAL:



Carol Molina
Finance Director

Date: August 14, 2024