

**AMENDMENT NUMBER ONE  
TO MAINTENANCE SERVICES AGREEMENT  
WITH  
SIEMENS INDUSTRY, INC.**

This Amendment Number One ("Amendment") is made and entered into this 2nd day of March, 2021 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and SIEMENS INDUSTRY, INC., a Delaware corporation ("Contractor").

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

WHEREAS, City desires to increase Contractor's maximum annual compensation during each year of the Agreement to provide funding for essential repairs to the City's HVAC units.

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

1. Section 2.1 of the Agreement shall be amended to reflect that Contractor's compensation for the first year of the Agreement shall not exceed One Hundred Fifty Thousand Six Hundred Forty-Eight Dollars (\$150,648.00), and Contractor's compensation for the second year of the Agreement shall not exceed One Hundred Forty-Three Thousand Four Hundred Nineteen Dollars (\$143,419.00). Contractor shall be paid according to the fee schedule set forth in the Agreement.
2. All terms not defined herein shall have the same meaning and use as set forth in 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.
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. Counterpart written signatures may be transmitted by facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

[Signature page follows.]

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

Jon Amador H  
City Manager

Date: 3/18/21

CONTRACTOR

Zach Weinman  
Signature  
Zach Weinman, Sales Manager  
Name and Title

Date: 3/3/2021

ATTEST:

Brenda Green 3/22/2021  
City Clerk



APPROVED AS TO FORM:

[Signature]  
City Attorney

Date: 3/18/2021

APPROVED AS TO INSURANCE:

[Signature]  
Risk Management

Date: 3/10/21

APPROVED AS TO CONTENT:

[Signature]  
Project Manager

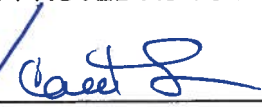
Date: 3/11/2021

DEPARTMENTAL APPROVAL:

  
\_\_\_\_\_  
Public Services Director

Date: 3-11-21

APPROVED AS TO PURCHASING:

  
\_\_\_\_\_  
Finance Director

Date: March 10, 2021