

**SECOND AMENDMENT TO FOUNTAIN MAINTENANCE AND REPAIR SERVICES  
AGREEMENT WITH SERVICE FIRST**

THIS SECOND AMENDMENT TO AGREEMENT is entered into this 5<sup>th</sup> day of March 2024, by and between Service First (“Contractor”), and the City of Santa Ana, a charter city and municipal corporation duly organized and existing under the Constitution and laws of the State of California (“City”).

**RECITALS**

- A. On November 16, 2021, the City entered into Agreement # A-2021-218 with Contractor to provide fountain maintenance, fountain repair services, and related services.
- B. On October 17, 2023, the parties amended the Agreement to increase the total compensation under the Agreement and extend the term through December 31, 2025 (# A-2023-178). The Agreement is current and in effect.
- C. In accordance with the terms and conditions of the Agreement, the parties desire to amend the total compensation under the Agreement for the remainder of the term.

**THE PARTIES THEREFORE AGREE:**

- 1. **Section 2.a., COMPENSATION**, shall be amended to read as follows: City agrees to pay, and Contractor agrees to accept as total payment for its services for City, the rates and charges identified in **Exhibit C**, attached hereto and incorporated herein. The total amount to be expended during the term of this Agreement shall not exceed \$1,868,000.00 which is allocated as: 1) a base rate of \$1,494,400.00; and 2) a contingency in the amount of \$373,600.00 for additional and as-needed services, to be exercised at City’s sole discretion.
- 2. Except as hereinabove modified, the terms and conditions of said Agreement remain unchanged and in full force and effect.

*[Signatures continued on the following page]*

**SIGNATURE PAGE TO SECOND AMENDMENT TO FOUNTAIN MAINTENANCE AND  
REPAIR SERVICES AGREEMENT WITH SERVICE FIRST**

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Agreement  
the date and year first above written.

ATTEST:

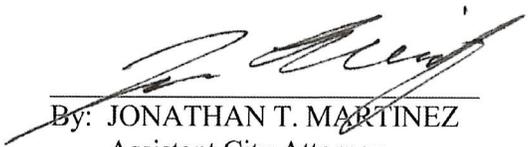
CITY OF SANTA ANA

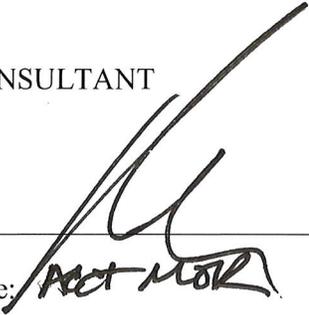
\_\_\_\_\_  
JENNIFER L. HALL  
City Clerk

\_\_\_\_\_  
THOMAS R. HATCH  
Interim City Manager

APPROVED AS TO FORM:  
Sonia R. Carvalho, City Attorney

CONSULTANT

  
\_\_\_\_\_  
By: JONATHAN T. MARTINEZ  
Assistant City Attorney

\_\_\_\_\_  
By:   
Title: ACT MGR

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
Nabil Saba, P.E.  
Executive Director of  
Public Works Agency