

**FIRST AMENDMENT TO ON-CALL GENERAL ENGINEERING SERVICES
AGREEMENT WITH PALP, INC. DBA EXCEL PAVING**

THIS FIRST AMENDMENT is entered into on this 21st day of September, by and between Palp, Inc. dba Excel Paving ("Contractor"), and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City").

RECITALS

- A. On December 1, 2020, the City entered into Agreement A-2020-245-04 ("Agreement") with Palp, Inc. dba Excel Paving, to provide on-call asphalt pavement, concrete pavement, and stormdrain repair services for a three (3) year term until November 30, 2023, with an option for the parties to extend the Agreement for up to one (1) two-year period. The Agreement is current and in effect.
- B. Contactor is one of four selected contractors providing services on an on-call basis and shares an aggregate compensation as detailed in Section 2.a. of the Agreement.
- C. The parties now wish to amend the Agreement to increase the shared aggregate amount of the compensation to pay for emergency services recently discovered by the City.

The Parties therefore agree:

- 1. **Section 2a, COMPENSATION**, shall be amended to increase the shared aggregate compensation in the amount of \$1,600,000. Therefore, the total shared aggregate amount shall not exceed two million five hundred thousand dollars and zero cents (\$2,500,000) to pay for the additional emergency services during the term of this agreement, including any extension periods.
- 2. Except as hereinabove modified, the terms and conditions of said Agreement remain unchanged and in full force and effect.

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

ATTEST:

CITY OF SANTA ANA

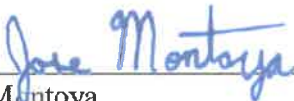
Daisy Gomez
Clerk of the Council

Kristine Ridge
City Manager

[Signatures continue on the next page]

APPROVED AS TO FORM:

Sonia R. Carvalho
City Attorney

By: 
Jose Montoya
Deputy City Attorney

CONTRACTOR:


Name: David Drukker
Title: Vice President

RECOMMENDED FOR APPROVAL

Nabil Saba
Executive Director
Public Works Agency