

**FIRST AMENDMENT TO AGREEMENT WITH FACTORY MOTOR PARTS
TO PROVIDE MISCELLANEOUS VEHICLE PARTS**

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on September 19, 2023, by and between Elliott Auto Supply Co., Inc. dba Factory Motor Parts, a Minnesota corporation (“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 June 4, 2019, the City and the Contractor entered into Agreement No. A-2019-085 (“Agreement”), to establish a vendor-owned inventory (consignment) based model to provide miscellaneous fleet vehicle parts and accessories to City. The term of the Agreement was initially set for a three (3) year period with an option to extend the term for two (2), one (1) year renewals.
- B. The parties opted to exercise both extensions allowed under the Agreement. The first extension for an additional one-year term on June 13, 2022. The second extension for the remaining one-year term on June 13, 2023 through June 30, 2024. The Agreement is current and in effect.
- C. Due to the increasing cost of goods and services expected over the remainder of the term of the Agreement, the parties wish to amend the Agreement to increase the overall annual compensation amount to cover expenses to be incurred during the final extension of the Agreement which runs through June 30, 2024.

The Parties therefore agree:

- 1. **Section 2.a., Compensation,** is amended to increase the annual amount established for the final extension period to the Agreement by an additional \$160,000.00. The annual amount for this term from July 1, 2023 through June 30, 2024 shall not exceed \$500,000.00. The total amount to be expended during the term of this Agreement shall not exceed \$1,860,000.00.
- 2. Except as modified by this Amendment, all terms and conditions of the Agreement, as amended, shall remain in full force and effect.

[signatures contained on following page]

**SIGNATURE PAGE FOR FIRST AMENDMENT TO AGREEMENT WITH FACTORY
MOTOR PARTS TO PROVIDE MISCELLANEOUS VEHICLE PARTS**

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

ATTEST

CITY OF SANTA ANA

Jennifer L. Hall
City Clerk

Kristine Ridge
City Manager

APPROVED AS TO FORM
SONIA R. CARVALHO, City Attorney

ELLIOTT AUTO SUPPLY CO., INC.
DBA FACTORY MOTOR PARTS

By: 

Jonathan T. Martinez
Assistant City Attorney

Dana Carney

Digitally signed by Dana Carney
DN: cn=Dana Carney, o=Factory Motor Parts,
ou, email=d.carney@fmpco.com, c=US
Date: 2023.08.22 14:13:04 -05'00'

Dana Carney
Fleet Sales and Operations Manager

RECOMMENDED FOR APPROVAL

Nabil Saba, PE
Executive Director,
Public Works Agency