

## FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FOURTH AMENDMENT TO AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Merced, a California Charter Municipal Corporation (“City”), and TK Elevator Corporation, a Delaware Corporation (“Consultant”).

WHEREAS, City is in need of elevator maintenance services; and,

WHEREAS, City and Consultant have previously entered into an Agreement for Elevator Maintenance Services (“Agreement”) dated August 31, 2020, a First Amendment dated May 17, 2021, a Second Amendment dated July 1, 2022, and a Third Amendment dated July 1, 2024; and,

WHEREAS, City and Consultant desire to amend said Agreement to exercise the final option to renew the Agreement.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Section 29, “FINAL OPTION TO RENEW,” is hereby added to the Agreement to read as follows:

The City and Consultant desire to exercise the option to renew the Agreement for one (1) additional year pursuant to Section 1, ‘Parties and Term’ of the Agreement. The term of this final renewal shall be from July 1, 2024 to June 30, 2025.”

2. Section 30, “COMPENSATION DURING FINAL RENEWAL TERM,” is hereby added to the Agreement to read as follows:

City shall pay Consultant the not to exceed sum of Two Thousand One Hundred Thirty-Five Dollars and Sixteen Cents (\$2,135.16) per month, for a total of Twenty-Five Thousand Six Hundred Twenty-One Dollars and Ninety-Two Cents (\$25,621.92) annually.”

3. Except as herein amended, the Agreement dated August 31, 2020, First Amendment dated May 17, 2021, Second Amendment dated July 1, 2022, and Third Amendment dated July 1, 2023, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Fourth Amendment to Agreement to be executed on the date first above written.

CITY OF MERCED  
A California Charter Municipal  
Corporation

BY: \_\_\_\_\_  
D. Scott McBride,  
City Manager

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

APPROVED AS TO FORM:  
CRAIG J. CORNWELL, CITY ATTORNEY

BY: Craig Cornwell 7/2/2024  
City Attorney Date

ACCOUNT DATA:  
M. VENUS RODRIGUEZ, FINANCE OFFICER

BY: \_\_\_\_\_  
Verified by Finance Officer

VENDOR

BY: DocuSigned by:  
Rob Preston  
-AAF4777343424F9...  
(Signature)

Rob Preston  
(Typed Name)

Its: General Manager  
(Title)

BY: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Typed Name)

Its: \_\_\_\_\_  
(Title)

Taxpayer I.D. No. 62-1211267

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95605

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FAX: \_\_\_\_\_

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