

SECOND AMENDMENT PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT is made and entered into this 1st day of July, 2022, by and between the City of Merced, a California Charter Municipal Corporation ("City"), and TK Elevator Corporation, a Delaware Corporation ("Consultant") whose address of record is 940 Riverside Parkway, Suite 20, West Sacramento, California 95605.

WHEREAS, Consultant, under the name of ThyssenKrupp Elevator Corporation and the City previously entered into an Agreement for Professional Services ("Agreement") dated August 31, 2020; and

WHEREAS, Consultant and City entered into a First Amendment to Agreement dated May 17, 2021; and,

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

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

1. Section 25, "FIRST OPTION TO RENEW," is hereby added to the Agreement to read as follows:

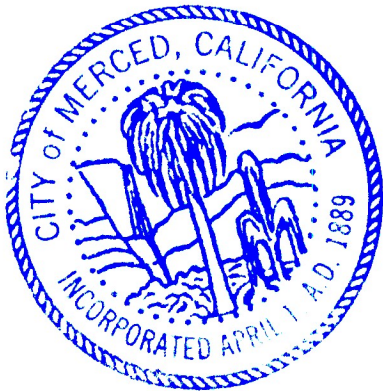
"SECTION 25. FIRST OPTION TO RENEW. The City and Consultant desire to exercise the option to renew the Agreement for one (1) additional year pursuant to Section 3, 'Term of Agreement'. The term of this first renewal shall be from July 1, 2022 to June 30, 2023."

2. Section 26, "COMPENSATION DURING FIRST RENEWAL TERM," is hereby added to the Agreement to read as follows:

"SECTION 26. COMPENSATION DURING FIRST RENEWAL TERM. City shall pay Consultant the not to exceed sum of One Thousand Five Hundred Eighty-Five Dollars (\$1,585.00) per month, for a total of Nineteen Thousand Twenty Dollars (\$19,020.00) annually."

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

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



CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____

Stephanie Plutz
City Manager

ATTEST:

STEPHANIE R. DIETZ, CITY CLERK

BY: _____

Alysoncha Madra 9/13/2022
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY: _____

[Signature]

City Attorney

8/15/2022

Date

301325

ACCOUNT DATA:

PO# 146455

BY: _____

[Signature] 9/9/22
Verified by Finance Officer V-18735

Funds available. circ 9/2/22

671-1119-532-25-00

9/2/22

Not to exceed \$19,020.00

CONSULTANT
TK ELEVATOR CORPORATION,
A Delaware Corporation

BY: Daniel J Opfer 8/17/2022
(Signature)

Daniel J Opfer

(Typed Name)

Branch Manager
Its: _____
(Title)

BY: Thomas Krimmel
(Signature)

Thomas J Krimmel

(Typed Name)

Sr. Account Manager
Its: _____
(Title)

Taxpayer I.D. No. 62-1211267

ADDRESS: 940 Riverside Parkway
Suite 20
West Sacramento, CA
95605

TELEPHONE: 916-376-8700

FAX: 1-866-572-2888

E-MAIL: sacramento@tkelevator.com