

**THIRD AMENDMENT TO  
AGREEMENT FOR SERVICE FIRST INC. FOR SERVICES**

THIS THIRD AMENDMENT TO THE AGREEMENT, is entered into by and between the CITY OF POMONA (the “City”) and SERVICE FIRST INC., (“Contractor”), Hereinafter referred to as the as the “Parties”.

**Recitals**

**WHEREAS**, On April 18, 2022, the City Council approved the award of a contract to CONTRACTOR to provide Aquatics Maintenance Services for the City for an initial term of three (3) years (the “Agreement”), with the option to for two (2) one year renewal options.

**WHEREAS**, the initial term of the AGREEMENT commenced on April 2022 and will continue through April 2025; and

**WHEREAS**, On July 25, 2022, the Parties entered into the First Amendment to decrease the not to exceed amount from \$465,696 to \$197,694; and

**WHEREAS**, On November 20, 2023, the Parties entered into the Second Amendment to amend Exhibit A “Scope of Services” and to increase the not to exceed to \$202,157.11; and

**WHEREAS**, the Parties desire to enter into a two year extension of the Agreement, under the same terms and conditions as the Agreement, except as modified by this Third Amendment.

**WHEREAS**, the Parties now desire to amend the Agreement to increase the not to exceed amount from \$202,157 to \$512,254.

**NOW, THEREFORE**, the Parties hereby agree as follows:

1. Section 1 of the Agreement “TERM” is hereby amended in its entirety to read as follows:

The Agreement shall be for a term of five (5) years commencing April 2022 continuing through April 2027.

2. Section 5.(A) of the Agreement is hereby amended in its entirety to read as follows:

“CONTRACTOR” agrees that the fees for services may not exceed the authorized amount of \$512,254 as set forth in Exhibit “B,” attached hereto, unless the CITY has given specific advanced approval in writing.”

3. All other terms and conditions of the AGREEMENT and any amendments thereto shall remain in full force and effect, except as otherwise stated in this Amendment.

**IN WITNESS WHEREOF** this THIRD AMENDMENT is signed by the Parties hereto on the date(s) indicated below.

**THE CITY OF POMONA**

**SERVICE FIRST, INC.**

\_\_\_\_\_

Signature: \_\_\_\_\_

Anita Gutierrez, City Manager

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

Rosalia A. Butler, MMC

City Clerk

**APPROVED AS TO FORM**

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Sonia Carvalho, City Attorney