

## **FIRST AMENDMENT TO SERVICE CONTRACT**

THIS FIRST AMENDMENT TO SERVICE CONTRACT (Amendment) made and entered into effective \_\_\_\_\_, 2025 (Effective Date), amends the Service Agreement entered between the CITY OF FRESNO, a California municipal corporation (City), and ACE PAKING MANAGEMENT, a California Corporation (Contractor).

### **RECITALS**

WHEREAS, the City and Contractor entered into a Service Agreement on January 27, 2021 (Agreement), to provide revenue controls, customer service, and maintenance at the City's portfolio of parking assets, for a total fee of \$13,230,332; and

WHEREAS, City and Contractor desire to increase the total compensation for satisfactory performance of all service required or rendered pursuant to this Amendment by \$3,527,500 to complete the terms of the Contract; and

WHEREAS, with entry into this Amendment, the Contractor agrees it has no claim, demand, or dispute against the City and affirms that it will abide by all obligations contained in the Agreement.

### **AGREEMENT**

NOW, THEREFORE, the parties amend that the Agreement as follows:

1. Contractor's sole compensation for satisfactory performance of all services required or rendered pursuant to the Agreement is amended and increased by \$3,527,500 for a total contract value of \$16,757,832.
2. The term of the Agreement remains the same.
3. In the event of any conflict between the body of this Amendment and any exhibit or attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the exhibit or attachment. Furthermore, any terms or conditions contained within any exhibit or attachment hereto which purport to modify the allocation of risk between the Parties, provided for within the body of this Amendment, shall be null and void.
4. Except as otherwise provided herein, the Agreement entered into by the City and the Contractor on January 27, 2021, remains in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Amendment at Fresno, California, on the day and year first above written.

CITY OF FRESNO,  
A California municipal corporation

By: \_\_\_\_\_  
Georgeanne A. White  
City Manager

APPROVED AS TO FORM:  
ANDREW JANZ

City Attorney  
Signed by: \_\_\_\_\_  
By: Kelsey Seib 6/10/2025  
FFF87C8CE7F34DC...  
Kelsey A. Seib Date  
Deputy City Attorney

ATTEST:  
TODD STERMER, MMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

ACE PARKING MANAGEMENT, a  
California corporation

DocuSigned by:  
By: John Baumgardner  
3BA746A0F1A24A5...  
Name: John Baumgardner

Title: CEO  
(If corporation or LLC., Board Chair,  
Pres. or Vice Pres.)

DocuSigned by:  
By: Keith Jones  
91AAB6BEAF0F47D...  
Name: Keith Jones

Title: Owner  
(If corporation or LLC., CFO, Treasurer,  
Secretary or Assistant Secretary)