

**AMENDMENT NO. 1  
TO AGREEMENT FOR CONTRACTOR SERVICES**

**M & M Air Conditioning, Inc.**

***On-Call Citywide Facility Repairs & Services***

This Amendment No. 1 to Agreement for Contractor Services is made and entered into as of 2/27/2024, by and between the City of Lake Elsinore, a municipal corporation ("City"), and M & M Air Conditioning, Inc, a Corporation ("Contractor").

**RECITALS**

A. The City and Contractor have entered into that certain Agreement for Contractor Services dated as of 11/14/2023, (the "Original Agreement"). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings set forth for such terms in the Original Agreement.

B. The Original Agreement provided for compensation to Contractor in an amount of Ten Thousand dollars (\$10,000.00).

C. The Original Agreement had a term of three (3) years and allows the City to extend the term on a 12-month basis, not to exceed two (2) additional 12-month renewals.

D. The parties now desire to amend and increase the payment for such services as set forth in this Amendment No. 1.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, City and Contractor agree as follows:

1. Section 3, Compensation, of the Original Agreement is hereby amended to read in its entirety as follows:

Compensation to be paid to Contractor shall be in accordance with the fees set forth in Contractor's Proposal (Exhibit A), which is attached hereto and incorporated herein by reference. In no event shall Contractor's annual compensation exceed twenty thousand dollars and no cents (\$20,000.00) without additional written authorization from the City.

Notwithstanding any provision of Consultant's Proposal to the contrary, out of pocket expenses set forth in Exhibit A, shall be reimbursed at cost without an inflator or administrative charge. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to the City at the time of payment.

2. Except for the changes specifically set forth herein, all other terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be executed on the respective dates set forth below.

“CITY”

CITY OF LAKE ELSINORE, a municipal corporation

“CONTRACTOR”

M & M Air Conditioning, Inc., a Corporation

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mitch Kobzeff, Owner

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Assistant City Manager

Attachments: Exhibit A – Contractor 's Proposal

EXHIBIT A-1

CONTRACTOR 'S PROPOSAL

[ATTACHED]