

**AMENDMENT NO. 1 TO
GOODS & SERVICES AGREEMENT
WITH WILLIAM SCOTSMAN, INC.**

This Amendment No. 1 to the Goods and Services Agreement for is made and entered into as of December 4, 2024 ("Effective Date") by and between the City of San Bernardino, a charter city and municipal corporation ("City") William Scotsman, Inc., a Corporation ("Vendor"). City and Vendor are sometimes referred to herein individually as a "Party" and collectively as "Parties."

RECITALS

A. WHEREAS, the City and the Vendor have entered into an agreement, dated August 7, 2024 for the purpose of providing and delivering a used modular building (the "Master Agreement").

B. WHEREAS, the Parties now desire to amend the Master Agreement in order to extend the term of the Master Agreement for an additional term of two months, and to include additional funds for the continued performance of the services in accordance with the compensation provisions of the Master Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No.1 and the Master Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Term. The term of the Master Agreement shall be extended for an additional term of two months through January 31, 2025, unless earlier terminated.

3. Compensation. The compensation for services performed pursuant to this Amendment No. 1 shall not exceed Twenty Thousand, Three Hundred Seventy-Five Dollars and Thirty-Five Cents (\$20,375.35) thereby increasing the total not to exceed compensation of the Master Agreement to the amount of Four Hundred Forty Thousand, Dollars (\$440,000.00). Work shall be performed at the rates set forth in the Master Agreement.

4. Full Force. Except as amended by this Amendment No. 1, all provisions of the Master Agreement, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

5. Electronic Transmission. A manually signed copy of this Amendment No. 1 which is transmitted by facsimile, email or other means of electronic transmission shall

be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

6. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR
AMENDMENT NO. 1 TO THE GOODS & SERVICES AGREEMENT
WITH WILLIAM SCOTSMAN, INC.**

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.

CITY OF SAN BERNARDINO

CONSULTANT

APPROVED BY:

William Scotsman, Inc.

Rochelle Clayton
City Manager

Signature

APPROVED AS TO FORM:

Name

Best Best & Krieger LLP
City Attorney

Title