

**AMENDMENT NUMBER TWO TO
AGREEMENT FOR PROFESSIONAL TOWING SERVICES
WITH P & H ENTERPRISES, INC. DBA ANAHEIM FULLERTON TOWING**

This Amendment Number Two ("Amendment") is made and entered into this 21st day of May, 2019 ("Effective Date") by and between the City of Fullerton, a California municipal corporation ("City") and P & H ENTERPRISES, INC., a California corporation DBA ANAHEIM FULLERTON TOWING ("Operator").

WHEREAS, on June 1, 2014, Operator and City entered into an agreement for Operator to provide towing services in the City of Fullerton (the "Agreement"); and

WHEREAS, on November 3, 2015, City and Operator amended the Agreement to incorporate the City's updated Tow Policy Guidelines and Requirements and amended provisions relating to uniforms, documentation and compensation, and tow rotations, in order to clarify requirements and procedures; and

WHEREAS, City and Operator now desire to amend Section 2.0 of the Agreement as set forth herein.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Section 2.0 of the Agreement shall be deleted in its entirety and replaced with the following:

This Agreement will become effective on the Effective Date and will remain in effect for a period of five (5) years. Thereafter, this Agreement shall automatically extend for successive one (1) month periods, unless terminated as set forth herein.

2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.

3. All terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have set their hand by their duly authorized representatives as of the day and year first above written.

CITY OF FULLERTON

Kenneth Domer, City Manager

Date: _____

OPERATOR

Signature

Date: _____

Name and Title

APPROVED AS TO FORM:

Richard D. Jones, City Attorney

ATTEST:

Lucinda Williams, City Clerk