

*County of Orange, OC Public Works
Addison-Miller Inc.*

MA-080-20011853

**AMENDMENT NO. 3 (RENEWAL)
FOR
RENTAL HAUL TRUCKS WITH OPERATOR**

This AMENDMENT is made and entered into as of the date fully executed by and between the County of Orange, a political subdivision of the State of California (“County”), Orange County Flood Control District, a body corporate and politic, (“District”), and Addison-Miller Inc. with a place of business at 1100 Town & Country Road, Suite 1250, Orange, CA 92868 (“Contractor”), with County and Contractor sometimes referred to as “Party” or collectively as “Parties.”

RECITALS

WHEREAS, Contractor and County entered into Contract MA-080-20011853 for Rental Haul Trucks with Operator, effective September 1, 2020 through August 31, 2023, in the Total Aggregate Amount of \$9,000,000.00 (“Contract”); and,

WHEREAS, the Parties amended Contract to include the Orange County Flood Control District as a Party to this Contract; and,

WHEREAS, the Parties amended Articles O, Z, 4, and 20; and,

WHEREAS, the Parties executed Amendment No. 1 to increase the Contract by \$900,000.00 with a new Total Aggregate Contract Not-to-Exceed Amount of \$9,900,000.00; and,

WHEREAS, the Parties executed Amendment No. 2 to renew the Contract for one (1) additional year, effective September 1, 2023 through August 31, 2024, with a new Not-to-Exceed Contract Amount of \$3,300,000.00; and,

WHEREAS, the Parties now desire to increase the contract amount for the period of September 1, 2023 through August 31, 2024, with a new Not-to-Exceed Contract Amount of \$4,300,000.00; and,

WHEREAS, the Parties now desire to renew the Contract for one (1) additional year, effective September 1, 2024 through August 31, 2025, with a new Not-to-Exceed Contract Amount of \$4,300,000.00; and,

NOW, THEREFORE, the Parties mutually agree as follows:

AMENDMENT TO CONTRACT ARTICLES

1. Article 2 of the Contract shall be amended to include the following:

Contract shall be renewed for one (1) year from September 1, 2024 through August 31, 2025, unless otherwise terminated as provided herein.

2. Article 4 of the Contract shall be amended in its entirety as follows:

4. Aggregate Contract: This is an Aggregate Contract between Addison-Miller Inc. and Disney’s Happiest Home, LLC with a Total Aggregate Contract Amount that shall not exceed \$9,900,000.00

The first renewal term of the Aggregate Contract between Disney’s Happiest Home, LLC and Addison-Miller Inc. with a Total Aggregate Contract Amount that shall not exceed \$4,300,000.00.

The second renewal term of the Aggregate Contract between Disney’s Happiest Home, LLC and Addison-Miller Inc. with a Total Aggregate Contract Amount that shall not exceed \$4,300,000.00

- 3. Attachment B, Section 2. “Fees and Charges”, Subsection C shall be amended in its entirety as follows:

C. Total Aggregate Contract Amount Not to Exceed:..... \$9,900,000.00*

FOR FIRST RENEWAL TERM, TOTAL AGGREGATE CONTRACT AMOUNT NOT TO EXCEED: \$4,300,000.00*

FOR SECOND RENEWAL TERM, TOTAL AGGREGATE CONTRACT AMOUNT NOT TO EXCEED: \$4,300,000.00*

*This is shared between Addison-Miller Inc. and Disney’s Happiest Home, LLC.

- 4. All other terms and conditions in this Contract shall remain unchanged and with full force and effect.

Signature Page

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment on the date first above written.

ADDISON-MILLER INC.*

<u>Nate Beach</u>	Nate Beach	Secretary	2/20/2024
Signature	Name	Title	Date

<u>Cara Di Masi</u>	Cara Di Masi	President	2/21/2024
Signature	Name	Title	Date

COUNTY OF ORANGE, A political subdivision of the State of California

COUNTY AUTHORIZED SIGNATURE:

Signature	Name	Title	Date
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ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic

DISTRICT AUTHORIZED SIGNATURE:

Signature	Name	Title	Date
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APPROVED AS TO FORM:

County Counsel

By William Mule
Deputy

Date 2/21/2024

* If the contracting party is a corporation, (2) two signatures are required: one (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision. In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signee to bind the corporation.