

PALM DESERT HOUSING AUTHORITY

AMENDMENT 3 TO PROCUREMENT OF FLOOR COVERINGS AND RELATED SUPPLIES, EQUIPMENT AND SERVICES CONTRACT NO. HA38930

1. Parties and Date.

This Amendment No. 3 to the PROCUREMENT OF FLOOR COVERINGS AND RELATED SUPPLIES, EQUIPMENT AND SERVICES AGREEMENT is made and entered into as of this 14th day of March, 2024, by and between the Palm Desert Housing Authority (“Housing Authority”) and CURTIS ALLAN FLOORCOVERING, INC., a Corporation with its principal place of business at 3035 Palisades Drive, Corona, California 92880 (Contractor). The Housing Authority and Contractor are sometimes individually referred to as “Party” and collectively as “Parties.”

2. Recitals.

2.1 Agreement. The Housing Authority and Contractor have entered into an agreement entitled Procurement of Floor Coverings and Related Supplies, Equipment and Services Agreement dated June 27, 2019 (“Agreement” or “Contract”) for the purpose of retaining the services of Contractor to provide Flooring Services for the Housing Authority properties.

2.2 Amendment. The Housing Authority and Contractor desire to amend the Agreement for additional compensation.

2.3 Amendment Authority. This Amendment No. 3 is authorized pursuant to Section 2.3 of the Agreement.

3. Terms.

3.1 Compensation. Section 2.3. of the Agreement is hereby amended in its entirety to read as follows:

3.2.1 Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "B" of the Agreement and attached hereto and incorporated herein by reference. The total compensation shall not exceed **Two Hundred Eighty Five Thousand and 00/100 Dollars (\$285,000) including non-warranty partial replacements and repairs** Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement or as agreed to by the Parties in writing.

3.4 Continuing Effect of Agreement. Except as amended by this Amendment No. 3 all other provisions of the Agreement remain in full force and effect and shall govern the actions of the parties under this Amendment No. 3. From and after the date of this Amendment No. 3, whenever the term “Agreement” or “Contract” appears in the Agreement,

it shall mean the Agreement as amended by this Amendment No. 3.

3.5 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No. 3.

3.6 Severability. If any portion of this Amendment No. 3 is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.7 Counterparts. This Amendment No. 3 may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR AMENDMENT NO. 3 TO PROCUREMENT OF FLOOR COVERINGS AND RELATED SUPPLIES, EQUIPMENT AND SERVICES CONTRACT NO. HA38930 BETWEEN THE PALM DESERT HOUSING AUTHORITY AND CURTIS ALLAN FLOORCOVERING, INC.

IN WITNESS WHEREOF, the Parties have entered into this Amendment No. 3 to the Flooring Services Agreement as of the day and year first above written.

PALM DESERT HOUSING AUTHORITY

CURTIS ALLAN FLOORCOVERING, INC.

Approved By:

L. Todd Hileman
Executive Director

Signature
Robert C. Wood

Name
Vice President

Title

Attested By:

Anthony J. Mejia, Secretary

Signature
Jared B. Ziman

Name
Treasurer

Title

Approved As To Form:

By: _____
Isra Shah
Best Best & Krieger LLP
City Attorney

QC: _____

Insurance: _____

Initial Review

Final Approval

EXHIBIT B

This Contract includes and hereby incorporates in fully by reference the Schedule of Services as provided in the National Cooperative Purchasing Alliance Agreement for Flooring & Outdoor Surfacing Solutions Contract No. 02-60, with Engineered Floors, LLC, (the 'piggyback contract') and the respective Request for Proposal issued June 12, 2018, and any amendments thereof.