

K23-874

AMENDMENT NO. 4 TO THE CONTRACT

BETWEEN

THE CITY OF NEW ORLEANS

AND

LEE TRACTOR COMPANY, INC.

ITB No. 2297-02509

THIS FOURTH AMENDMENT (the "**Amendment**") is entered into by and between the City of New Orleans, represented by LaToya Cantrell, Mayor (the "**City**"), and Lee Tractor Company, Inc., represented by Stephen Dottolo, General Manager (the "**Contractor**"). The City and the Contractor are sometimes each referred to as a "**Party**," and collectively, as the "**Parties**." The Amendment is effective as of October 6, 2023 (the "**Effective Date**").

RECITALS

WHEREAS, on April 3, 2019, the City issued Invitation to Bid No. 2297-02905 seeking a contractor to provide original equipment repair services for the City's Kubota, Case, and Hyundai construction equipment (the "**ITB**"); and

WHEREAS, the Contractor submitted the lowest, most responsive bid in response to the ITB; and

WHEREAS, on December 13, 2019, the City and the Contractor entered into a contract for the services described in the ITB (the "**Agreement**"); and

WHEREAS, on December 13, 2020, the Parties amended the Agreement for the first time to extend the Agreement's term and to modify the Agreement's terms and conditions for continuity of services; and

WHEREAS, on October 6, 2021, the Parties amended the Agreement for the second time to extend the Agreement's term and to modify the Agreement's terms and conditions for continuity of services; and

WHEREAS, on October 6, 2022, the Parties amended the Agreement for the third time to extend the Agreement's term and to modify the Agreement's terms and conditions for continuity of services; and

WHEREAS, the City and the Contractor, each having the authority to do so, desire to enter this Amendment to renew the Agreement for one (1) additional year for continuity of services; and

NOW THEREFORE, for good and valuable consideration, the City and the Contractor amend the Agreement as follows:

1. Extension. In accordance with the terms of the Agreement, the term is extended for an additional one (1) year, from the Effective Date through October 5, 2024.

2. Price. The City and Contractor reaffirm the price proposal submitted by the Contractor in response to the City's Invitation to Bid No. 2297-02509.

3. **Convicted Felon Statement.** The Contractor swears that it complies with City Code Section 2-8(c). No Contractor principal, member, nor officer has, within the preceding five (5) years, been convicted of, or pled guilty to, a felony under state or federal statutes for embezzlement, theft of public funds, bribery, or falsification or destruction of public records.

4. **Non-Solicitation Statement.** The Contractor swears that it has not employed nor retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this Amendment. The Contractor has not paid nor agreed to pay any person, other than a bona fide employee working for it, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from this Amendment.

5. **Prior Terms Binding.** Except as otherwise provided by this Amendment, the terms and conditions of the Agreement remain in full force and effect.

6. **Counterparts.** This Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original copy of this Amendment, but all of which, when taken together, shall constitute one and the same agreement.

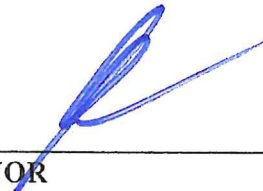
7. **Electronic Signature and Delivery.** The Parties agree that a manually signed copy of this Amendment and any other document(s) attached to this Amendment delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an originally signed copy of this Amendment. No legally binding obligation shall be created with respect to a Party until such Party has delivered or caused to be delivered a manually signed copy of this Amendment.

[SIGNATURES CONTAINED ON NEXT PAGE]

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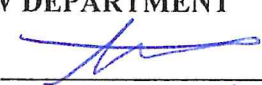
IN WITNESS WHEREOF, the City and the Contractor, through their duly authorized representatives, execute this Agreement.

CITY OF NEW ORLEANS

BY:  FOR
LATOYA CANTRELL, MAYOR

Executed on this 7th of September, 2023.

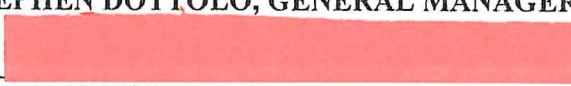
FORM AND LEGALITY APPROVED:
LAW DEPARTMENT

BY: 

PRINTED NAME: Andrew Gregorich

LEE TRACTOR COMPANY, INC.

BY: 
STEPHEN DOTTOLO, GENERAL MANAGER


FEDERAL TAX I.D.