

K21-1338

AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT

BETWEEN

THE CITY OF NEW ORLEANS

AND

EOS USA, INC. D/B/A EOS CCA

THIS FOURTH AMENDMENT (the "Amendment") is entered into by and between the City of New Orleans, represented by LaToya Cantrell, Mayor (the "City"), and EOS USA, Inc. D/B/A EOS CCA, represented by Tod Dillon, Chief Executive Officer (the "Contractor"). The City and the Contractor are sometimes collectively referred to as the "Parties." The Amendment is effective February 22, 2021 (the "Effective Date").

RECITALS

WHEREAS, on February 22, 2017, the City and the Contractor entered into a professional services agreement for collection of unpaid sanitation debts (the "Agreement");

WHEREAS, the City and Contractor previously amended the Agreement to ensure continuity of services, and

WHEREAS, the City and the Contractor, each having the authority to do so, now desire to enter this Amendment to ensure continuity of services by increasing compensation and renewing the Agreement, as amended.

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

1. **Extension.** In accordance with Article V Section B of the Agreement, the term is extended for an additional two years from the Effective Date through February 21, 2022.
2. **Compensation.** The compensation described in Article IV Section B of the Agreement is increased by \$200,000.00 to a new total amount not to exceed \$1,450,000.00.
3. **Convicted Felon Statement.** The Contractor swears that it complies with City Code § 2-8(c). No Contractor principal, member, or officer has, within the preceding five 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 or 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 or 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.

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

CITY OF NEW ORLEANS

BY: [Signature]
LATOYA CANTRELL, MAYOR

Executed on this 6th of May, 2021 2022

FORM AND LEGALITY APPROVED:
Law Department

By: [Signature]
Printed Name: Tracy Myle

EOS USA, INC. D/B/A EOS CCA

BY: [Signature]
TOD DILLON, CHIEF EXECUTIVE OFFICER

DATE: Executed on this 22 of April, 2021

[Redacted]
FEDERAL TAX I.D.