

FOURTH AMENDMENT TO THE CONTRACT
BY AND BETWEEN
THE CITY OF NEW ORLEANS
AND
H&O INVESTMENTS, LLC D/B/A H&O GROUNDS
LOT ABATEMENT SERVICES

THIS FOURTH AMENDMENT (the **Amendment**) is entered into by and between the City of New Orleans, represented by LaToya Cantrell, Mayor, and J.P. Morrell, City Council President (the **"City"**), and H&O Investments, LLC, d/b/a H&O Grounds, represented by David Mahler, Owner (the **"Contractor"**). The City and the Contractor are sometimes collectively referred to as the **"Parties."** The Amendment is effective as of January 10, 2023 (the **"Effective Date"**).

RECITALS

WHEREAS, the City and Contractor entered into a Bid Contract effective January 10, 2019, for Lot Abatement Services for Grass Mowing, Land Clearing, and Debris Removal (the **"Agreement"**);

WHEREAS, the Parties entered into the First Amendment effective January 10, 2020, to extend the term for continuity of services;

WHEREAS, the Parties entered into the Second Amendment effective January 10, 2021, to extend the term for continuity of services;

WHEREAS, the Parties entered into the Third Amendment effective January 10, 2022, to extend the term for continuity of services; and

WHEREAS, the City and the Contractor, each having the authority to do so, now desire to enter into this Amendment to extend the term and increase compensation for continuity of services for one additional year and update terms and provisions.

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

1. **Term.** In accordance with Section 17, of Attachment B, of the Invitation to Bid, the term is extended for one additional year from the Effective Date through January 9, 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. 7613-02442.
3. **Maximum Funding.** The compensation is increased an additional \$1,600,000.00 for a total amount not to exceed \$4,890,550.00.
4. **Convicted Felon Statement.** The Contractor swears that it complies with City Code Section 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.

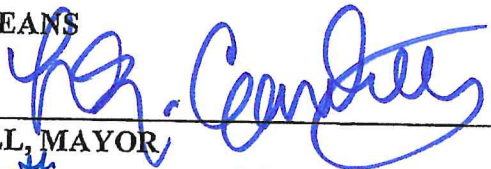
5. **Non-Solicitation Statement.** The Contractor swears that it has not employed or retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this Amendment. The Contractor has not paid or agreed to pay any person, other than a bona fide employee working for it, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from this Amendment.
6. **Prior Terms Binding.** Except as otherwise provided by this Amendment, the terms and conditions of the Agreement, as amended, remain in full force and effect.
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 original 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 Amendment to be effective as of the Effective Date.

CITY OF NEW ORLEANS

BY: 

LATOYA CANTRELL, MAYOR

Executed on this 27th of MARCH, 2023.

BY: 

J.P. MORRELL, CITY COUNCIL PRESIDENT

Executed on this _____ of _____, 2023.

FORM AND LEGALITY APPROVED:

Law Department

By: 

Printed Name: 3.17.2023

H&O INVESTMENTS, LLC d/b/a H&O GROUNDS

BY: _____

DAVID MAHLER, OWNER

EIN _____

Executed on this _____ of _____, 2023.

IN WITNESS WHEREOF, the City and the Contractor, through their duly authorized representatives, execute this Amendment to be effective as of the Effective Date.

CITY OF NEW ORLEANS

BY: _____

LATOYA CANTRELL, MAYOR

Executed on this _____ of _____, 2023.

BY: _____

J.P. MORRELL, CITY COUNCIL PRESIDENT

Executed on this _____ of _____, 2023.

FORM AND LEGALITY APPROVED:

Law Department

By: _____

Printed Name: _____

H&O INVESTMENTS, LLC d/b/a H&O GROUNDS

BY: _____

DAVID MAHLER, OWNER

EIN _____

Executed on this 16th of March, 2023.