

**TEHACHAPI VALLEY HEALTHCARE DISTRICT
BOARD OF DIRECTORS MEETING - SPECIAL**

Date: March 31, 2025, 10:00am

**Place: Tehachapi Valley Healthcare District Office
116 W F Street
Tehachapi, CA 93561**

[Join the meeting now](#)

Meeting ID: 273537953325

Passcode: cC25BB6e

Or call in (audio only)

347-566-2771 United States, New York City

Phone Conference ID: 292971121#

AGENDA

I. CALL TO ORDER

II. FLAG SALUTE

III. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

This time is reserved for persons to address the Board of Directors on matters not on the agenda over which the District has jurisdiction. Time is limited to 3 minutes per speaker. The Board of Directors can take no action on your presentation. Any person desiring to speak on an item on the agenda will be given an opportunity to do so prior to the Board of Directors acting on the item.

IV. BOARD COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

V. NEW BUSINESS

- A. Review Bid Packages and Award of Contract for Valley Blvd Floor and Paint Project Tab 1

IX. ADJOURNMENT

<u>NOTICE TO THE PUBLIC</u>
<u>PUBLIC COMMENT PERIOD FOR REGULAR MEETINGS</u> Members of the public may comment on any item on the agenda before the Board takes action on it. The public may also comment on items of interest to the public that is within the subject matter jurisdiction of the Board; provided, however, the Board may not take action on any item not appearing on the agenda unless the action is otherwise authorized by law. Any person addressing the Board will be limited to a maximum of three (3) minutes so that all interested parties have an opportunity to speak.
<u>COPIES OF PUBLIC RECORDS</u> All writings, materials, and information provided to the Board for their consideration relating to any open session agenda item of the meeting are available for public inspection and copying during regular business hours at the Administration Office of the District at 116 W E St., Tehachapi, California.
<u>COMPLIANCE WITH ADA</u> This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (Cal. Gov't Cod. § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting, should contact the Executive Office during regular business hours by phone at 661-750-4848, or in person at the District's Administrative Office at 116 W E St., Tehachapi, California.

BID SCHEDULE

**INTERIOR PAINT, FLOORING, AND EXTERIOR STUCCO PATCHING
TEHACHAPI, CALIFORNIA PROJECT**

TEHACHAPI, CALIFORNIA

OLD TEHACHAPI HOSPITAL - DEMOLITION PROJECT						
Item	Section	Description	Unit	Est. Qty.	Unit Price	Total Price
1.		Preparing and painting of 3,060 sq ft	LS	1		\$22, 000.00
2.		Replacement and removal of flooring in all carpeted areas	LS	1		\$25, 000.00
3.		Replace baseboards and stucco patch	LS	1		\$3, 000.00
4.			LS	1		
5.			LS	1		
6.		MOBILIZATION/ DEMOBILIZATION/ INSURANCE & BOND	LS	1		\$3, 000.00
7.		CASH ALLOWANCE	LS	1		

Bid Schedule Total:

\$ 53, 000.00

Fifty three thousand

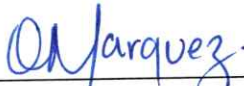
DOLLARS

(Total bid amount in words)

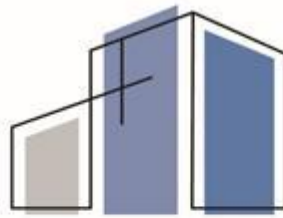
The Contractor shall be responsible for calculating and providing unit prices for the schedule. The proposal schedule shall include all costs for services, labor, materials, equipment, and installation associated in completing the work in place per the specifications and details.

Date: 03/25/2025

Perfection Painting Corp
(name of bidder)

By: 

Name: Oscar Marquez/RMO



PERFECTION PAINTING CORP

38045 47th St East, Suite E #142, Palmdale, CA 93552.

✉ perfectionptgco@gmail.com ☎ (661) 234 - 1905; (661) 234 - 1957

REFERENCES

Agency: Escalon Unified School District

Project: Escalon Gateway Charter Academy Dryrot Repair, Carpentry, concrete and Fencing project

Project Price: \$385,000.00

Mike Clark, AIA TPH Architects (209) 571 – 2232 mclark@thparch.com

Agency: Harbor Coating and Restoration

Project: Orange County Parking Lot Improvements

Project Price: \$120,000.00

Mahmoud Merzi (706) 500 – 9264 Harborcoating@gmail.com

Agency: Public Works Department, City of San Bernardino

Project: Ruben Campos Community Center project

Project Price: \$327,000.00

Jahaira Ortiz (909) 384 – 5019 ortiz_jahaira@sbcity.org

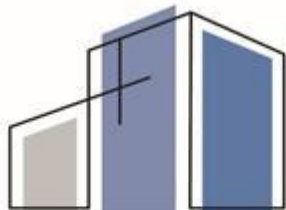
Agency: Public Works Department, City of Santa Barbara

Project: State Street Trellis Repair Project

Project Price: \$66,500.00



Chelsey Swanson (805) 897 – 2599 CSwanson@santabarbaraca.gov

[END OF DOCUMENT]



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 perfectionptgco@gmail.com  (661) 234 - 1905; (661) 234 - 1957

To: Tehachapi Valley Healthcare District

Peggy Mendiburu

(661) 750-4848

pmendiburu@tvhd.org

PREVAILING WAGE DETERMINATION

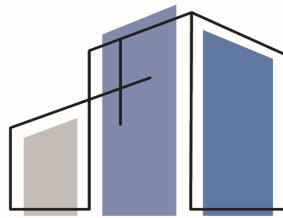
LOCALITY: Kern County

DETERMINATION: KERN-2025-1

CRAFT	STRAIGH-TIME HOURLY RATE
CARPET, LINOLEUM	\$64.860
PAINTER	\$56.090

[END OF DOCUMENT]

Package Page #3



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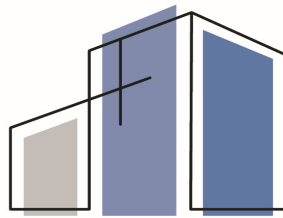
Business Profile / Capabilities Statement

Company Demographics

- Name: Perfection Painting Corp
- License No: 1091369
- Class: B, C-33 exp.05/31/2026
- Address: 38045 47th St East, Suite 142,
Palmdale, CA 93552
- Contacts:
 1. Christian Zarate / CFO
 2. Diana Zarate / Vice President
 3. Oscar Marquez / RMO
- Phone:
 1. (661) 234 – 1905
 2. (661) 234 – 1957
 3. (661) 839 – 6016
- Email: perfectionptgco@gmail.com
- Duns No: 064292759
- NAICS Codes: 238320, 236115,236220
- Year Established: 2019
- EIN No: 38 – 4224281
- Entity: S - Corp
- SB-MB: 2031145
- Cage Code: 4PQL3
- RRP EPA: NAT-F249209-1

Company History, Quality Focus, Customer Satisfaction, and Safety First

- Perfection Painting Corp (PPC), a trusted provider of high-quality painting services for commercial, industrial, and residential projects since 2019. At PPC, we are committed to delivering exceptional workmanship and exceeding our clients' expectations on every project. We hold a CSLB license #1091363, Class B, C – 33, and are a certified SB-MB business # 2031145, demonstrating our dedication to professionalism and quality.
- Perfection Painting Corp (PPC) has provided all principal painting services for its customers in a prompt and quality approach. PPC claims a 100% satisfaction rate among our clients and awarding agencies. Our principal officers are personally involved in each project to ensure the highest level of customer satisfaction and build lasting relationships. All approved projects receive full attention from PPC principal officers for better quality and continued communication with the Owner/GC.
- Perfection Painting Corp (PPC) maintains a comprehensive safety program for all our employees. Regular weekly meetings are held to proactively identify and address potential issues and risks, ensuring a safe working environment. Employee safety is our top priority.



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Perfection Painting Corp Team

Principals

- Antonia Marquez / President
- Diana Zarate / Vice President
- Christian Zarate / RMO
- Carlos Zarate / CFO

HR, Compliance Department and Payroll Technician

- Diana Zarate
- Andrea Mejia
- Karen Goroztieta

CPA / Accountant

- Flor Chacon A&A Bookkeeping / Hutchison & Hutchison Accountancy Corp

Construction Managers 30 + years of experience

- Salvador Soto
- Enrique Barajas

State Certifications

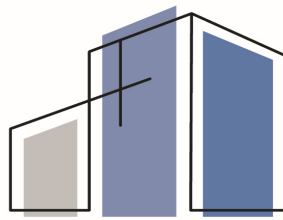
- OSHA 30
- OSHA 10
- Fall Protection
- Heat Illness Prevention
- Traffic Control Supervisor
- Quality Control Supervisor
- CPR/First Aid/AED
- Lead Supervisor
- Lead Workers
- RRP Training
- Asbestos Training
- Aerial Lifts
- COVID Supervisor

Bonding Capability

A single project is \$5,000,000 and an aggregate \$10,000,000

Proceedings and Contract Record

- **Litigation:** Perfection Painting Corp. [PPC] is not currently involved in any active litigation, nor has it been involved in any litigation in the past that resulted in an adverse judgment against the company.
- **Convictions:** Neither Perfection Painting Corp. [PPC] as a firm, nor any of its officers, have been convicted of any offenses, including but not limited to those relating to business practices, fraud, or safety violations.



PERFECTION PAINTING CORP

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- **Disciplinary Actions:** Perfection Painting Corp. [PPC] has never been subject to disciplinary action as a contractor, and no judgments have been issued against the company resulting in suspension, revocation, or other penalties.

[END OF DOCUMENT]



PERFECTION PAINTING CORP

38045 47th St East, Suite E #142, Palmdale, CA 93552.

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CORPORATE RESOLUTION OF SIGNING AUTHORITY

WHEREAS, the Corporation is determined to grant signing and authority to certain person(s) described hereunder.

RESOLVED, that the Board of Directors is hereby authorized and approved to authorize and empower the following individual to make, execute, endorse and deliver in the name of and on behalf of the corporation, but shall not be limited to, any and all written instruments, agreements, documents, execution of deeds, powers of attorney, transfers, assignments, contracts, obligations, certificates and other instruments of whatever nature entered into by this Corporation.

Name: Antonia Marquez

Position/Title: President

Telephone Number: (661) 234 - 1905

Email Address: perfectionptgco@gmail.com

Signature: Antonia Marquez

The undersigned certifies that he/she is the properly elected and qualified Secretary of the books, records and seal of Perfection Painting Corp, a corporation duly conformed pursuant to the laws of the state of California, and that said meeting was held in accordance with state law and with the Bylaws of the above-named corporation. This resolution has been approved by the Board of Directors of Perfection Painting Corp (Company) on November 25, 2023, I, as authorized by the Company, hereby certify and attest that all the information above is true and correct.

PERFECTION PAINTING CORP

List of Directors:

1. Oscar Marquez
38045 47th St East, Suite E #142
Palmdale, CA 9355
2. Carlos Zarate
38045 47th St East, Suite E #142
Palmdale CA 93552

List of Officers:

1. Antonia Marquez Collazo
(President)
2. Carlos Zarate (CFO)
3. Oscar Marquez (Officer, RMO)
4. Diana Zarate (vice president)

Contractor Information

Legal Entity Name
 Antonia Marquez Collazo
Legal Entity Type
 Corporation
Status
 Active
Registration Number
 PW-LR-1000951947
Registration effective date
 07/01/23
Registration expiration date
 06/30/26
Mailing Address
 38045 47th St Ste E #142 Palmdale 93552 CA ...
Physical Address
 38045 47th St Ste E #142 Palmdale 93552 CA ...
Email Address
 marquezp661@gmail.com
Trade Name/DBA
 Perfection Painting Corp
License Number (s)
 CSLB:1091363

Registration History

Effective Date	Expiration Date
07/01/23	06/30/26
07/17/22	06/30/23

Legal Entity Information

Corporation Entity Number: 4857020
Federal Employment Identification Number: 384224281
President Name: Antonia Marquez Collazo
Vice President Name:
Treasurer Name:
Secretary Name:
CEO Name:

Agency for Service:

Agent of Service Name: Antonia Marquez Collazo
Agent of Service Mailing Address: 38045 47th St E, Suite E #142 Palmda

Worker's Compensation

Do you lease employees through Professional Employer Organization (PEO)?: No
Please provide your current worker's compensation insurance information below:

PEO InformationName	PEO Phone	PEO Email



**CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE**



License Number **1091363** Entity **CORP**
Business Name **PERFECTION PAINTING CORP**

Classification(s) **C33 B**



Expiration Date **05/31/2026**

www.cslb.ca.gov

CITY OF PALMDALE BUSINESS LICENSE

"For Services Provided in the City of Palmdale, California Only"



2024 - 2025

TO BE POSTED IN A CONSPICUOUS PLACE
AND
NOT TRANSFERABLE OR ASSIGNABLE.

Business Name PERFECTION PAINTING CORP
Business Location 9525 E AVENUE Q2
PALMDALE, CA 93591-2222
Business Owner(s) PERFECTION PAINTING CORP

License Description SPECIALTY CONTRACTOR

PERFECTION PAINTING CORP
38045 47TH ST E # 142
PALMDALE, CA 93552-3108

License Number 11622623
Effective Date July 01, 2024
Expiration Date June 30, 2025

**THIS BUSINESS LICENSE DOES NOT PERMIT A BUSINESS
THAT IS OTHERWISE PROHIBITED.**

For all inquiries regarding this license, contact HdL
Business Support Center at (661) 247-8384.

PERFECTION PAINTING CORP :

Thank you for your payment on your City of Palmdale Business License. **ALL LICENSES MUST BE AVAILABLE FOR INSPECTION UPON REQUEST.** If you have questions concerning your business license, contact the Business Support Center via email at: palmdale@hdlgov.com or by telephone at: **(661) 247-8384.**

Keep this portion for your license separate in case you need a replacement for any lost, stolen, or destroyed license. A fee may be charged for a replacement or duplicate license.

This license does not entitle the holder to conduct business before complying with all requirements of the Palmdale Municipal code and other applicable laws, nor to conduct business in a zone where conducting such business violates law.

If you have a fixed place of business within the City of Palmdale please display the Business License above in a conspicuous place at the premises. Otherwise, every Business License holder not having a fixed place of business in the City shall keep the Business License upon his or her person, or affixed in plain view to any cart, vehicle, van or other movable structure or device at all times if required by the Collector.

Starting January 1, 2021, Assembly Bill 1607 requires the prevention of gender-based discrimination of business establishments. A full notice is available in English or other languages by going to: <https://www.dca.ca.gov/publications/>

Please visit the City of Palmdale website <https://cityofpalmdale.org/620/Bid-Opportunities> to register for bid opportunities to do business with the City.



BUSINESS LICENSING
8839 N CEDAR AVE #212
FRESNO, CA 93720-1832



City of Palmdale BUSINESS LICENSE

PERFECTION PAINTING CORP
38045 47TH ST E # 142
PALMDALE, CA 93552-3108

License Number: 11622623

Date of Issue: 07/01/2024



Secretary of State Certificate of Status

I, **SHIRLEY N. WEBER, PH.D.**, California Secretary of State, hereby certify:

Entity Name: PERFECTION PAINTING CORP.
Entity No.: 4857020
Registration Date: 03/07/2022
Entity Type: Stock Corporation - CA - General
Formed In: CALIFORNIA
Status: Active

The above referenced entity is active on the Secretary of State's records and is authorized to exercise all its powers, rights and privileges in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may impact status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of January 10, 2023.

A handwritten signature in black ink, appearing to read "Shirley N. Weber".

SHIRLEY N. WEBER, PH.D.
Secretary of State

Certificate No.: 072247222

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at [bizfileOnline.sos.ca.gov](https://bizfileonline.sos.ca.gov).



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Driscoll & Driscoll Insurance Agency, Inc. 41235 11th St West, Suite B Palmdale CA 93551	CONTACT NAME: PHONE (A/C No. Ext): (661)266-9390		FAX (A/C, No): (661)266-9391
	E-MAIL ADDRESS: Certs@driscollanddriscoll.com		
INSURED Perfection Painting Corp 38045 47th Street E Suite E 142 Palmdale CA 93552	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Palomar Specialty Insurance Company		
	INSURER B: Infinity Select Insurance Company		
	INSURER C: Employers Preferred Insurance Company		
	INSURER D: GuideOne National Insurance Company		
	INSURER E: INSURER F:		

COVERAGES

CERTIFICATE NUMBER: CL2511028827

REVISION NUMBER:


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	Y	CPGLP-00000275	9/28/2024	9/28/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			500162147011	8/21/2024	2/21/2025	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CPLXP-00000276	9/28/2024	9/28/2025	EACH OCCURRENCE	\$ 5,000,000
							AGGREGATE	\$ 5,000,000
								\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	EIG 5302599 01	7/29/2024	7/29/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
D	Contr Pollution Liability			ENV562017969-00	1/7/2025	1/7/2026	Each Poll Condition Limit & Agg	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Blanket Waiver applies to the General Liability Policy per form # CG 24 04 12 19. Blanket Primary & Non-Contributory wording applies to the General Liability Policy per form # CG 20 01 12 19. Blanket Additional Insured applies to the General Liability Policy Company Endorsements; In favor of: District, its trustees, employees and agents, Construction Manager(s), Project Manager(s), Inspector(s) and Architect(s)

CERTIFICATE HOLDER**CANCELLATION**

Ventura County Office of Education 5189 Verdugo Way Camarillo, CA 93012-8603	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Ross Driscoll Sr/DM 
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COMMENTS/REMARKS

2nd EXCESS LIABILITY

Carrier: Trisura Specialty Insurance Company

Policy Number: TXS 0002859-00

Effective Dates: 12/10/2024 to 9/28/2025

Limits:

Each Occurrence Limit \$2,000,000

Aggregate Limit \$2,000,000

Underlying Policies

General Liability, Auto Liability Employers Liability & Excess Liability

SEXUAL ABUSE & MOLESTATION

Carrier: Hiscox Inc

Policy #:MEO549662724

Effective Dates: 12/10/2024 to 12/10/2025

Limit Each Claim & Aggregate Limit 1,000,000

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – ENGINEERS, ARCHITECTS OR SURVEYORS NOT ENGAGED BY THE NAMED INSURED

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name(s) Of Additional Insured Engineer(s), Architect(s) Or Surveyor(s) Not Engaged By The Named Insured:

All engineers or surveyors required by written contract in which you and a person or organization for whom you are performing operations have agreed in writing that such engineer or surveyor added as an additional insured on your policy

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the architects, engineers or surveyors shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations performed by you or on your behalf.

Such architects, engineers or surveyors, while not engaged by you, are contractually required to be added as an additional insured to your policy.

However, the insurance afforded to such additional insured:

1. Only applies to the extent permitted by law; and
2. Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or the failure to render any professional services, including:

1. The preparing, approving, or failing to prepare or approve, maps, drawings, opinions, reports, surveys, change orders, designs or specifications; or
2. Supervisory, inspection or engineering services.

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage", or the offense which caused the "personal and advertising injury", involved the rendering of or the failure to render any professional services.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

The most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable limits of insurance;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.