

**AMENDMENT NUMBER ONE  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH KIMLEY-HORN AND ASSOCIATES, INC.**

This Amendment is made and entered into this \_\_\_\_ of June, 2016, ("Effective Date") by and between the CITY OF COSTA MESA, municipal corporation ("City") and KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina corporation registered to do business in California ("Consultant").

**WHEREAS**, Consultant and City entered into an agreement on April 22, 2016, (the "Agreement") for Consultant to provide services more fully described in City's Fast Track RFP attached as Exhibit "A" and Consultant's responsive Proposal attached as Exhibit "B"; and

**WHEREAS**, Consultant and City desire to amend the Agreement to adjust the amount of compensation from the existing compensation limit of Forty Nine Thousand Nine Hundred and Ninety Nine Dollars (\$49,999.00), to a not-to-exceed amount of One Hundred Ninety Nine Thousand Nine Hundred and Ninety Nine Dollars (\$199,999.00).

**NOW, THEREFORE**, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Section 2.1, Compensation, shall be amended to read, "As compensation for the provision of services outlined in Exhibit "A" and "B" in accordance with this agreement, Consultant shall be paid in accordance with the fee schedule set forth in Exhibit "C," attached hereto and incorporated by reference. Consultant's total compensation shall not exceed One Hundred Ninety Nine Thousand Nine Hundred and Ninety Nine Dollars (\$199,999.00).
2. All terms not herein defined shall have the same meaning and use as set forth in the Agreement.
3. All other terms, conditions, and provisions of the successor Agreements not in conflict with this Amendment, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed by and through their respective authorized officers, as of the date first above written.

CITY OF COSTA MESA,  
A municipal corporation

\_\_\_\_\_  
Chief Executive Officer

Date: \_\_\_\_\_

\_\_\_\_\_  
Gary Armstrong, Development Services Director

Date: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Interim Finance Director

CONSULTANT

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Social Security or Taxpayer ID Number

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Date: \_\_\_\_\_

APPROVED AS TO INSURANCE:

\_\_\_\_\_  
Risk Management

Date: \_\_\_\_\_

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Project Manager  
ATTEST:

Date: \_\_\_\_\_

\_\_\_\_\_  
City Clerk and ex-officio Clerk  
Of the City of Costa Mesa