

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

This Amendment is made and entered into this 15th day of November, 2016 (“Effective Date”), by and between the CITY OF COSTA MESA, a municipal corporation (“City”), and KIMLEY-HORN AND ASSOCIATES, INC., a North Carolina corporation registered to do business in California (“Consultant”).

WHEREAS, City and Consultant entered into an agreement on April 22, 2016 for Consultant to provide community improvement consulting services (the “Agreement”); and

WHEREAS, City and Consultant desire to extend the initial term through June 30, 2017; and

WHEREAS, City and Consultant also desire to amend the Scope of Services to include the additional services set forth in Exhibit “A,” attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant’s maximum compensation accordingly to Four Hundred Forty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$499,999.00).

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

1. The term of the Agreement shall be extended through June 30, 2017.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant’s total compensation shall not exceed Four Hundred Forty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$499,999.00). Consultant shall be paid according to the fee schedule set forth in the Agreement and Exhibit A of this Amendment.
3. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
5. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.

[Signatures on following page.]

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

CITY OF COSTA MESA

Chief Executive Officer

Date: _____

CONSULTANT

Signature

Date: _____

Name and Title

Taxpayer ID Number

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Date: _____

DEPARTMENTAL APPROVAL

Assistant Chief Executive Officer

Date: _____

APPROVED AS TO PURCHASING:

Interim Finance Director

Date: _____

EXHIBIT A
ADDITIONAL SERVICES