

**AMENDMENT NUMBER THREE
TO PROFESSIONAL SERVICES AGREEMENT
FOR
ENVIRONMENTAL CONSULTING SERVICES**

This Amendment Number Three (“Amendment”) is made and entered into this 14th day of August, 2017 (“Effective Date”), by and among the CITY OF COSTA MESA, a municipal corporation (“City”), BON TERRA PSOMAS, a division of PSOMAS, a California corporation (“Consultant”), and TREH/KEARNY COSTA MESA, LLC, a Delaware limited liability company (“Applicant”).

WHEREAS, City, Consultant, and Applicant entered into an agreement on July 14, 2016 for Consultant to prepare an Initial Study, Mitigated Negative Declaration and related documents and studies (the “Agreement”); and

WHEREAS, on August 23, 2016, City, Consultant, and Applicant entered into Amendment Number One to the Agreement to increase Consultant’s maximum compensation to Forty-One Thousand Five Hundred Thirty Dollars (\$41,530.00); and

WHEREAS, on February 7, 2017, City, Consultant, and Applicant entered into Amendment Number Two to the Agreement to revise the Scope of Work and to increase Consultant’s maximum compensation to Sixty-Two Thousand Five Hundred Thirty Dollars (\$62,530.00); and

WHEREAS, City, Consultant, and Applicant now desire to increase Consultant’s maximum compensation by Four Thousand Two Hundred Seventy-Eight Dollars and Fifteen Cents (\$4,278.15), Sixty-Six Thousand Eight Hundred Eight Dollars and Fifteen Cents (\$66,808.15), to cover costs relating to reprographics.

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

1. Section 2.1 of the Agreement shall be amended to reflect that Consultant’s total compensation shall not exceed Sixty-Six Thousand Eight Hundred Eight Dollars and Fifteen Cents (\$66,808.15).
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
3. All other terms, conditions, and provisions of the Agreement, as amended, not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear 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.

CONSULTANT

Joan P Kelly
Signature
Joan P Kelly
Name and Title

Date: 8/15/17

APPLICANT

[Signature]
Signature
Hoonik Kang, AUTHORIZED SIGNOR
Name and Title

Date: 8/18/17

CITY OF COSTA MESA

Thomas Hatch
Thomas Hatch
City Manager

Date: 9/1/17

ATTEST:

Brenda Green
Brenda Green
City Clerk



Date: 9/6/17

APPROVED AS TO FORM:

[Signature]
Thomas Duarte
City Attorney

Date: 08/30/17

APPROVED AS TO INSURANCE:

Ruth Wang
Ruth Wang
Risk Management

Date: 8/23/17


APPROVED AS TO CONTENT:



Mino Ashabi
Project Manager

Date: 8-21-17

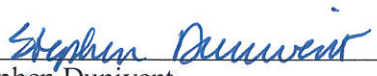
DEPARTMENTAL APPROVAL



Barry Curtis, AICP
Economic and Development Services
Director

Date: 8.21.17

APPROVED AS TO PURCHASING:



Stephen Duniwent
Interim Finance Director

Date: 8-29-17