

**AMENDMENT NUMBER THREE  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH  
MICHAEL BALLIET CONSULTING, LLC**

This Amendment Number Three ("Amendment") is made and entered into this 30th day of September, 2018 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and MICHAEL BALLIET CONSULTING, LLC, a California limited liability company ("Consultant").

WHEREAS, City and Consultant entered into an agreement on October 1, 2017 for Consultant to provide solid waste and recycling consulting services (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of one (1) year, with the option to extend the Agreement for five (5) additional one (1) year periods; and

WHEREAS, on June 18, 2018, City and Consultant increased Consultant's maximum compensation to Forty-Three Thousand Two Hundred Fifty Dollars (\$43,250.00); and

WHEREAS, on July 30, 2018, City and Consultant amended the Scope of Services and increased Consultant's maximum compensation; and

WHEREAS, City and Consultant now 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 to extend the term of the Agreement for one (1) year, through September 30, 2019; and

WHEREAS, City desires to set forth Consultant's compensation accordingly.

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

1. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
2. The term of the Agreement shall be extended through September 30, 2019.
3. For the period commencing October 1, 2018 and ending September 30, 2019, Consultant's compensation shall not exceed Forty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$49,999.00). Consultant shall be paid as set forth in Exhibit A and the Agreement.
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 not in conflict with this Amendment shall remain in full force and effect.

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

Thomas R. Kottis  
City Manager

Date: 10/29/18

CONSULTANT

Michael Balliet  
Signature  
Michael Balliet, President  
Name and Title

Date: 10-3-2018

ATTEST:

Brenda Green 10/29/18  
City Clerk



APPROVED AS TO FORM:

[Signature]  
City Attorney

Date: 10/26/18

APPROVED AS TO INSURANCE:

[Signature]  
Risk Management

Date: 10/23/18

APPROVED AS TO CONTENT:

[Signature]  
Project Manager

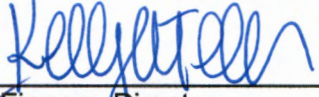
Date: 10/23/18

DEPARTMENTAL APPROVAL:

  
\_\_\_\_\_  
Public Services Director

Date: 10-23-18

APPROVED AS TO PURCHASING:

  
\_\_\_\_\_  
✓ Finance Director

Date: 10/23/18

**EXHIBIT A**  
**ADDITIONAL SERVICES**



September 6, 2018

Ms. Amber Haston  
Public Services Department  
City of Costa Mesa

Amber:

This letter serves as the formal request of Michael Balliet Consulting LLC to the City of Costa Mesa asking you to grant a one-year extension for my contracted services as authorized by our agreement.

Herein I am also requesting an extension as authorized in the agreement, at the annual contract amount of \$39,999.00. In addition, I am also extending the following optional service offer to the City, which has become important given changes in State legislation and the City's municipal code:

Contractor Self-Haul Permit Oversight and Assistance

In response to increased City-reporting requirements resulting from changes to the Green Building Code, the City had to revise how it monitors construction project hauling. With a revision to the City's municipal code in early 2018 there is now significant additional activity required to assist both Public Services and Building in administering the newly created contractor self-haul permit program. This program has created well over 100 new companies for us to verify and bring into permit compliance. Our proposed contract optional service is \$10,000 for fiscal year 2018/2019. We will also include responding to inquiries the City receives from State required AB1826 and AB341 notices in this optional service amount.

Total requested contract, with optional services is \$49,999.00

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Balliet', is written over a horizontal line.

Michael Balliet  
President  
Michael Balliet Consulting LLC