

**AMENDMENT NUMBER TWO TO
PROFESSIONAL SERVICES AGREEMENT
WITH
PLACEWORKS, INC.**

This Amendment Number Two ("Amendment") is dated August 1, 2024, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and PLACEWORKS, INC. a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on August 1, 2023 for Consultant as an independent contractor to prepare the Fairview Developmental Center Specific Plan; and

WHEREAS, on August 1, 2024, the City and Consultant entered into Amendment No. One to increase the compensation from \$2,236,253.00 to \$2,264,503.00 (an increase of \$28,250.00) for additional services, i.e., preparation for and participation in City Council Closed Study Session; and

WHEREAS, Section 2.1 of the Agreement provides that Consultant's total compensation shall not exceed Two Million Two Hundred Sixty-Four Thousand Five-Hundred Three Dollars (\$2,264,503.00) annually; and

WHEREAS, City has requested additional services to support existing baseline conditions as the result of Fuscoe Engineering's recent project milestones; and

WHEREAS, City and Consultant now desire to increase the total compensation from \$2,264,503.00 to an amount not to exceed Two Million Two Hundred Seventy-Seven Thousand Nine Hundred Ninety-Two Dollars (\$2,277,992.00), (an increase of \$13,489.00) to account for the additional work requested by City and consented to by Consultant; and

WHEREAS, City and Consultant intend and desire that this Amendment Number Two be retroactive to the Effective Date.

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

1. Recitals set forth above are true and correct and incorporated herein by this reference.
2. This Amendment shall be retroactive to the Effective Date.
3. Section 2.1 of the Agreement is amended to increase Consultant's maximum compensation on the Effective Date of this Amendment to Two Million Two Hundred Seventy-Seven Thousand Nine Hundred Ninety-Two Dollars (\$2,277,992.00), to account for the additional work requested by City.

4. Page 45 of 58 of Exhibit C, Placeworks' Cost Proposal, is amended to reflect the increase in compensation.
5. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
6. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
7. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement.

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 above written.

CONSULTANT

Karachy Hosed
 Signature
Vice President, Finance
 Name and Title

Date: 9-20-24

CITY OF COSTA MESA

Lori Ann Farrell Harrison
 Lori Ann Farrell Harrison
 City Manager

Date: 10/9/2024

ATTEST:

Brenda Green
 Brenda Green
 City Clerk



Date: 10/10/2024

APPROVED AS TO FORM:

Kimberly Hall Barlow
 Kimberly Hall Barlow
 City Attorney

Date: 10/11/24

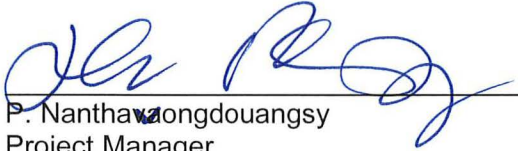
APPROVED AS TO INSURANCE:



Ruth Wang
Risk Management

Date: 9/25/24

APPROVED AS TO CONTENT:



P. Nanthavongdouangsy
Project Manager

Date: 9.25.24

DEPARTMENTAL APPROVAL:



Cecilia Gallardo-Daly
Interim Director of Economic and Development Services

Date: 10/1/24

PURCHASING APPROVAL:



Carol Molina
Finance Director

Date: 9/24/24