

**AMENDMENT NUMBER THREE TO
PROFESSIONAL SERVICES AGREEMENT
WITH
BRACKEN'S KITCHEN, INC.**

This Amendment Number Three ("Amendment") is dated April 19, 2024, ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and BRACKEN'S KITCHEN, INC., a California corporation ("Contractor").

WHEREAS, City and Contractor entered into an agreement on April 19, 2022 for Contractor to provide food and commercial kitchen management services at the City's home shelter located at 3175 Airway Avenue, Costa Mesa, CA (the "Agreement"); and

WHEREAS, City and Contractor entered into Amendment Number One on March 7, 2023, exercising the first of three options to extend the term for one additional year to April 18, 2024; and

WHEREAS, City and Contractor entered into Amendment Number Two on June 6, 2023, to increase Contractor's maximum compensation to an amount not to exceed Four Hundred Thousand Six Hundred Dollars (\$400,600); and

Section 4.1 of the Agreement provides for a term of one year with the option to extend the Agreement for three (3) additional one-year periods; and

WHEREAS, City and Contractor desire to extend the term for one (1) year, through April 18, 2025; and


WHEREAS, City and Contractor intend and desire that this Amendment Number Three 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. This amendment shall be retroactive to the Effective Date.
2. The term of the Agreement shall extend through April 18, 2025.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
4. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
5. 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.

CONTRACTOR


Signature
William Bracken - Director
Name and Title

Date: 9-2-24

CITY OF COSTA MESA


Lori Ann Farrell Harrison
City Manager

Date: 10/30/2024

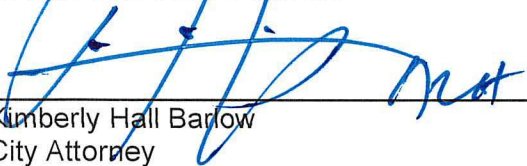
ATTEST:


Brenda Green
City Clerk




Date: 10/30/2024

APPROVED AS TO FORM:


Kimberly Hall Barlow
City Attorney

Date: 10/28/24

APPROVED AS TO CONTENT:


Nate Robbins
Project Manager


Date: 9/25/24

DEPARTMENTAL APPROVAL:


Cecilia Gallardo-Daly
Assistant City Manager

Date: 10/23/24


PURCHASING APPROVAL:



Carol Molina
Finance Director

Date: Sept. 12, 2024

APPROVED AS TO INSURANCE:



Ruth Wang
Risk Management

Date: 9/24/24