

**AMENDMENT NUMBER TWO
TO PROFESSIONAL SERVICES AGREEMENT
FOR ENVIRONMENTAL SERVICES**

This Amendment is made and entered into this 7th day of February, 2017 (“Effective Date”) by and between the CITY OF COSTA MESA, a municipal corporation (“City”) and Bon Terra Psomas, a division of Psomas, a California corporation (“Consultant”), and TREH/Kearny Costa Mesa, LLC, a Delaware Limited Liability Company (“Applicant”).

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

WHEREAS, on August 23rd, 2016 Consultant and City entered into Amendment Number One to the Agreement to adjust the amount of compensation by adding \$1,560.00 to the existing compensation limit of \$39,970.00, for a total not-to-be-exceeded amount of \$41,530.00

WHEREAS, Consultant and City desire to amend the Agreement by adding a new scope of services and to adjust the amount of compensation by adding \$21,000.00 to the existing compensation limit of \$41,530.00, for a total not-to-be-exceeded amount of \$62,530.00.

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

1. A new Scope of Work, attached hereto as Exhibit “B”, is added to Section 1.3.A. of the Agreement.

2. Section 2.1 of the Agreement is deleted in its entirety and replaced by the following:

2.1. Compensation. Applicant shall pay one hundred percent (100%) of all costs of City and Consultant in the management and preparation of the Required CEQA Document and all work related thereto. Consultant’s total compensation shall not exceed Forty-One Thousand, Five Hundred Thirty Dollars (\$62,530.00).

3. All terms not herein defined shall have the same meaning and use as set forth in the Agreement.

4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment and previous Amendments, if any, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have set their hand by their duly authorized representatives as of the day and year first above written.

CONSULTANT, Psomas

Kathleen Brady
Signature

Date: 2/28/17

Kathleen Brady, Vice President
Name and Title

95-2863554
Social Security or Taxpayer ID Number

APPLICANT, TREH/Kearny Costa Mesa, LLC

[Signature]
Signature

Date: 2/14/17

HOONIE KANG, AUTHORIZED SIGNOR
Name and Title

30-0757120
Social Security or Taxpayer ID Number

CITY OF COSTA MESA

Tom Hatch
Tom Hatch
City Manager


Date: 3/29/17

ATTEST:

Brenda Green
Brenda Green
City Clerk

Date: 4/3/17

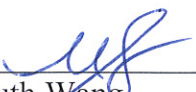
APPROVED AS TO FORM:



Thomas Duarte
City Attorney

Date: 03/15/17

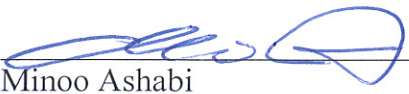
APPROVED AS TO INSURANCE:



Ruth Wang
Risk Management

Date: 3/1/17

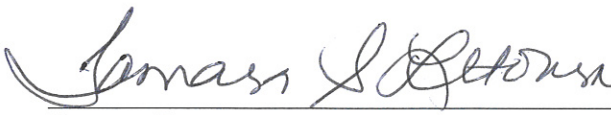
APPROVED AS TO CONTENT:



Mino Ashabi
Project Manager

Date: 2-28-17

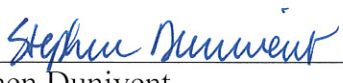
DEPARTMENTAL APPROVAL:



Tamara Letourneau
Assistant City Manager

Date: 3/15/17

APPROVED AS TO PURCHASING:



Stephen Dunivent
Interim Finance Director

Date: 3.09.17