

**AMENDMENT NUMBER ONE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
ENDEMIC ENVIRONMENTAL SERVICES, INC.**

This Amendment Number One ("Amendment") is made and entered into this 9th day of January, 2017 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and ENDEMIC ENVIRONMENTAL SERVICES, INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on October 31, 2015 for Consultant to provide technical studies for Fairview Park ("Agreement"); and

WHEREAS, City and Consultant desire to amend the Scope of Services for Consultant to provide additional environmental studies, such as bird nesting surveys, which are required to comply with state and federal environmental regulations; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly by Two Thousand Dollars (\$2,000.00), to Twenty-Two Thousand Dollars (\$22,000.00).

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 additional environmental studies, such as bird nesting surveys, to comply with state and federal environmental regulations.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Twenty-Two Thousand Dollars (\$22,000.00). Consultant shall be paid according to the Fee Schedule set forth in the Agreement.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.

[Signatures 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.

CITY OF COSTA MESA

Thomas Hatch
Thomas Hatch, City Manager

Date: 2/28/17

CONSULTANT

Barry Neshus
Signature

Date: 17 Feb 2017

Barry Neshus President
Name and Title

ATTEST:

Brenda Green
Brenda Green, City Clerk

Date: 3/2/17

APPROVED AS TO FORM:

Thomas Duarte *MDA*
Thomas Duarte, City Attorney

Date: 3/1/17

APPROVED AS TO INSURANCE:

Ruth Wang
Ruth Wang, Risk Management

Date: 2/21/17

APPROVED AS TO CONTENT:

Robert Staples
Robert Staples, Project Manager

Date: 2/17/17

DEPARTMENTAL APPROVAL

Raja Sethuraman
Raja Sethuraman
Public Services Director

Date: 2-21-17

APPROVED AS TO PURCHASING:

Stephen Dunivent
Stephen Dunivent, Interim Finance Director

Date: 2-23-17