

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

This Amendment Number Two ("Amendment") is made and entered into as of the 4th day of April, 2020 ("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 April 4, 2017 for Consultant to provide biological, management and maintenance services at Fairview Park (the "Agreement"); and

WHEREAS, Section 4.1 of the Agreement provides for a term of three (3) years, with the option to extend the Agreement for one (1) additional one (1) year period; and

WHEREAS, on October 2, 2018, City and Consultant amended the Scope of Services and increased Consultant's maximum compensation to Nine Hundred Fifty Thousand Dollars (\$950,000.00); and

WHEREAS, Consultant has continued to provide the services to the City; and

WHEREAS, City and Consultant intend and desire to have this Amendment be retroactive to the Effective Date; and

WHEREAS, City and Consultant desire to extend the term of the Agreement for one (1) year, through April 3, 2021.

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 be extended through April 3, 2021.
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 not in conflict with this Amendment 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. Counterpart written signatures may be transmitted by facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

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

Don Am Jones H
City Manager

Date: 6/8/20

CONSULTANT

[Signature]
Signature

Date: 5/7/2020

BARRY NERHUS PRESIDENT
Name and Title

ATTEST:

Brenda Green 6/9/2020
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

Date: 6/1/20

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 5/25/20

APPROVED AS TO CONTENT:

[Signature] for Cynthia D'Agosta
Project Manager

Date: 05/28/20

DEPARTMENTAL APPROVAL:


Acting Parks and Community Services
Director

Date: 05/28/20

APPROVED AS TO PURCHASING:


Budget and Purchasing Manager

Date: 5/18/2020