

**AMENDMENT NUMBER ONE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
KEYSER MARSTON & ASSOCIATES, INC**

This Amendment Number One ("Amendment") is made and entered into this 23rd day of September, 2022 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and KEYSER MARSTON & ASSOCIATES, INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on September 1, 2020 for Consultant to provide consulting services in connection with affordable housing projects (the "Agreement"); and

WHEREAS, City desires to increase Consultant's maximum annual compensation accordingly to Fifty Thousand Dollars (\$50,000.00) as set forth in Exhibit "A," attached hereto and incorporated herein by this reference.

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

1. Section 2.1 of the Agreement shall be amended to reflect that Consultant's annual compensation shall not exceed Fifty Thousand Dollars (\$50,000.00). Consultant shall be paid according to the fee schedule set forth in the Agreement and Exhibit "A" of this Amendment.
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
3. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.
4. 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 written above.

CONSULTANT



Signature

Date: September 27, 2022

Kathleen Head, President


Name and Title

CITY OF COSTA MESA


Daniel Stefano
Acting City Manager

Date: 10/5/2022


ATTEST:


Brenda Green
City Clerk



Date: 10/7/2022

APPROVED AS TO FORM:


Kimberly Hall Barlow
City Attorney

Date: 10/4/22

APPROVED AS TO INSURANCE:


Ruth Wang
Risk Management

Date: 10/8/22

APPROVED AS TO CONTENT:


Mikelle Daily
Project Manager

Date: 10/3/22


DEPARTMENTAL APPROVAL:


Jennifer Le
Economic Development Services Director

Date: 10/4/22



APPROVED AS TO PURCHASING:



Carol Molina
Finance Director

Date: 9/30/22

EXHIBIT A
FEE SCHEDULE

**KEYSER MARSTON ASSOCIATES, INC.
PUBLIC SECTOR HOURLY RATES**

| | <u>2022/2023</u> |
|---|-------------------------|
| CHAIRMAN, PRESIDENT, MANAGING PRINCIPALS* | \$305.00 |
| SENIOR PRINCIPALS* | \$295.00 |
| PRINCIPALS* | \$275.00 |
| MANAGERS* | \$245.00 |
| SENIOR ASSOCIATES | \$205.00 |
| ASSOCIATES | \$185.00 |
| SENIOR ANALYSTS | \$170.00 |
| ANALYSTS | \$145.00 |
| TECHNICAL STAFF | \$105.00 |
| ADMINISTRATIVE STAFF | \$90.00 |

Directly related job expenses not included in the above rates are: auto mileage, parking, air fares, hotels and motels, meals, car rentals, taxis, telephone calls, delivery, electronic data processing, graphics and printing. Directly related job expenses will be billed at 110% of cost.

Monthly billings for staff time and expenses incurred during the period will be payable within thirty (30) days of invoice date.

* Rates for individuals in these categories will be increased by 50% for time spent in court testimony.

