

**AMENDMENT NUMBER ONE TO
PROFESSIONAL SERVICES AGREEMENT
WITH
MARK THOMAS & COMPANY, INC.**

This Amendment Number One (“Amendment”) is dated November 29, 2023 (“Effective Date”), by and between the CITY OF COSTA MESA, a municipal corporation (“City”) and MARK THOMAS & COMPANY, INC., a California corporation (“Consultant”).

WHEREAS, City and Consultant entered into an agreement on November 29, 2021, for Consultant to provide Complete Streets advisory services in connection with the Newport Boulevard Capital Improvement Project (the “Agreement”); and

WHEREAS, Section 4.1 of the Agreement provides for the term of the Agreement to be amended if agreed to in writing by the parties; and

WHEREAS, City and Consultant desire to extend the term through November 28, 2024.

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

1. The term of the Agreement shall be extended through November 28, 2024.
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
3. All other terms, conditions, and provisions of the Agreement, as amended, 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 above written.

[Signatures to appear on following page.]

CONSULTANT

Patrick L. Somerville

Mark Thomas **Patrick L. Somerville**
Founder Associate Principal

Date: 2/6/2024

CITY OF COSTA MESA

Carol Molina

Carol Molina
Purchasing Officer

Date: 2/22/24

ATTEST:

Brenda Green

Brenda Green
City Clerk



Date: 3/6/2024

APPROVED AS TO FORM:

Kimberly Hall Barlow

Kimberly Hall Barlow
City Attorney

Date: 3/5/24

APPROVED AS TO INSURANCE:

Ruth Wang

Ruth Wang
Risk Management

Date: 2/26/24

APPROVED AS TO CONTENT:

S. Yang

Seung Yang
City Engineer

Date: 2/28/24

DEPARTMENTAL APPROVAL:

Raja Sethuraman
Raja Sethuraman
Public Works Director

Date: 2-28-24