

**FIRST AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT WITH
SHN CONSULTING ENGINEERS & GEOLOGISTS, INC.**

THIS FIRST AMENDMENT is made and entered into this ___ day of June, 2022, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," and SHN CONSULTING ENGINEERS & GEOLOGISTS, INC., hereinafter referred to as "Consultant."

WHEREAS, the City and Consultant entered into a Professional Services Agreement ("Contract") on February 18, 2021 to provide engineering services for the City of Fort Bragg and the Fort Bragg Municipal Improvement District No. 1, in the amount of \$20,000.00; and

WHEREAS, on December 27, 2021, by adoption of joint City Council / Improvement District Resolution 4496-2021 / ID 461-2021, the Council / Board approved Budget Amendment 2022-17 amending the Fiscal Year 2021-22 budget, which included an additional \$20,000 to extend the engineering consultant services Contract with Consultant; and

WHEREAS, the parties desire to amend the Contract to modify the Scope of Work as set forth in Exhibit A attached hereto;

WHEREAS, the cost of the additional work described in Exhibit A is \$20,000.00, bringing the total sum of the project Not to Exceed \$40,000.00; and

WHEREAS, the parties desire to extend the completion date of the project and termination date of the contract to June 30, 2024 and September 30, 2024 respectively; and

WHEREAS, there are still sufficient funds budgeted for these activities;

NOW, THEREFORE, for the aforementioned reasons and other valuable consideration, the receipt and sufficiency of which is acknowledged, City and Consultant hereby agree that the Professional Services Agreement for engineering services for the City of Fort Bragg and Municipal Improvement District No. 1 between City and Consultant dated February 18, 2021, is hereby amended as follows:

1. **Scope of Work:**
Paragraph 1.1 (Scope of Work) is hereby amended to include the additional work described in Exhibit A attached hereto and incorporated herein by reference.
2. **Compensation and Billing:**
Paragraph 2.1 (Compensation) is hereby amended to state that total compensation shall not exceed **Forty Thousand Dollars (\$40,000.00)**.
3. **Time of Performance:**
Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to state a completion date of **June 30, 2024**.
4. **Term and Termination:**
Paragraph 4.1 (Term) is hereby amended to state a contract expiration date of **September 30, 2024**.

5. Except as expressly amended herein, the Professional Services Agreement between the City and Consultant dated February 18, 2021, is hereby reaffirmed.

IN WITNESS WHEREOF, the parties have executed this First Amendment the day and year first above written.

CITY OF FORT BRAGG:

CONSULTANT:

By: _____
David Spaur
City Manager

By: _____
Thomas M. Herman, PLS
Regional Manager

ATTEST:

June Lemos, MMC
City Clerk

APPROVED AS TO FORM:

Keith F. Collins
City Attorney