

**FIRST AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT WITH
BURLINGTON ASSOCIATES IN COMMUNITY DEVELOPMENT, LLC**

THIS FIRST AMENDMENT is made and entered into this ____ day of October, 2021, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," and BURLINGTON ASSOCIATES IN COMMUNITY DEVELOPMENT, LLC, hereinafter referred to as "Consultant."

WHEREAS, the City and Consultant entered into a Professional Services Agreement ("Contract") on September 10, 2020 to assess the feasibility of establishing and operating a local Community Land Trust in the City of Fort Bragg; and

WHEREAS, the Contract states that Consultant will provide technical advice and assistance to Fort Bragg in developing and implementing the Community Land Trust program for a total contract amount not to exceed Forty Thousand Dollars (\$40,000.00); and

WHEREAS, the parties desire to amend the contract to increase the scope of work to provide additional services to the City of Fort Bragg, as outlined in **Exhibit A** attached hereto; and

WHEREAS, the City desires to increase the total compensation amount by \$20,000 for a total amount not to exceed Sixty Thousand Dollars (\$60,000.00) to complete the scope of work as outlined in **Exhibit A**; and

WHEREAS, the Time of Completion of the current Contract is October 15, 2021 and the Term of the Contract expires January 15, 2022; and

WHEREAS, the City continues to require these services from Consultant and the parties desire to extend the Term and Time of Completion of the Contract by one year until the estimated completion date of the Project in October of 2022; and

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

WHEREAS, the legislative body of the City on October 25, 2021 by Resolution No. _____ authorized execution of this First Amendment on behalf of the City in accordance with Chapter 3.20 of the City Municipal Code;

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 between the City and Consultant dated September 10, 2020, 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:**

Paragraph 2.1 (Compensation), is hereby amended to state, "Consultant's total compensation shall not exceed **Sixty Thousand Dollars (\$60,000.00)**."

3. **Time of Performance:**

Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to extend the time of completion to **October 15, 2022.**

4. **Term:**

Paragraph 4.1 (Term) is hereby amended to extend the expiration date to **January 15, 2023.**

5. Except as expressly amended herein, the Professional Services Agreement between the City and Consultant dated September 10, 2020, is hereby reaffirmed.

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

CITY OF FORT BRAGG:

CONSULTANT:

By: _____
Tabatha Miller
City Manager

By: _____
Devika Goetschius
Partner

ATTEST:

APPROVED AS TO FORM:

June Lemos, CMC
City Clerk

Keith F. Collins
City Attorney