

**FIFTH AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
WITH
MARIE JONES CONSULTING**

THIS FIFTH AMENDMENT is made and entered into this 22nd day of July 2024, by and between the CITY OF FORT BRAGG, a municipal corporation, 416 N. Franklin Street, Fort Bragg, California 95437 (“City”), and MARIE JONES CONSULTING, a sole proprietorship, 16312 Old Caspar RR, Fort Bragg, California 95437 (“Consultant”).

WHEREAS, the City and Consultant entered into a Professional Services Agreement (“Contract”) on March 4, 2022, a First Amendment to the Contract on September 13, 2022, a Second Amendment on April 10, 2023, a Third Amendment on December 11, 2023, a Fourth Amendment on February 26, 2024; and

WHEREAS, the Contract states that Consultant will provide land use expertise and planning services as described in Consultant’s Scope of Work attached to the Contract as Exhibit A; and

WHEREAS, the initial Contract term was amended and was set to expire on July 31, 2024; and

WHEREAS, the parties desire to amend the contract to extend the services through July 31, 2025; and

WHEREAS, the City intends to modify the contract amount from \$165,000 to \$240,000; and

WHEREAS, the costs associated with this contract would be paid through a variety of sources including grant funds from the State of California to increase housing opportunities, cost recovery accounts paid by applicants through developer deposit agreements (DDA), and General Fund funds; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve a Fifth Amendment to the Professional Services Agreement with Marie Jones Consulting; and,

BE IT FURTHER RESOLVED , 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 land use expertise and planning services is hereby amended as follows:

1. TIME OF PERFORMANCE

Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to extend the time of completion of the project to **July 31, 2025**.

2. TERM AND TERMINATION

Paragraph 4.1 (Term) is hereby amended to extend the expiration date of the Contract to **July 31, 2025**.

3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.

4. All other terms, conditions, and provisions of the Agreement, as amended, 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 the Agreement, First Amendment, Second Amendment, Third Amendment, Fourth Amendment, and this Fifth Amendment shall constitute one Agreement.

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

CITY

CONSULTANT

By: _____
Isaac Whippy
Its: City Manager

By: _____
Marie Jones
Its: Principal

ATTEST:

By: _____
Diana Sanchez
City Clerk

APPROVED AS TO FORM:

By: _____
Baron J. Bettenhausen
City Attorney