

**FIRST AMENDMENT**  
**TO PROFESSIONAL SERVICES AGREEMENT**  
**WITH MENDOCINO COAST CHAMBER OF COMMERCE**  
**FOR ADVERTISING AND PROMOTIONAL ACTIVITIES**

**THIS FIRST AMENDMENT** is made and entered into this \_\_\_\_ day of June 2016, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City", and MENDOCINO COAST CHAMBER OF COMMERCE, hereinafter referred to as "Consultant."

**WHEREAS**, on June 22, 2015, City entered into a Professional Services Agreement ("Agreement") with Consultant to provide oversight of the Chamber Fort Bragg Promotion Committee which promotes Fort Bragg, California as a travel and retail destination; and

**WHEREAS**, the Term of the Agreement expires on June 30, 2016; and

**WHEREAS**, the City desires to extend the Agreement for one additional year and amend the Scope of Work and Payment Terms of the Agreement;

**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 advertising and promotional activities between the City and Consultant dated June 22, 2015, is hereby amended as follows:

1. **SECTION 1: DESCRIPTION OF SERVICES OR SCOPE OF WORK**

The Scope of Work is amended to include activities and budgets described in the Fort Bragg Promotion Committee 2016-2017 One Year Marketing Plan and Budget which is attached hereto as Exhibit A.

2. **SECTION 2: TERM**

The term of the Agreement is hereby amended to commence on July 1, 2016 and expire on June 30, 2017.

3. **SECTION 3: PAYMENT TERMS AND NOT TO EXCEED AMOUNT**

This Section is amended to add the following: The City's obligation to pay Consultant under this Agreement is hereby amended to add a Not to Exceed Amount of \$81,423. This amount is comprised of \$75,423 (calculated at 4% of the FY 2014-2015 transient occupancy tax collections) plus one-half of the \$1,000 per month Chamber Administration fee (one-half of \$12,000 for FY 2016-17 or \$6,000).

4. **SECTION 4: ADMINISTRATIVE COSTS AND DIRECT COSTS**

Paragraph 4.a. is amended as follows: Administrative costs are included in and will be reimbursed from the "Not to Exceed Amount" described above at a flat fee rate of \$1,000 per month. For the Term, not more than \$12,000 of the Not to Exceed Amount will be allocated to "Administrative Cost Allocation" services which are more particularly described in Exhibit C of the Professional Services Agreement between City and Consultant dated June 22, 2015, and incorporated herein by reference.

5. **SECTION 5: TIME OF COMPLETION**

The "Time of Completion" date is hereby amended to June 30, 2017.

6. Except as expressly amended herein, the Professional Services Agreement, between the City and Consultant dated June 22, 2015, 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: \_\_\_\_\_  
Linda Ruffing  
City Manager

By:  \_\_\_\_\_  
Sharon Davis  
Chief Executive Officer

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
June Lemos, City Clerk

"  "  
Samantha W. Zutler, City Attorney

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**CITY OF FORT BRAGG:**

**CONSULTANT:**

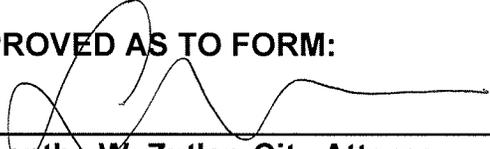
By: \_\_\_\_\_  
Linda Ruffing  
City Manager

By: \_\_\_\_\_  
Sharon Davis  
Chief Executive Officer

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
June Lemos, City Clerk

  
\_\_\_\_\_  
Samantha W. Zutler, City Attorney