

Attachment C

Amendment Two to Professional Services Agreement

**AMENDMENT NO. TWO TO
PROFESSIONAL SERVICES AGREEMENT
WITH SAGECREST PLANNING AND ENVIRONMENTAL FOR
STAFF AUGMENTATION – PLANNING SERVICES**

THIS AMENDMENT NO. TWO TO PROFESSIONAL SERVICES AGREEMENT (“Amendment No. Two”) is made and entered into as of this 13th day of June, 2023 (“Effective Date”), by and between the CITY OF NEWPORT BEACH, a California municipal corporation and charter city (“City”), and SAGECREST PLANNING AND ENVIRONMENTAL, a California corporation (“Consultant”), whose address is 27128 Paseo Espada, Suite 1524, San Juan Capistrano, CA 92675, and is made with reference to the following:

RECITALS

- A. On April 15, 2021, City and Consultant entered into a Professional Services Agreement (“Agreement”) to engage Consultant to provide Staff Augmentation – Planning Services (“Project”).
- B. On June 14, 2022, City and Consultant entered into Amendment No. One to the Agreement (“Amendment No. One”) to increase the total compensation due to a higher volume of Work than was originally anticipated, update the Billing Rates, and update the Notices Section.
- C. Since entering into Amendment No. One, Consultant was asked to perform a higher volume of Work than was anticipated.
- D. The parties desire to enter into this Amendment No. Two to increase the total compensation, and to extend the term of the Agreement to June 30, 2024.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM

Section 1 of the Agreement is amended in its entirety and replaced with the following: “The term of this Agreement shall commence on the Effective Date, and shall terminate on June 30, 2024, unless terminated earlier as set forth herein.”

2. COMPENSATION TO CONSULTANT

Section 4.1 of the Agreement is amended in its entirety and replaced with the following: “City shall pay Consultant for the Services on a time and expense not-to-exceed basis in accordance with the provisions of this Section and the Schedule of Billing Rates attached hereto as Exhibit B and incorporated herein by reference. Consultant’s compensation for all Work performed in accordance with this Agreement, including all reimbursable items and subconsultant fees, shall not exceed **Three Hundred Sixty Thousand Dollars and 00/100 (\$360,000.00)**, without prior written authorization from City. No billing rate changes shall be made during the term of this Agreement without the prior written approval of City.”

The total amended compensation reflects Consultant's additional compensation for additional Services to be performed in accordance with this Amendment No. Two, including all reimbursable items and subconsultant fees, in an amount not to exceed **One Hundred Twenty Thousand Dollars and 00/100 (\$120,000.00)**.

3. INTEGRATED CONTRACT

Except as expressly modified herein, all other provisions, terms, and covenants set forth in the Agreement shall remain unchanged and shall be in full force and effect.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused this Amendment No. Two to be executed on the dates written below.

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

Date: 5/22/23

By: [Signature]
Aaron C. Harp
City Attorney

03.22.23
dmz

CITY OF NEWPORT BEACH,
a California municipal corporation

Date: _____

By: [Signature]
Noah Blom
Mayor

ATTEST:

Date: 6/14/2023

By: [Signature]
Leilani I. Brown
City Clerk

CONSULTANT:
SAGECREST PLANNING AND ENVIRONMENTAL, a California corporation

Date: 6/14/23

By: [Signature]
Amy Vazquez
Chief Executive Officer,
Chief Financial Officer, Secretary



[END OF SIGNATURES]



Name	Sagecrest Planning And Environmental 
Account Number	FV00000466
Address	2400 E Katella Avenue, Suite 800, Anaheim, CA, 92805
Status	Currently in Compliance

Insured

[Business Unit\(s\)](#) [Print Insured Info](#)

Account Information

Account Number	FV00000466
Risk Type	Professional Services Agreement

Do Not Call	<input type="checkbox"/>	Address Updated	<input type="checkbox"/>
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Address Information

Mailing Address	<input type="checkbox"/>	Physical Address	<input type="checkbox"/>
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Insured	Sagecrest Planning And Environmental
Address 1	2400 E Katella Avenue, Suite 800
Address 2	
City	Anaheim
State	CA
Zip	92805
Country	

Contract Information

Contract Number		Contract End Date	05/30/2024
Contract Start Date	05/01/2021	Contract Expiration Date	
Contract Effective Date		Safety Form II	No
Description of Services	On-Call Planning Services		