

**AMENDMENT NUMBER TWO TO  
PROFESSIONAL SERVICES AGREEMENT  
WITH  
BRACKEN'S KITCHEN, INC**

This Amendment Number Two ("Amendment") to Professional Services Agreement is made and entered into this 6<sup>th</sup> day of June, 2023 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City") and BRACKEN'S KITCHEN, INC, a California non-profit corporation ("Contractor").

WHEREAS, City and Contractor entered into an agreement on April 19, 2022, for Contractor to provide food and commercial kitchen management services at the City's homeless shelter located at 3175 Airway Avenue, Costa Mesa (the "Agreement"); and

WHEREAS, City and Contractor entered into Amendment Number One on March 7, 2023, exercising the first of three options to extend the term for one additional year, which is set to expire on April 18, 2024; and

WHEREAS, due to an increase in services at the homeless shelter, City seeks to increase the maximum compensation allowed to Contractor in consideration of the additional meals required.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Lease as follows:

1. Section 2.1 of the Agreement is amended to increase Contractor's maximum compensation to an amount not to exceed Four Hundred Thousand Six Hundred Dollars (\$400,600).
2. All terms not defined herein shall have the same meaning and use as set forth in the Agreement, as amended.
3. All other terms, conditions, and provisions of the Agreement, as amended, shall remain in full force and effect.
4. 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 shall constitute one Agreement together with the Agreement, Amendment Number One and this Amendment Number Two.

[Signatures appear on following page]

**IN WITNESS WHEREOF**, the Parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first above written.

**CONTRACTOR**

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Name and Title

**CITY OF COSTA MESA**

\_\_\_\_\_  
Lori Ann Farrell Harrison  
City Manager

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Brenda Green  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kimberly Hall Barlow  
City Attorney

Date: \_\_\_\_\_

**APPROVED AS TO INSURANCE:**

\_\_\_\_\_  
Ruth Wang  
Risk Management

Date: \_\_\_\_\_

DEPARTMENTAL APPROVAL:

\_\_\_\_\_  
Lori Karaguezian  
Project Manager

Date: \_\_\_\_\_

APPROVE AS TO PURCHASING:

\_\_\_\_\_  
Carol Molina  
Finance Director

Date: \_\_\_\_\_