

**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 6th 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: _____