

**AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF MANHATTAN BEACH AND T.I. MALONEY, INC  
dba COMMUNITY WORKS DESIGN GROUP**

This Third Amendment ("Amendment No. 3") to that certain agreement dated May 5, 2012 ("Agreement") by and between the City of Manhattan Beach, a California municipal corporation ("City") and T.I. Maloney, Inc., a California corporation dba Community Works Design Group ("Consultant") (collectively, the "Parties") is hereby entered into as of this 5th day of October, 2016 ("Effective Date").

**RECITALS**

- A. On May 5, 2012, the City and Consultant entered into an agreement to conduct public meetings and prepare plans and specifications for the Strand Stairs Rehabilitation project, which agreement was amended by that certain Amendment No. 1 dated April 15, 2014, and that certain Amendment No. 2 dated December 30, 2014 (as amended, the "Agreement");
- B. The City requires continued services from Consultant and Consultant desires to provide the services; and
- C. The Parties now desire to amend the Agreement to allow Consultant to continue to provide specified services to the City, and to allow the City to provide compensation for the services provided.

NOW, THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereby amend the Agreement as follows:

Section 1. Exhibit A (Scope of Services) and Exhibit B (Fee Proposal) of the Agreement are hereby amended to include the additional services and fees described in the letter from Consultant dated August 2, 2016, attached hereto and incorporated herein by this reference. IDS Group is a subconsultant to the Consultant.

Section 2. Section 3.1 of the Agreement is hereby amended to increase the maximum compensation to \$270,795.00, an increase of \$33,600.00. For the services provided pursuant to Amendment No. 3, compensation shall be provided in accordance with the Fee Proposal included in Exhibit A to Amendment No. 3."

Section 3. Except as specifically amended by this Amendment No. 3, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS THEREOF, the Parties hereto have executed this  
Amendment No. 3 on the day and year first shown above.

City:

City of Manhattan Beach,

a California municipal  
corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

Name: Liza Tamura

Title: City Clerk

APPROVED AS TO FORM:

By: Quinn M. Barrow

Name: Quinn M. Barrow

Title: City Attorney

APPROVED AS TO CONTENT:

By: \_\_\_\_\_

Name: Bruce Moe

Title: Finance Director

Consultant:

T.I. Maloney, Inc.,

a California Corporation dba Community  
Works Design Group

By: Tim Maloney

Name: TIM MALONEY

Title: PRESIDENT

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

## **EXHIBIT A FEE PROPOSAL**

See attached Additional Fee Request prepared by Community Works Design Group, Inc. dated August 2, 2016 and Proposal for Structural Engineering Services by IDS Group dated September 2, 2016.

**ORIGINAL PROFESSIONAL SERVICES AGREEMENT AMOUNT: \$ 200,885.00**

**AMENDMENT NO. 1 \$ 25,000.00**  
**(Design Services for Aesthetic Enhancements of (5) Retaining Walls, April 15, 2014)**

**AMENDMENT NO. 2 \$ 11,310.00**  
**(Additional Design Services for (4) Additional Stair Locations 17<sup>th</sup>, 19<sup>th</sup>, 38<sup>th</sup>, 42<sup>nd</sup> St, November 18, 2014)**

**PROPOSED AMENDMENT NO. 3**  
**(Additional Construction Administration Services and Structural Design Services/**  
**Construction Administration Services for the New Stair Balustrades \$ \$ 33,600.00**

**TOTAL REVISED CONTRACT AMOUNT: \$ 270,795.00**