

**FIRST AMENDMENT TO AGREEMENT FOR
PROFESSIONAL SERVICES**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into this ___ day of _____, 2021, by and between the City of Merced, a California Charter Municipal Corporation (“City”), and Economic and Planning Systems, Inc., a California Corporation, whose address of record is P.O. Box 340176, Sacramento, California 95834, (“Consultant”).

WHEREAS, City is undertaking a project to prepare a 5-year update of the City’s Public Facilities Financing Plan and Impact Fee Program; and,

WHEREAS, City and Consultant have previously entered into an Agreement for Professional Services (“Agreement”) dated February 4, 2019; and,

WHEREAS, City and Consultant desire to amend said Agreement to provide for additional services in connection with said project.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Section 22, “ADDITIONAL WORK,” is hereby added to the Agreement to read as follows:

“SECTION 22. ADDITIONAL WORK. Consultant shall perform the additional work outlined in the Proposal for a Budget Updated for the Public Facilities Financing Plan and Impact Fee Program Update dated September 10, 2021, attached hereto as Exhibit 1”.

2. Section 23, “ADDITIONAL COMPENSATION,” is hereby added to the Agreement to read as follows:

“SECTION 23. ADDITIONAL COMPENSATION. City shall pay to Consultant the not to exceed additional sum of Ten Thousand Dollars (\$10,000.00) for the additional services described in Exhibit 1.”

3. Except as herein amended, the Agreement dated February 4, 2019, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this First Amendment to Agreement to be executed on the date first above written.

CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
City Manager

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY: Kimberly Chady 9/22/21
City Attorney Date

ACCOUNT DATA:

BY: _____
Verified by Finance Officer

CONSULTANT
ECONOMIC AND PLANNING
SYSTEMS, Inc.,
A California Corporation


BY: 
Signature

Jason Moody

Print Name

Managing Principal

Title

BY: 
Signature

Russ Powell

Print Name

Senior Vice President

Title

Taxpayer I.D. No. 94-3056856

ADDRESS: P.O. Box 340176
Sacramento, CA 95834

TELEPHONE: (916) 649-8010

FAX: _____

E-MAIL: jmoody@epsys.com

~~rpowell@epsys.com~~

rpowell@epssac.com

The Economics of Land Use



September 10, 2021

Kim Espinosa, Planning Manager
City of Merced Planning Division
678 West 18th Street
Merced, CA 95340

Subject: Proposal for a Budget Update for the Public Facilities Financing Plan and Impact Fee Program Update; EPS #182170

Dear Kim Espinoza:

Economic & Planning Systems, Inc. (EPS) has worked closely with you and City staff in the preparation of the Public Facilities Financing Plan and Impact Fee Program Update (PFFP Update) for the City of Merced (City). As you know, EPS kicked off this update in early 2019, and by early 2020, EPS had prepared an initial calculation of development impact fees. City staff and EPS were working to finalize costs and cost allocations when the project was temporarily shut down as the City turned its attention to other matters (e.g., COVID-19 pandemic response).

With the unanticipated delay in the project, additional project management and staff time related to study re-initiation, and changes to study methodology, EPS has incurred additional costs not anticipated at the outset. For example, based on subsequent stakeholders outreach meetings, EPS has been directed to update its methodology related to Fire and Police Facilities.

As of September 3, 2021, EPS had expended \$84,139 of the \$85,000 budget approved by the City for completion of the project. EPS has the remaining tasks listed below to complete:

- Prepare updated Fire and Police fees and review cost allocations with City staff.
- Participate in at least one more stakeholder meeting.
- Prepare First Draft Plan and Impact Fee Ordinance.
- Review and revise the First Draft Plan and Impact Fee Ordinance.
- Attend City Council meetings in support of adoption of the Nexus Study and Fee Ordinance.

*Economic & Planning Systems, Inc.
P.O. Box 340176
Sacramento, CA 95834
916 649 8010 tel
916 649 2070 fax*

*Oakland
Sacramento
Denver
Los Angeles*

www.epsys.com

EXHIBIT 1

ATTACHMENT 1--Page 4

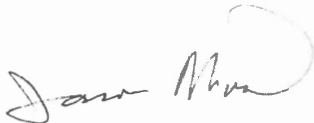
EPS estimates that in addition to the \$861 remaining budget, an additional \$10,000 budget extension is needed to complete the remaining tasks. A breakdown of the current budget status and budget extension request is shown below.

<u>Original Budget</u>	<u>Expended-to-Date</u>	<u>Remaining Budget</u>
\$85,000	\$84,139	\$861
<u>Budget Extension</u>		
\$10,000		
<u>Revised Budget</u>	<u>Expended-to-Date</u>	<u>Remaining Budget</u>
\$95,000	\$84,139	\$10,861

If you approve of this budget extension request, please sign this document below and return a signed copy to EPS. If you have questions or require changes to this proposed budget extension, please call Project Manager Russ Powell at (916) 649-8010.

Sincerely,

ECONOMIC & PLANNING SYSTEMS, INC.



Jason Moody
Managing Principal

Approved:

City of Merced

Date