

**FIFTH AMENDMENT TO AGREEMENT  
FOR LEGAL SERVICES**

THIS FIFTH AMENDMENT TO AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2026, by and between the City of Merced, a California Charter Municipal Corporation (“City”), and Best, Best & Krieger, LLP, (“Firm”) whose address of record is 3390 University Avenue, 5<sup>th</sup> Floor, P.O. Box 1028, Riverside, CA, 92502.

WHEREAS, Firm and the City previously entered into an Agreement for Legal Services (“Agreement”) dated May 5, 2022, with a total not to exceed amount of \$25,000;

WHEREAS, Firm and City entered into a First Amendment to Agreement dated February 6, 2023, to increase the total not to exceed contract amount from \$25,000 to \$80,000;

WHEREAS, Firm and City entered into a Second Amendment to Agreement dated April 15, 2024, to increase the total not to exceed contract amount from \$80,000 to \$90,000;

WHEREAS, Firm and City entered into a Third Amendment to Agreement dated August 5, 2024, to increase the total not to exceed contract amount from \$90,000 to \$140,000;

WHEREAS, Firm and City entered into a Fourth Amendment to Agreement dated February 17, 2026, to increase the total not to exceed contract amount from \$140,000 to \$190,000; and

WHEREAS, the parties desire to amend the contract by increasing the not to exceed contract amount from \$190,000 to \$260,000.

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

1. The Agreement dated May 5, 2022, between the City and Firm shall be amended by increasing the not to exceed contracted amount of \$190,000 to \$260,000.

2. Except as herein amended, the Agreement dated May 5, 2022, First Amendment dated February 6, 2023, Second Amendment dated April 15, 2024, Third Amendment dated August 5, 2024, and Fourth Amendment dated February 17, 2026, shall remain in full force and effect.

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

CITY OF MERCED  
A California Charter Municipal  
Corporation

BY: \_\_\_\_\_  
D. Scott McBride  
City Manager

ATTEST:  
D. SCOTT MCBRIDE, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

APPROVED AS TO FORM:  
CRAIG J. CORNWELL, CITY ATTORNEY

BY: Craig Cornwell 5/29/2026  
City Attorney Date

ACCOUNT DATA:  
M. VENUS RODRIGUEZ, FINANCE OFFICER

BY: \_\_\_\_\_  
Verified by Finance Officer

BEST, BEST & KRIEGER, LLP

BY: 

Printed Name: Cynthia M. Germano

Taxpayer I.D. No. 95-2157337

ADDRESS: 3390 University Ave., 5<sup>th</sup> Fl.  
P.O. Box 1028  
Riverside, CA 92502

TELEPHONE: (951) 686-1450