

AMENDMENT #3 TO AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND
MEYERS NAVE, A PROFESSIONAL CORPORATION

THIS AMENDMENT NO. 3 to the agreement dated October 24, 2018, between the Transportation Agency for Monterey County, hereinafter referred to as "TAMC," and Meyers Nave, a Professional Corporation, hereinafter referred to as "Consultant," is hereby entered into between TAMC and the Consultant.

RECITALS:

- A. **WHEREAS**, TAMC and Consultant entered into an agreement for professional services on October 24, 2018 ("Agreement") to provide legal services for the acquisition of properties identified as potentially necessary for the Salinas Rail Extension – Package 2, hereinafter referred to as "Agreement;" and
- B. **WHEREAS**, the Agreement provides for a rate adjustment every October 1st by the greater of 3% or the relevant local over the prior 12 month period, rounded to the nearest \$5; and
- C. **WHEREAS**, on April 24, 2019, TAMC and Consultant entered into Amendment No. 1 to the Agreement in order to specify Consultant's approved travel rates and to require more complete tracking of invoices; and
- D. **WHEREAS**, on August 26, 2020, TAMC and Consultant entered into Amendment No. 2 to the Agreement in order to amend the agreement to extend the term to December 31, 2021, and increase the budget by \$300,000 for a total not-to-exceed amount of \$429,000 using surplus funds from the Salinas Rail Extension - Package 1 Agreement; and
- E. **WHEREAS**, on December 4, 2019, the TAMC Board of Directors approved Resolutions of Necessity for five parcels covered under the Agreement; and
- F. **WHEREAS**, since the condemnation proceedings for these five parcels have entered the litigation phase, TAMC and Consultant desire to amend the agreement to extend the term;

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM OF AGREEMENT

The term of this agreement is extended to December 31, 2022.

2. **REMAINDER OF TERMS UNCHANGED**

All other terms of the Agreement remain in full effect.

An executed copy of this Amendment No. 3 shall be attached to the Agreement and shall be incorporated as if fully set forth therein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Agreement with MEYERS NAVE, a Professional Corporation.

TAMC:

Todd Muck
Executive Director

(date)

Approved as to form:

TAMC Counsel

CONSULTANT:

Brenda Gub-Gron

November 8, 2021

(date)

(date)