

**AMENDMENT NO. 1 TO
AGREEMENT FOR PROFESSIONAL SERVICES
ANSER ADVISORY MANAGEMENT LLC**

This Amendment No. 1 to the Professional Services Agreement for project management services is made and entered into as of May 17, 2023, by and between the City of San Bernardino, a charter city and municipal corporation ("City") and Anser Advisory Management LLC, a California corporation ("Consultant"). City and Consultant are sometimes referred to herein individually as a "Party" and collectively as "Parties."

A. WHEREAS, the City and Consultant have entered into an agreement dated March 3, 2022, for the purpose of providing construction management and inspection services (the "Master Agreement"); and

B. WHEREAS, the Parties now desire to amend the Master Agreement in order to extend the term of the Master Agreement.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, conditions, and promises contained in this Amendment No. 1 and the Master Agreement, the Parties mutually agree as follows:

AGREEMENT

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Term. The term of the Master Agreement shall be extended through May 17, 2024, unless earlier terminated.

3. Amendment to Section 6 of the Master Agreement. The last sentence of Section 6 of the Master Agreement shall be amended to read as follows:

"The total duration of the Agreement, including the exercise of any options, shall not exceed May 17, 2024."

4. Full Force. Except as amended by this Amendment No. 1, all provisions of the Master Agreement, as previously amended, including without limitation the indemnity and insurance provisions, shall remain in full force and effect and shall govern the actions of the Parties under this Amendment No. 1.

5. Electronic Transmission. A manually signed copy of this Amendment No. 1 which is transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment No. 1 for all purposes. This Amendment No. 1 may be signed using an electronic signature.

6. Counterparts. This Amendment No. 1 may be signed in counterparts, each of which shall constitute an original.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR
AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT
WITH ANSER ADVISORY MANAGEMENT LLC**

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 1 on the Effective Date first herein above written.

CITY OF SAN BERNARDINO

CONSULTANT

APPROVED BY:

Charles E. McNeely
Charles E McNeely
Interim City Manager

ATTESTED BY:

Genoveva Rocha
Genoveva Rocha, CMC
City Clerk

APPROVED AS TO FORM:

Thomas Rice
Best Best & Krieger LLP
City Attorney

**ANSER ADVISORY MANAGEMENT
LLC**

Tyson Atwood
Signature

Tyson Atwood
Name

Senior Vice President
Title