

**AMENDMENT NO. 2 TO
PROFESSIONAL SERVICES AGREEMENT
CIP 22-03: MCCALL BLVD WIDENING PROJECT DESIGN SERVICES
(CIVIL DESIGN PLANS, SPECIFICATIONS, AND ESTIMATE ("PS&E")) SERVICES**

This is Amendment No. 2 to that certain Professional Services Agreement ("Agreement") made on June 21, 2023, between the City of Menifee ("City") and KOA CORPORATION ("Consultant") for **CIP 22-03: MCCALL BLVD WIDENING PROJECT DESIGN SERVICES (CIVIL DESIGN PLANS, SPECIFICATIONS, AND ESTIMATE ("PS&E")) SERVICES**, as amended by that certain Amendment No. 1 to the Agreement entered into on July 20, 2023 ("Amendment No. 1"), which this Amendment No. 2 is made and entered on December 6, 2023 to extend the term as indicated below:

1. Capitalized terms used but not defined in this Amendment No. 2 shall have the meanings ascribed to them in the Agreement.
2. Section 1.1, "Term of Services" is amended to read as follows:

Term of Services. The Parties previously entered into a Professional Services Agreement dated February 16, 2022, for a term of February 16, 2022 through December 31, 2022, for the Services also contemplated herein. That agreement was erroneously allowed to expire. The Parties continued operating as if that agreement continued in effect into 2023. The provisions of that agreement are substantially similar to the provision of this Agreement. The Parties therefore acknowledge and agree that the term of this Agreement began on January 1, 2023 and shall end on December 31, 2025 unless the term of this Agreement is otherwise terminated or extended as provided for in Section 8. The time provided to Consultant to complete the Services required by this Agreement shall not affect City's right to terminate this Agreement, as provided for in Section 8..

3. All other terms and conditions of the Agreement remain in full force and effect.
4. This Amendment No. 2 may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

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CITY OF MENIFEE

KOA CORPORATION

Rebekah Kramer, Acting City Manager
Rebekah Kramer, Acting City Manager

Min Zhou, CEO
Min Zhou, CEO

Attest:

Giuseppe Canzonieri
Giuseppe Canzonieri, Principal/Director
of Engineering

Sarah A. Manwaring, City Clerk
Sarah A. Manwaring, City Clerk

Approved as to Form:

Jeffrey T. Melching, City Attorney
Jeffrey T. Melching, City Attorney

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