

**CITY OF FULLERTON  
AMENDMENT NUMBER ONE TO AGREEMENT  
WITH  
PROJECT PARTNERS**

THIS AMENDMENT NUMBER ONE ("Amendment") to the Agreement is made and entered on this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the CITY OF FULLERTON ("City"), and PROJECT PARTNERS ("Consultant").

**RECITALS**

A. The City of Fullerton has been unsuccessful in hiring a full-time Principal Civil Engineer – Water.

B. Due to a pending six-month leave of absence by the Civil Engineer – Water employee who has the highest position in the Water Engineering section, the City issued a Request for Proposal for a temporary, part-time Principal Civil Engineer – Water.

C. The City of Fullerton Ordinance No. 3275 amended Chapter 2.09.205 of the Fullerton Municipal Code on November 15, 2019, to allow the City Manager the authority to sign award documents up within the range of \$50,000 to \$100,000 following the purchase authorization levels outlined in the City's Purchasing Policy without council approval.

D. On October 27, 2021, the City administratively awarded a contract to the Consultant to provide professional water engineering services for the City of Fullerton.

E. On November 2, 2021, the City and the Consultant entered into an Agreement for the Consultant to provide professional water engineering services for the City of Fullerton.

F. The City desire to amend the existing Professional Services Agreement with Project Partners from the current annual amount of \$100,000 to a proposed \$130,000.

G. However, the proposed annual amount of \$130,000 surpasses the City Manager's purchase authorization level; therefore, City staff seeks City Council approval from the November 16<sup>th</sup>, 2021 City Council Meeting.

H. Per the City of Fullerton Policy and Procedures Manual (Policy No. 4.1.2), the City Council award procedure will be utilized for all purchases, contracts, or agreements greater than \$100,000.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

1. Section 2.1 of the Agreement, "Compensation," is amended to include the additional charges in accordance with the fee schedule set forth in Exhibit A.

2. Except as set forth in this Amendment, all terms and provisions of the original Agreement shall remain in full force and in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers.

CITY OF FULLERTON

\_\_\_\_\_  
Steve Danley, Acting City Manager

Date:\_\_\_\_\_

CONSULTANT

\_\_\_\_\_  
[Name & Title]

Date:\_\_\_\_\_

APPROVAL AS TO FORM

\_\_\_\_\_  
Richard D. Jones, City Attorney

EXHIBIT A

(PROJECT PARTNERS' FEE SCHEDULE TO BE ATTACHED)