

**AMENDMENT #5 TO PROFESSIONAL SERVICES AGREEMENT
COUNTY OF MONTEREY & KELLY DUNCAN**

THIS AMENDMENT is made to the AGREEMENT for legal representation services by and between **KELLY DUNCAN**, hereinafter “**CONTRACTOR**”, and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “**County**”.

WHEREAS, the County and **CONTRACTOR** wish to amend the AGREEMENT to increase the total amount of the AGREEMENT due to the extension of the term of the AGREEMENT through June 30, 2017.

NOW THEREFORE, the County and **CONTRACTOR** hereby agree to amend the AGREEMENT in the following manner:

1. Section 2.01 “**PAYMENTS BY THE COUNTY**” shall be amended by removing, “*The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$343,000*” and replacing it with “*The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed the sum three hundred and fifty seven thousand dollars (\$357,000)*”.
2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by the AMENDMENT and shall continue in full force and effect as set forth in the AGREEMENT.
3. A copy of this AMENDMENT #5 shall be attached to the original AGREEMENT executed by the County on February 12, 2013, along with previous Amendments Numbers 1 through 4.

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16.0 SIGNATURE PAGE.

IN WITNESS WHEREOF, County and CONTRACTOR have executed this Agreement as of the day and year written below.

COUNTY OF MONTEREY

CONTRACTOR

By:
Deandra Jewell, MBA
Contract Purchasing Officer
Deputy Purchasing Agent
County of Monterey

Kelly Duncan ~ Attorney At Law
Contractor's Business Name*

Date: 5/19/17

By:
Department Head (if applicable)

By:
(Signature of Chair, President, or Vice-President)*

Date: 5/19/2017

Approved as to Form¹

Name and Title

By:
Rebecca M. Duncan
County Counsel

Date: _____

Date: May 31, 2017

By: _____
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

Approved as to Fiscal Provisions²

By:
Auditor/Controller

Name and Title

Date: 5-31-17

Date: _____

Approved as to Liability Provisions³

By: _____
Risk Management

Date: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

¹Approval by County Counsel is required
²Approval by Auditor/Controller is required
³Approval by Risk Management is required only if changes are made in sections 7 or 8