## AMENDMENT NO. 5 TO STANDARD AGREEMENT BETWEEN THE COUNTY OF MONTEREY AND LeSAR DEVELOPMENT CORPORATION

**THIS AMENDMENT NO. 5** to the Standard Agreement between the County of Monterey, a political subdivision of the State of California ("County"), and LeSar Development Corporation ("CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

**WHEREAS**, CONTRACTOR entered into Standard Agreement No. A-14097, including Exhibit A-1, with the County on August 28, 2018 to provide technical assistance required to update the County's Affordable Housing Ordinance, which was codified at Chapter 18.40 of the Monterey County Code for an amount not to exceed \$195,100;

**WHEREAS**, the Agreement was amended on February 20, 2020 ("Amendment No. 1") to extend the term for eight (8) months to December 31, 2020;

**WHEREAS**, the Agreement was amended on January 13, 2021 ("Amendment No. 2") to extend the term for one (1) year to December 31, 2021;

**WHEREAS**, the Agreement was amended on November 4, 2021 ("Amendment No. 3") to extend the term for one (1) year to December 31, 2022;

WHEREAS, the Agreement was amended on September 1, 2022 ("Amendment No. 4," including Exhibit A.2 – Scope of Services) to expand the original scope of the Agreement to add task Phase 5.4.2.1, Preparation of a Non-Residential Linkage Fee Analysis and Recommendations, and increase the amount by \$64,500 for a not to exceed amount of \$259,600;

WHEREAS, the County has a continued need for services; and

WHEREAS, the Parties wish to amend the Agreement to extend the term for one (1) additional year to December 31, 2023 with no increase in the not to exceed amount of \$259,600.

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Amendment No. 5 to Standard Agreement No. A-14097 LeSar Development Corporation Update to County's Affordable Housing Ordinance (RFP #10650) Housing and Community Development - Housing Term: August 28, 2018 – December 31, 2023 Not to Exceed: \$259,600 NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Amend the first sentence of Paragraph 3.0, TERM OF AGREEMENT, Subparagraph 3.01, to read as follows:

The term of this Agreement is from August 28, 2018 to <u>December 31, 2023</u>, unless sooner terminated pursuant to the terms of this Agreement.

- 2. Except as amended herein, all other terms and conditions of the Agreement and Amendment Nos. 1 through 4, including all Exhibits thereto, remain in full force and effect.
- 3. This Amendment No. 5 and all previous amendments shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

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Amendment No. 5 to Standard Agreement No. A-14097 LeSar Development Corporation Update to County's Affordable Housing Ordinance (RFP #10650) Housing and Community Development - Housing Term: August 28, 2018 – December 31, 2023 Not to Exceed: \$259,600 IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 5 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY		CONT	CONTRACTOR*	
By:	Debra R. Wilson	LeSar Development Corporation		
	7B7419 Constracts/Purchasing Officer		Contractor's Business Name	
	10/11/2022	D		
Date:		By:	SignausophShallsPresident or Vice President)	
Approved as to Form		-	Jennifer LeSar, Chief Executive Officer	
Office of the County Counsel			(Print Name and Title)	
Leslie J.	Girard, County Counsel	Date:	10/11/2022	
By:	Sean Collins			
	F8D18D27506F4A4 Sean M. Collins			
	Deputy County Counsel	By:	N/A	
			(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)	
Date:	10/11/2022		Treasurer of Asst. Treasurery	
			N/A	
			(Print Name and Title)	
Approved as to Fiscal Provisions				
	DocuSigned by:	Date:	N/A	
By:	Jennifer Forsyth			
	4E7E657875454AAuditor/Controller			
Date:	10/11/2022			

\*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If CONTRACTOR is a partnership, the full legal 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 or Amendment to said Agreement.

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Amendment No. 5 to Standard Agreement No. A-14097 LeSar Development Corporation Update to County's Affordable Housing Ordinance (RFP #10650) Housing and Community Development - Housing Term: August 28, 2018 – December 31, 2023 Not to Exceed: \$259,600