

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
Independent Redistricting Commission

THIS SECOND AMENDMENT TO AGREEMENT is made and effective July 1, 2023, between the County of San Diego, a political subdivision of the State of California on behalf of the COUNTY OF SAN DIEGO INDPENDENT REDISTRICTION COMMISSION (“Commission”) collectively referred to as "County," and Colantuno, Highsmith & Whatley, PC ("Counsel").

RECITALS

A. On or about March 9, 2022, County and Counsel entered into a Professional Services Agreement ("Agreement,") in which Contractor agreed to provide legal services to the County of San Diego Independent Redistricting Commission (“Project”).

B. On or about April 4, 2022, County and Counsel entered into the First Amendment to the Agreement to extend the Maximum Compensation and the Term of the Agreement.

C. The Commission wishes to further extend the Maximum Compensation and Term of the Agreement.

NOW THEREFORE, the parties agree as follows:

1. The Agreement shall be amended to replace Section 2.4 in its entirety to state:

2.4 Maximum Compensation. The maximum compensation under this Agreement shall not exceed Eight Hundred Thousand dollars (\$800,000) (the “Not-To-Exceed Amount”). Counsel may cease work upon delivery of notice to County and Commission upon reaching the Not-To-Exceed Amount, whether or not further legal services are required in connection with this Agreement; provided, however, that Counsel shall immediately resume such work if the County and Commission increase the Not-To-Exceed Amount through a written amendment to this Agreement signed by all parties.

2. The Agreement shall be amended to replace Section 3.1 in its entirety to state:

3.1 Term. The term of the Agreement (“Term”) shall be through June 30, 2025, unless extended by the Parties in writing through an amendment to this Agreement.

IN WITNESS WHEREOF, the representatives of the parties have duly executed this First Amendment to Agreement.

FOR COUNSEL:

By: _____
HOLLY O. WHATLEY, Partner
Colantuono, Highsmith & Whatley, PC

FOR COUNTY OF SAN DIEGO:

By: _____
WALTER J. DE LORRELL III,
Chief Deputy

FOR COMMISSION:

By: _____
Type text here
DAVID BAME, Chair