

AMENDMENT NO. ONE
to
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
THE TOWN OF PARADISE VALLEY
AND BROWN & ASSOCIATES

This Amendment No. One (“Amendment One”) to the Agreement for Professional Services Between the Town of Paradise Valley and Brown and Associates is made and entered into as of this 1st day of July 2019 (“Effective Date”), by and between the Town of Paradise Valley, an Arizona municipal corporation (“Town”) and Brown and Associates Certified Inspection Service, Inc., an Arizona corporation, authorized to do business in Arizona (“Consultant”).

RECITALS

- A. At the request of Five Star Development Resort Communities, LLC (“Five Star”) the Town and Consultant previously entered into Contract No. CON-19-046-CMD, dated November 1, 2018 (“Agreement”) to provide certain plan review and inspection services in connection with Five Star’s construction of a resort hotel and residential dwelling units in Paradise Valley, Arizona; and
- B. The Town and Five Star agree that Consultant’s Services have been mutually beneficial, and Five Star has requested additional Services be available from Consultant; and
- C. Town and Consultant wish to modify and amend the Agreement to provide for the additional requested Services, subject to and strictly in accordance with the terms of this Amendment One.

AGREEMENT

In consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and Consultant hereby agree as follows:

- 1. **Recitals.** The recitals set forth above are not merely recitals, but form an integral part and are incorporated into this Amendment One.
- 2. **Compensation.** Paragraph 3 of the Agreement, “Compensation,” is deleted and replaced by the following to reflect an increase in the not-to-exceed Compensation to Consultant:

Town shall pay Consultant an amount not to exceed Five Hundred Forty Thousand Dollars (\$540,000) for the Services at the rates set forth in the Fee Schedule, attached hereto as **Exhibit A** and incorporated herein by this reference.”

3. **Insurance Certificate.** There are no changes to the insurance requirements and other provisions. However, a current certificate of insurance must be provided prior to the Effective Date of this Amendment One.
4. **Ratification of Agreement.** Town and Consultant hereby agree that except as expressly provided herein, the provisions of the Agreement shall be, and remain in full force and effect and that if any provision of this Amendment conflicts with the Agreement, then the provisions of this Amendment shall prevail.

IN WITNESS WHEREOF, the Parties hereto have accepted, made and executed this Amendment One upon the terms, conditions and provisions stated above, upon the day and year first written above.

TOWN OF PARADISE VALLEY,
an Arizona municipal corporation

Jill B. Keimach, Town Manager

ATTEST:

Duncan Miller, Town Clerk (SEAL)

APPROVED AS TO FORM:

Andrew Miller, Town Attorney

BROWN & ASSOCIATES
CERTIFIED INSPECTION
SERVICES, INC.,
an Arizona corporation

By: Michael J. Brown
Its: President
