

**CITY OF OCEANSIDE
AMENDMENT 3 TO
PROFESSIONAL SERVICES AGREEMENT**

**PROJECT: OBTAIN APPROVED DEVELOPMENT APPLICATION AND
PREPARE CONSTRUCTION DRAWINGS FOR THE EL CORAZON SPECIFIC
PLAN PHASE II TRAILS**

THIS AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (hereinafter "Amendment"), dated _____, 20__ for identification purposes, is made and entered into by and between the CITY OF OCEANSIDE, a municipal corporation, hereinafter designated as "CITY", and TLPG, Inc., DBA: THE LIGHFOOT PLANNING GROUP, hereinafter designated as "CONSULTANT."

RECITALS

WHEREAS, City and Consultant are the parties to that certain Professional Services Agreement dated December 16, 2020, hereinafter referred to as the "Agreement", wherein Consultant agreed to provide certain services to the City as set forth therein;

WHEREAS, the Professional Services Agreement was amended by Amendment 1, dated December 15, 2022, which extended the expiration date to January 5, 2024.

WHEREAS, the Professional Services Agreement was amended by Amendment 2, dated January 4, 2024, which extended the expiration date to July 5, 2025.

WHEREAS, the current contract has a remaining balance of \$44,002 and the parties desire to amend the Agreement to provide for changes and/or modifications to the scope of work, timing requirements, and provide for additional compensation.

AMENDMENT

NOW, THEREFORE, the parties hereto do mutually agree that the Agreement shall be amended as follows:

1. Section 1, **SCOPE OF WORK**, is hereby amended to include bidding and construction support as detailed in Exhibit A. All other verbiage shall remain the same within the section.
2. Section 7, **COMPENSATION**, is hereby amended to provide that the Consultant's compensation for the additional work described in Exhibit A shall be increased by an amount not to exceed \$19,958, for a revised total compensation amount not to exceed \$282,845.

CIP24-00019 El Corazon Ph II Trails

3. Section 8, **TIMING REQUIREMENTS**, is hereby amended to extend the contract from fifty-four (54) months to sixty-five (65) months, thereby updating the expiration date to June 5, 2026. All other verbiage shall remain the same within the section.
4. Except as expressly set forth in this Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

SIGNATURES. The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment on behalf of the respective legal entities of the CONSULTANT and the CITY.

IN WITNESS WHEREOF, the parties hereto being duly authorized on behalf of their respective entities to execute this Amendment, do hereby agree to the covenants contained in the Agreement, including this Amendment, and have caused this Amendment to be executed by setting hereunto their signatures on the dates set forth below.

TLPG, INC. DBA:
THE LIGHTFOOT PLANNING GROUP

By: [Signature]
Dan Niebaum, President

Date: 8-30-2025

By: _____
Name/ Title

Date: _____

95-3651019
Employer ID No.

CITY OF OCEANSIDE

By: _____
Jonathan Borrego, City Manager

Date: _____

APPROVED AS TO FORM:

[Signature], C.A.S.T.
City Attorney

NOTARY ACKNOWLEDGMENTS OF CONSULTANT MUST BE ATTACHED.

EXHIBIT A

PLEASE SEE ATTACHED
CALIFORNIA
☐ NOTAT
☒ ACKNOWLEDGMENT

CIP24-00019 El Corazon Ph II Trails

THE LIGHTFOOT PLANNING GROUP – Landscape Design

**ESTIMATED FEES FOR BIDDING AND CONSTRUCTION SUPPORT
EL CORAZON TRAILS – PHASE IIA**

Task	Estimated Hours	Rate / Hour	Estimated Fee
Prepare and process Construction Change for rerouting west habitat trail out of slope failure area	5.0	\$210	\$1050
	25.0	\$155	\$3950
Bidding assistance, review addendums, respond to RFI's etc	4.0	\$210	\$ 840
	15.0	\$155	\$2,325
Review and approve contractor submittals	4.0	\$210	\$840
	15.0	\$155	\$2,325
Site visits, pre-con meeting,	6.0	\$210	\$1,260
	20.0	\$155	\$3,100
Attend final walk through and prepare punch list	6.0	\$210	\$1,260
	10.0	\$155	\$1,550
Prepare record drawings based on contractor mark ups	2.0	\$210	\$420
	10.0	\$155	\$1,550
	10.0	\$145	\$1,450
Estimated Total			\$21,920

TAYLOR GROUP, INC

**ESTIMATED FEES FOR BIDDING AND CONSTRUCTION SUPPORT
EL CORAZON TRAILS - PHASE IIA**

Task	Estimated Hours	Estimated Fee
Prepare and process Construction Change for rerouting of west habitat trail out of slope failure area	25	\$ 5,000
Answer contractor questions during bidding and construction, including assistance with addendum's and Request for Information (RFIs).	60	\$ 13,200
Review and approve all Contractor's material submittals.	20	\$ 4,400
Site visits in response to questions arising from the progress of the work	40	\$ 8,800
Final walk through of the constructed project and assist in the preparation of "punch list" items in need of work.	12	\$ 2,640
Prepare record drawings following construction from mark-ups by the contractor and the resident engineer.	40	\$ 8,000
ESTIMATED TOTAL:	197	\$ 42,040

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On 30th August 2025 before me, Chul Eun Hong, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Jay Niebaum
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Amendment 3 to Professional Service Agreement

Document Date: 30th August 2025 Number of Pages: 3

Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: Daniel J Niebaum

☒ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: YES

Signer's Name: _____

☐ Corporate Officer - Title(s): _____

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian of Conservator

☐ Other: _____

Signer is Representing: _____