

CITY OF POMONA

FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

This FIFTH AMENDMENT to the Agreement for Professional On-Call Engineering Plan Check Consulting Services (“FIFTH AMENDMENT”) is entered into on the 7th day of July 2025, by and between the City of Pomona (the “CITY”) and HR Green Pacific, Inc. (“CONSULTANT”), hereinafter referred to collectively as the “Parties.”

RECITALS

Whereas, on June 1, 2020, the Parties entered into Agreement for Professional On-call Engineering Plan Check Consulting Services for an initial term of three years (the “AGREEMENT”), with two, one-year extension options of the AGREEMENT Term.

Whereas, the Agreement was for a term of 3 years, commencing June 1, 2020, to May 31, 2023.

Whereas, on July 1, 2021, the Parties entered into the FIRST AMENDMENT in order to amend the compensation provisions of the AGREEMENT.

Whereas, on June 1, 2023, the Parties entered into the SECOND AMENDMENT in order to extend the AGREEMENT through May 31, 2024, pursuant to City’s first extension option as outlined in Section 3.1.2 of the AGREEMENT.

Whereas, on June 1, 2024, the Parties entered into the THIRD AMENDMENT in order to extend the AGREEMENT through May 31, 2025, pursuant to City’s second extension option as outlined in Section 3.1.2 of the AGREEMENT.

Whereas, on September 1, 2024, the Parties entered into the FOURTH AMENDMENT in order to update the Fee Schedule to include a new Engineering Technician personnel classification as outlined in Fee Schedule (Exhibit “B”) of the AGREEMENT.

Whereas, the Parties now wish to enter into this FIFTH AMENDMENT in order to retroactively extend the AGREEMENT from June 1, 2025 through November 30, 2025, pursuant to City Council approval.

AMENDMENTS

1. Incorporation of Recitals. The recitals listed above are true and correct and are hereby incorporated herein by this reference.

2. Term. The Term of the AGREEMENT shall be retroactively extended from June 1, 2025 through November 30, 2025, unless earlier terminated.

3. No Other Changes. Except as amended by this FIFTH AMENDMENT, all provisions of the AGREEMENT, as previously amended, shall remain in full force and effect and shall govern the actions of the Parties under this FIFTH AMENDMENT.

4. Counterparts. A manually signed copy of this FIFTH AMENDMENT which is transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this FIFTH AMENDMENT for all purposes.

5. Severability. If any part of this FIFTH AMENDMENT is held to be unlawful or void, all other parts of this FIFTH AMENDMENT shall remain effective.

Now, therefore, the Parties hereto have executed this FIFTH AMENDMENT as of the date set forth below:

CITY OF POMONA

HR GREEN PACIFIC, INC

By: _____
Anita D. Scott
City Manager

By: _____
Timothy Hartnett
Vice President

Date:

PRINT:

ATTEST:

DATE:

By: _____
Rosalia Butler, City Clerk

APPROVED AS TO FORM:

By:  _____
Best Best & Krieger LLP
City Attorney