

CITY OF RICHMOND CONTRACT AMENDMENT

Department: Public Works	City Project Manager: Wendy Wellbrock
City Project Manager E-mail: wendy_wellbrock@ci.richmond.ca.us	City Project Manager Phone No: 510-307-8108
Vendor No: 8786	Contract No: 5228
Description of Services: Contractor will perform the design/build of the Harbour 8 Park Expansion	
Amendment No. <u>3</u> modifies the (check all that apply): <input checked="" type="checkbox"/> Term <input type="checkbox"/> Payment Limit <input type="checkbox"/> Service Plan <i>Complete the Amendment History page if this Amendment is the 2nd or subsequent amendment.</i>	

The parties to this Contract Amendment do mutually agree and promise as follows:

- Parties. The parties to this Contract Amendment are the City of Richmond, a public body corporate and politic, and the following named Contractor:

Contractor Name: POGO Park

Street Address: 2604 Roosevelt Ave

City, State, Zip Code: Richmond, CA 94804

Contact Person: Toody Maher

Telephone: 510-215-5500 Email: toody@pogopark.org

Business License No: 40046304

A California: corporation, limited liability corporation, general partnership,
 limited partnership, individual, non-profit corporation,
 individual dba as [specify:] _____
 other [specify:] _____

- Purpose. This Contract Amendment is being entered into to amend the following Contract between City and Contractor (list terms in effect on the date of initial Contract approval):

City Council Approval Date/City Manager Execution Date: June 30, 2020

Effective Date: July 1, 2020; Termination Date: June 30, 2023

Payment Limit: 1,589,500.

- [check box if applicable]** The Contract was previously amended, as described in the amendment history attached to this Contract Amendment, and the terms and conditions of any amendments shall be deemed to be a part of the Contract.

- Contract Provisions. The parties hereto agree to continue to abide by those terms and conditions of the Contract, including any amendments thereto, which are unaffected by this Contract Amendment, and which shall remain in full force and effect.

- 4. Amendment Provisions. This Contract Amendment is subject to the Amendment Provisions attached hereto, which are incorporated herein by reference, and which control over any conflicting provisions of the Contract.
- 5. City of Richmond Business License Active Status Maintained. Pursuant to Municipal Code Section 7.04.030, the Contractor must maintain its City of Richmond business license for this Contract Amendment to be deemed to be in effect.
- 6. Insurance Coverage Updated and Maintained. Pursuant to the Contract, the Contractor shall provide the City with updated insurance certificates, and the Contractor shall maintain insurance coverage, for this Contract Amendment to be deemed to be in effect.
- 7. Authority; Counterparts; Signatures. Each of the signatories hereto represents and warrants that he or she has the authority to execute this Contract Amendment for the Party on whose behalf he or she is executing this Contract Amendment. This Contract Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The Parties may rely on electronic or scanned signatures as originals. Delivery of an executed signature page of this Contract Amendment by electronic format (including pdf) shall be the same as delivery of an original executed signature page.

CITY OF RICHMOND,
a municipal corporation

By: Eduardo Martinez

Title: Mayor

Date Signed: 1/29/2026

I hereby certify that this Amendment has been approved by the City Council or executed by the City Manager.

By: Pamela Christian
City Clerk

Approved as to form:

By: JA For
City Attorney

POGO Park

[CONTRACTOR NAME]

(*If applicable, the Corporation Chairperson of the Board, President, or Vice-President should sign below.)

By: Denise Yamamoto

Title: Chair, Board of Directors

Date Signed: 12/22/2025

(*If applicable, the Corporation Chief Financial Officer or Assistant Treasurer, or Secretary or Assistant Secretary should sign below.)

By: Doody Maher

Title: Secretary, Board of Directors

*(NOTE: Pursuant to California Corporations Code Section 313, if Contractor is a corporation or nonprofit organization, this Contract (1) should be signed by the Chairperson of the Board, President or Vice-President and the Chief Financial Officer or Assistant Treasurer, or Secretary or Assistant Secretary; (2) should have both signatures conform to designated representative groups pursuant to Corporations Code Section 313.)

AMENDMENT PROVISIONS (AMENDMENT HISTORY)

If no prior amendments, skip to next page.

The **first** Contract Amendment was approved by City Council or executed by the City Manager on 07/19/2022 for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ 5,370,000 for a payment limit not to exceed \$ 6,959,500
- Term Amendment (insert new termination date): June 30, 2024
- Service Plan

The **second** Contract Amendment was approved by City Council or executed by the City Manager on 04/18/2023 for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ 2,196,225 for a payment limit not to exceed \$ 9,155,725
- Term Amendment (insert new termination date): December 31, 2025
- Service Plan

The **third** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ _____
- Term Amendment (insert new termination date): _____
- Service Plan

The **fourth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ _____
- Term Amendment (insert new termination date): _____
- Service Plan

The **fifth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ _____
- Term Amendment (insert new termination date): _____
- Service Plan

The **sixth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- Increased contract payment limit by \$ _____ for a payment limit not to exceed \$ _____
- Term Amendment (insert new termination date): _____
- Service Plan

AMENDMENT PROVISIONS (TERM, PAYMENT LIMIT AND/OR SERVICE PLAN)

Check all that apply:

TERM

Paragraph 2 (Term) of the Contract is hereby amended to extend the Contract term. Paragraph 2 of the Contract is amended to read as follows:

"2. Term. The effective date of this Contract is

July 1, 2020

(Insert Contract Effective Date)

and it terminates

December 31, 2026

(Insert new Contract termination date)

unless sooner terminated as provided herein."

PAYMENT

LIMIT

Paragraph 3 (Payment Limit) of the Contract is hereby amended to increase the payment limit by \$_____. Paragraph 3 of the Contract is amended to read as follows:

"3. Payment Limit. City's total payments to Contractor under this Contract shall not exceed \$_____ including expenses."

"The City shall not pay for services that exceed the Contract Payment Limit without the prior written approval of the City Council or executed by the City Manager if the total Contract amount does not exceed \$10,000 or without the prior approval of the City Council if the total Contract amount is over \$10,000."

SERVICE

PLAN

The Service Plan (Exhibit A) of the Contract is hereby amended to include the following tasks and/or services:

(Insert description of additional tasks/services. Use additional pages if necessary.)

None