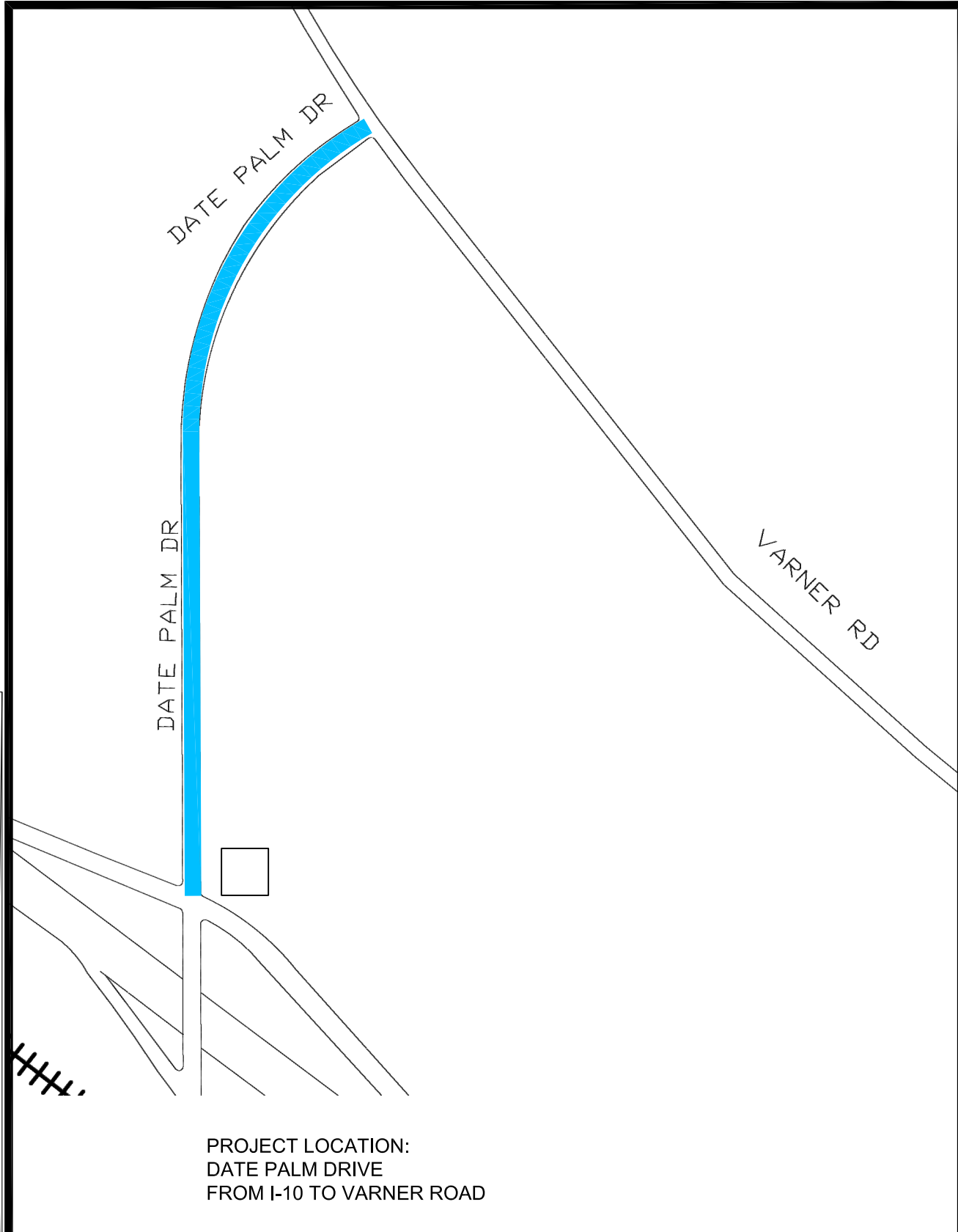


**E. Amendment No. 1 to the Professional Services Agreement with MSA Consulting, Inc. for Design of the Date Palm Drive between Interstate 10 and Varner Road Project (CIP No. C08671).**

Recommendation: To approve Amendment No. 1 to the Professional Services Agreement with MSA Consulting, Inc., related to the design of improvements along Date Palm Drive between Interstate 10 and Varner Road (CIP No. C08671), extending the term of the agreement by an additional six (6) months to allow for completion of project design activities; and authorize the City Manager to execute the amendment.



PROJECT LOCATION:  
DATE PALM DRIVE  
FROM I-10 TO VARNER ROAD



**Cathedral City**

City of Cathedral City  
68-700 Avenida Lalo Guerrero  
Cathedral City, Ca. 92234  
Ph. (760) 770-0340

**FISCAL YEAR 2027-2028  
DATE PALM  
NORTH OF I-10 WIDENING**

Scale: N/A

Date: APRIL 2025

Sheet: 1 of 1 Sheets

Drawn By: NMP  
Checked By: AJGB

**AMENDMENT NO. 1  
TO THE  
AGREEMENT FOR DESIGN PROFESSIONAL SERVICES  
BETWEEN  
THE CITY OF CATHEDRAL CITY, CALIFORNIA  
AND  
MSA CONSULTING, INC.**

In accordance with the "Design Professional Services" dated June 28, 2023, ("Agreement"), by and between the City of Cathedral City, a municipal corporation ("City") and MSA Consulting, Inc. a California corporation ("Consultant"), and in accordance with Section 27 of the Agreement, entitled, "Amendments", this Amendment Number No. 1 to the Agreement is made and entered into this 28<sup>th</sup> day of May 2025 ("Effective Date").

**RECITALS**

A. Consultant currently provides the City with design and engineering services for the Design Improvement along Date Palm Drive between Interstate 10 and Varner Road project, (CIP No. C08671).

B. City desires to amend the Agreement as per Section 1, to: extend the term of the Agreement six (6) months commencing on the Effective Date.

C. Section 13. Unauthorized Aliens and Section 34. Electronic Signature have been added to the City's standard agreements. This amendment will include this sections of the agreement as Section 2. Unauthorized Aliens and Section 3. Electronic Signature.

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

**Section 1.** The agreement termination date as set forth in the Agreement is hereby amended such that it shall expire at the end of business day on December 28, 2025.

**Section 2. Unauthorized Aliens**

Contractor hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C.A. §§ 1101, et seq., as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Contractor so employ such unauthorized aliens for the performance of the Services and should the any liability or sanctions be imposed against City for such use of unauthorized aliens, Contractor hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

**Section 3. Electronic Signature**

The Parties agree that, in accordance with the City's Electronic Signature Use Policy, adopted on August 10, 2023, and as amended thereafter, the Parties may use electronic

signatures to execute this Agreement. Any use of electronic signatures to execute this Agreement shall comply with the City's Electronic Signature Use Policy, and such signatures shall have the same force and effect as if this Agreement were executed by hand. Contractor acknowledges that it has had an opportunity to request and review the City's Electronic Signature Use Policy, and Contractor agrees to comply with the Electronic Signature Use Policy. Contractor agrees to indemnify, defend, and hold the City harmless from any claim, damage, or liability associated with transmitting an electronic signature or an electronically signed record by electronic transmission.

**Section 4.** Except as specifically amended by this Amendment No. 1, the remaining terms of the Agreement shall remain in full force and effect. In the event of a conflict between the provisions of this Amendment No. 1 and the provisions of the Agreement, the provisions of this Amendment No. 1 shall control.

**SUMMARY:**

Amendment No. 1 extends the contract end date to December 28, 2025, and updates the Agreement to the City's standard agreement for services.

**IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. 1 to be executed as of the date first written above.**

**CITY OF CATHEDRAL CITY**

**MSA CONSULTING, INC.**

By: \_\_\_\_\_  
Charles P. McClendon  
City Manager

By: \_\_\_\_\_  
Julian A. De La Torre, PE  
President / Principal Engineer

**ATTEST:**

By: \_\_\_\_\_  
Tracey R. Hermosillo, CMC  
City Clerk

By: \_\_\_\_\_

By: \_\_\_\_\_  
Eric S. Vail  
City Attorney