

**AMENDMENT NUMBER 3
TO AGREEMENT BETWEEN CITY OF ANN ARBOR
AND
MONAGHAN, P.C.
FOR LEGAL SERVICES**

This Amendment Number 3 (“Amendment”) is to the Agreement for Legal Services between the City of Ann Arbor, (“City”) and Monaghan, P.C. (“Firm”) dated June 29, 2022 (“Agreement”) as amended by Amendment Number 1 dated November 10, 2022, and amended by Amendment Number 2 dated _____, 2023. City and Firm agree to amend the Agreement as follows:

- 1) Exhibit B, Schedule of Fees and Costs, is amended to reflect a third increase of \$175,000.00 in the not to exceed amount of authorized compensation to be paid to the Firm (for a total not to exceed amount of \$250,000.00) and is replaced with the attached Third Amended Exhibit B, Schedule of Fees and Costs.

Unless specifically amended above, all terms, conditions, and provisions of the Agreement remain valid and in effect and apply to this Amendment and are made a part of this Amendment as though expressly rewritten, incorporated, and included herein.

City and Firm agree that for this Amendment and any documents related to the Agreement: 1) signatures may be delivered electronically in lieu of an original signature; 2) to treat electronic signatures as original signatures that bind them; and 3) signatures may be executed and delivered by facsimile and upon such delivery, the facsimile signature will be deemed to have the same effect as if the original signature had been delivered to the other party.

This Amendment to the Agreement shall be binding on the Parties’ heirs, successors, and assigns.

Dated: April __, 2023

[SIGNATURES ON NEXT PAGE]

MONAGHAN, P.C.

CITY OF ANN ARBOR

By _____
Thomas J. McCarthy
President & Chief Executive Officer

By _____
Christopher Taylor, Mayor

By _____
Jacqueline Beaudry, City Clerk

Date: _____

Approved as to substance

By _____
Milton Dohoney Jr.
City Administrator

By _____
Brian Steglitz, Public Services
Area Administrator

Approved as to Form and Substance

By _____
Atleen Kaur, City Attorney

**THIRD AMENDED
EXHIBIT B
Schedule of Fees and Costs**

General

The Firm shall be paid a total amount not to exceed \$250,000.00 for those services performed pursuant to this Agreement, inclusive of all fees and reimbursable expenses, in accordance with the terms and conditions herein and with Exhibit A in particular. The Fee Schedule below states the rates and reimbursable expenses the Firm may charge the City for the services.

Fee Schedule

[As applicable:]

\$325.00 per hour for shareholders and senior attorneys

\$275.00 per hour for associate attorneys

\$125.00 per hour for paralegal/legal assistants

Reimbursable Expenses

Normal and customary expenses necessary to perform the services are eligible for reimbursement which includes charges for out-of-subscription searches and materials approved in advance. Charges for monthly subscription computerized legal research are not a normal and customary expense and are not eligible for reimbursement.