

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE COUNCIL OF THE CITY OF NEW ORLEANS
AND
DELUCA ADVISORY & CONSULTING SERVICES LLC
INVESTIGATIVE SERVICES

THIS FIRST AMENDMENT (the "Amendment") is entered into by and between the City Council of New Orleans, represented by Jean Paul J. Morrell, Council President (the "Council"), and DeLuca Advisory & Consulting Services LLC, represented by Joseph A. DeLuca, Founding Principal and Project Executive (the "Contractor").

RECITALS

WHEREAS, on May 9, 2022, the Council issued Request for Qualifications No. CC-22-08 (reissued on June 21, 2022 as CC-22-08(R)) seeking qualified persons seeking the services of a qualified individual or firm with the requisite experience and ability to investigate procurement practices involving the Mayor's Office of Utilities (the "RFQ")

WHEREAS, on August 1, 2022, the Council and the Contractor entered into a Professional Services Agreement for Investigative Services (the "Agreement"); and

WHEREAS, the City and the Contractor, each having the authority to do so, desire to enter this Amendment to increase the amount of the Agreement;

NOW THEREFORE, for good and valuable consideration, the City and the Contractor amend the Agreement as follows:

1. Effective Date. The Parties do hereby agree that the Effective Date of the Agreement shall be June 1, 2023 to August 15, 2023.

2. Compensation. The compensation described in Article/Section IV (B) of the Agreement is increased by \$98,030.00 from \$200,000 to a total amount not to exceed \$298,030.

A. Rate of Compensation.

1. The Council will pay the Contractor in accordance with the following rate:

Table with 2 columns: Rate of Compensation, Fee. Rows include Project Executive/Project Manager/Investigative Attorney (\$400), Senior Investigator/Subject Matter Expert (\$350), Senior Forensic Auditor (\$300).

All billing will be done in increments of 1/10 hour.

3. Convicted Felon Statement: The Contractor swears that it complies with City Code § 2-8(c). No Contractor principal, member, or officer has, within the preceding five years,

been convicted of, or pled guilty to, a felony under state or federal statutes for embezzlement, theft of public funds, bribery, or falsification or destruction of public records.

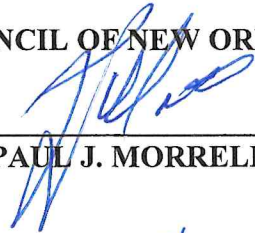
4. **Non-Solicitation Statement:** The Contractor swears that it has not employed or retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this Amendment. The Contractor has not paid or agreed to pay any person, other than a bona fide employee working for it, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from this Amendment.
5. **Prior Terms Binding:** Except as otherwise provided by this Amendment, the terms and conditions of the Agreement remain in full force and effect.
6. **Electronic Signature and Delivery.** The Parties agree that a manually signed copy of this Amendment and any other document(s) attached to this Amendment delivered by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment. No legally binding obligation shall be created with respect to a party until such party has delivered or caused to be delivered a manually signed copy of this Amendment.

[SIGNATURES CONTAINED ON NEXT PAGE]

[The remainder of this page is intentionally left blank.]


IN WITNESS WHEREOF, the City and the Contractor, through their duly authorized representatives, execute this Agreement.

CITY COUNCIL OF NEW ORLEANS

BY: 
JEAN PAUL J. MORRELL, COUNCIL PRESIDENT

Executed on this 10th day of August, 2023

FORM AND LEGALITY APPROVED:
Law Department

BY: 

Printed Name: Andrew Gregorich

DELUCA ADVISORY & CONSULTING SERVICES LLC

BY: 
JOSEPH A. DELUCA, FOUNDING PRINCIPAL

83-1185449
FEDERAL TAX I.D.