

**AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT**  
**WITH DOWNTOWN OKLAHOMA CITY PARTNERSHIP**

**THIS AMENDMENT NUMBER ONE** to Professional Services Agreement is made and entered into this **26TH** day of **SEPTEMBER** 2023, by and between The City of Oklahoma City ("City"), and Downtown Oklahoma City, Inc., an Oklahoma not-for-profit corporation d/b/a Downtown Oklahoma City Partnership ("Contractor").

**WITNESSETH:**

**WHEREAS**, on December 21, 2010 (Agenda Item Nos. VIII.D.1. and VII.D.2.), the City Council of The City of Oklahoma City held a public hearing and approved a resolution that created the Downtown Oklahoma City Business Improvement District, Oklahoma City Improvement and Special Services Assessment District No. Six (6); and

**WHEREAS**, the City desires to provide improvements and special services which confer benefits upon property owners within the District, and which constitute a supplement to standard City services to provide higher quality of maintenance in the District, and to provide other special services that will enhance the vitality and quality of the downtown Oklahoma City area; and

**WHEREAS**, Contractor is a private, non-profit corporation formed in substantial part for the purposes of improving and promoting downtown Oklahoma City; and

**WHEREAS**, on September 27, 2022 (Agenda Item No. IX.AZ.), the City entered into a one-year agreement for professional services with Contractor effective October 1, 2022, through September 30, 2023; and

**WHEREAS**, the professional services provided by Contractor include, among other services, amenity maintenance, security, and marketing in downtown Oklahoma City, such as landscaping maintenance and promotional marketing for the District; and

**WHEREAS**, the budget originally attached as Exhibit B to the Professional Services Agreement approved on September 27, 2022, listed the line item budget for Bricktown Subdistrict Services as \$205,030; and

**WHEREAS**, on November 18, 2022, the Bricktown Board of Directors approved an amendment to use the excess revenue from the prior year to fund additional projects in FY23. The budget amendment, in the amount of \$37,400, provided for the East Entry Project (\$12,400) and an Economic Impact Study (\$25,000). However, due to the timing of revenue collections and the major expenses incurred during the Downtown in December celebration, the excess cash was not available at that time to support these projects. The total collected revenues for Bricktown Marketing Generation 3 exceeds the current approved expenses authorized by the City Council, creating a surplus of cash; and

**WHEREAS**, the parties desire to increase the Bricktown Subdistrict Services budget approved by the Oklahoma City Council by \$37,400 (from \$205,030 to \$242,430) to allow for execution of the East Entry Project (\$12,400) and the Economic Impact Study (\$25,000) during the current (FY23) contract year; and

**WHEREAS**, the parties agree, in mutual consideration, to amend the professional services agreement to allow for the budget line item for Bricktown Subdistrict Services to be increased by \$37,400.

**NOW, THEREFORE**, in mutual consideration, the parties agree as follows:

1. **Exhibit B.** BID Budget for the term of October 1, 2022 – September 30, 2023 shall be amended as follows:

Source of Funds – Revenue

Prior Year Rollover shall now reflect a total of \$46,775.34.

Uses of Funds – Expense

Category 9200 – Bricktown Sub-Dist Services shall now reflect a total of \$242,430.

2. **Continuing Effect.** Except as provided in this Amendment No. 1, all items, provisions, and conditions of the original professional services agreement shall remain in full force and effect; and the provisions of this Amendment No. 1 shall become a part of the original professional services agreement as though fully set forth therein.

(The remainder of this page is intentionally blank; signature page follows.)

**APPROVED** by DOWNTOWN OKLAHOMA CITY, INC., d/b/a DOWNTOWN OKLAHOMA CITY PARTNERSHIP.

  
Jennifer Nakayama, President

**ACKNOWLEDGMENT**

STATE OF OKLAHOMA                    )  
  ) ss.  
COUNTY OF OKLAHOMA                )

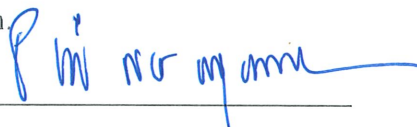
Before me, the undersigned, a Notary Public in and for said County and State, on the 6 day of September, 2023, personally appeared Jennifer Nakayama, the President of Downtown Oklahoma City, Inc., d/b/a Downtown Oklahoma City Partnership, to me known to be the identical person who executed the foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed, as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

Given under my hand and seal the day and year above written.

Notary Public # \_\_\_\_\_

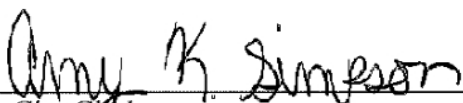
My Commission Expires \_\_\_\_\_





**APPROVED** by the City Council of The City of Oklahoma City and SIGNED by the Mayor this 26TH day of SEPTEMBER, 2023.

**ATTEST:**

  
City Clerk



  
Mayor

**REVIEWED** for form and legality.



ASSISTANT MUNICIPAL COUNSELOR