

**THIRD AMENDMENT TO LISTING AGREEMENT FOR SALE AND LEASE**

This Third Amendment to the Listing Agreement for Sale or Lease, entered into this \_\_\_\_ day of February, 2024, by and between the CITY OF ALAMEDA, a municipal corporation (hereinafter "City") and CUSHMAN & WAKEFIELD CALIFORNIA, INC., a California corporation (hereinafter "Provider"), is made with reference to the following:

RECITALS:

A. On June 1, 2015, an agreement was entered into by and between the City and Provider (hereinafter "Agreement") for Listing Services for Lease and Sale.

B. On October 16, 2018, the original agreement was amended by and between the City and Provider (hereinafter "First Amendment") for services rendered during the added contractual term between December 31, 2018 and December 31, 2021.

C. On March 15, 2021, the First Amendment was amended by and between the City and Provider (hereinafter "Second Amendment") for services rendered during the added contractual term between December 31, 2021 and December 31, 2023. Collectively, the Service Provider Agreement, as amended by the First Amendment, Second Amendment, and Third Amendment shall be referred to herein as the "Agreement".

D. Whereas, the City Council authorized the City Manager to execute this Agreement to the Agreement on \_\_\_\_\_, 2024.

E. The City and Provider desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. Paragraph 1, TERM, of the Agreement is modified to read as follows:

The term of this Agreement shall commence on the 1<sup>st</sup> day of June, 2015, and shall terminate on the 31<sup>st</sup> day of December, 2025, unless terminated earlier as set forth herein.

4. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

*Signatures on following page*

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

CUSHMAN & WAKEFIELD CALIFORNIA  
a California Corporation

CITY OF ALAMEDA  
a Municipal Corporation

By: Cori English  
Cori English  
Managing Principal

By: \_\_\_\_\_  
Jennifer Ott  
City Manager

RECOMMENDED FOR APPROVAL:

DocuSigned by:  
By: Abigail Thorne-Lyman  
2E1D71136B954F6...  
Abby Thorne-Lyman  
Base Reuse and Economic  
Development Director

APPROVED AS TO FORM:  
City Attorney

DocuSigned by:  
By: Len Aslanian  
765D25E39B18494...  
Len Aslanian  
Assistant City Attorney

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

CUSHMAN & WAKEFIELD CALIFORNIA  
a California Corporation

CITY OF ALAMEDA  
a Municipal Corporation

By: Cori English  
Cori English  
Managing Principal  
Jan 24, 2024

By: \_\_\_\_\_  
Jennifer Ott  
City Manager

By: Matt Chatham  
Matt Chatham (Jan 24, 2 @ 4:17:04 PST)  
Matt Chatham  
Regional President  
Jan 24, 2024

RECOMMENDED FOR APPROVAL:

By: \_\_\_\_\_  
Abby Thorne-Lyman  
Base Reuse and Economic  
Development Director

APPROVED AS TO FORM:  
City Attorney

By: \_\_\_\_\_  
Len Aslanian  
Assistant City Attorney



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/25/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Aon UK Limited 122 Leadenhall Street London EC3V 4AN United Kingdom	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b>	<b>FAX (A/C, No):</b>
<b>E-MAIL ADDRESS:</b>		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A:</b> See Attached		
<b>INSURER B:</b>		
<b>INSURER C:</b>		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**COVERAGES**                      **CERTIFICATE NUMBER:** 1095881                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <hr/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N <input type="checkbox"/> N / A						PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	E&O - MPL - Primary			PSDEF2300578 Claims-Made Policy; SIR applies per policy terms & conditions	12/31/2023	12/31/2024	Each Claim \$2,000,000 Aggregate \$2,000,000 SIR \$ 350,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
 Named Insured includes: Cushman & Wakefield of California, Inc.  
 As respects Errors and Omissions Liability policy PSDEF2300578, Aon Risk Services Central, Inc. is generating and distributing this certificate in an administrative capacity. Aon UK Limited is the broker for the defined policy.

<b>CERTIFICATE HOLDER</b>  City of Alameda Attn: Risk Manager 2263 Santa Clara Ave. Alameda, CA 94501 USA	<b>CANCELLATION</b> 23-24 C&W U.S./Cassidy E&O                      1095881  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  <i>Aon UK Limited</i>
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# ADDITIONAL REMARKS SCHEDULE

AGENCY Aon UK Limited	NAMED INSURED See Below
POLICY NUMBER See Below	EFFECTIVE DATE: 12/31/2023 to 12/31/2024
CARRIER See Below	NAIC CODE

**ADDITIONAL REMARKS**

**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,**

**FORM NUMBER:** ACORD 25      **FORM TITLE:** Evidence of Professional Indemnity Insurance

**PROFESSIONAL INDEMNITY COVERAGE – PRIMARY**

**NAMED INSURED:**

**Cushman & Wakefield, Inc.**  
**Cushman & Wakefield U.S., Inc.**  
**C&W Facility Services dba C&W Services**  
**Cushman & Wakefield Solutions, LLC**  
**Cushman & Wakefield ULC**

**Policy No. PSDEF2300578**

Liberty Mutual Insurance Co. – 15.88%

Great Lakes Insurance SE (Munich RE Group) – 30%

XL Insurance Company SE – 15.88%

Greenwich Insurance Co. – 19.48%

Allied World Assurance Co. Ltd. Australia Branch – 14%

Lloyd's of London Syndicate 1274 – 4.76%

