

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT ("Second Amendment") made and entered into as of this ____ day of _____, 2016, amends the Agreement entered into between the CITY OF FRESNO, a municipal corporation ("CITY"), and HIGHLAND CONSULTING, a sole proprietorship, and CARL J. KASSABIAN (collectively "CONSULTANT").

RECITALS

- A. CITY and CONSULTANT entered into an Agreement, dated July 1, 2014, for professional consulting services for ongoing and new railroad related Public Works projects.
- B. The Parties entered into a First Amendment to the Agreement on May 27, 2015, pursuant to which the Agreement will expire on June 30, 2016.
- C. CITY now desires to extend the term of the Agreement by one (1) year and provide for additional compensation of \$42,000 accordingly.
- D. Paragraph 28 of the Agreement provides that the Agreement may be amended or otherwise modified in a writing signed by the parties.

AGREEMENT

NOW, THEREFORE, in consideration of the above recitals, which recitals are contractual in nature, the mutual premises herein contained, and for other good and valuable consideration hereby acknowledged, the parties agree that the aforesaid Agreement be amended as follows:

- 1. The Agreement is hereby extended by one (1) additional year and the expiration date shall be June 30, 2017.
- 2. CONSULTANT'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Second Amendment, shall not exceed \$42,000.00 for the period July 1, 2016 to June 30, 2017.
- 3. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, effective July 1, 2014, remains in full force and effect.
- 4. This First Amendment contains no exhibits.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Second Amendment at Fresno, California, the day and year first above written.

CITY

CONSULTANT

CITY OF FRESNO, a Municipal Corporation

HIGHLAND CONSULTING, a sole proprietorship

By: _____
SCOTT L. MOZIER
Public Works Director

By: 
CARL J. KASSABIAN

ATTEST:
YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Raj Singh Badhesha, Deputy