

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 17th day of April, 2017, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (CITY), and WALLACE, ROBERTS AND TODD, LLC., a California corporation (CONSULTANT). CITY and CONSULTANT are collectively referred to as the Parties.

RECITALS

WHEREAS, CITY and CONSULTANT entered into an Agreement, dated May 26, 2016, for planning services for the Parks Master Plan (Agreement); and

WHEREAS, CITY and CONSULTANT desire to increase the scope of work by requiring additional services.

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 acknowledge, the Parties agree that the aforesaid Agreement be amended as follows:


1. CONSULTANT shall provide additional services as described in **Exhibit "A,"** attached hereto and incorporated herein by reference.
2. CONSULTANT's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee of \$250,000.
3. In the event of any conflict between the body of this Amendment and any Exhibit or Attachment hereto, the terms and conditions of the body of this Amendment shall control and take precedence over the terms and conditions expressed within the Exhibit or Attachment. Furthermore, any terms or conditions contained within any Exhibit or Attachment hereto which purport to modify the allocation of risk between the Parties, provided for within the body of this Amendment, shall be null and void.
4. Except as otherwise provided herein, the Agreement entered into by CITY and CONSULTANT, dated May 26, 2016, remains in full force and effect.


[SIGNATURES FOLLOW ON THE NEXT PAGE.]

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


CITY OF FRESNO,
a municipal corporation

WALLACE, ROBERTS AND TODD, LLC.,
a California corporation ~~corporation~~ **LLC**

By: 
Jennifer Clark, Director
Development and Resource
Management Department

By: 
Name: Joseph W. Healy
Title: Managing Principal
(If corporation or LLC., Board
Chair, Pres. or Vice Pres.)


ATTEST:
YVONNE SPENCE, CMC
City Clerk

By: 
Name: Jeremiah Appleton
Title: Director of Operations
(If corporation or LLC., CFO,
Treasurer, Secretary or Assistant
Secretary)

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

REVIEWED BY:

By:  4/17/17
Brandon Collet Date
Deputy City Attorney

By: 
Sophia Pagoulatos
DARM, Planning
Manager

Addresses:
CITY:
City of Fresno
Attention: Sophia Pagoulatos,
2600 Fresno Street
Fresno, CA 93721
Phone: (559) 621-8062
FAX: (559) 498-1012

CONSULTANT:
Wallace, Roberts and Todd
Attention: John Gibbs
Landscape Architect/Senior Associate
478 Tehema Street, Suite 2B
San Francisco, CA 94103
Phone: (415) 229-2806
FAX: (415) 436-9837

Attachment: Exhibit A –Scope of Services