

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this ____ day of November 2022 amends the Agreement entered into between the City of Fresno, a California municipal corporation (City), and MLA Green Inc, DBA Studio MLA, a California Corporation (Consultant).

RECITALS

WHEREAS, City and Consultant entered into an Agreement dated October 7, 2021, for professional Landscape Architectural and Engineering services for the design and general construction contract documents for No. 13 Park at MLK Magnet Core Project (Agreement); and

WHEREAS, Consultant has completed Parts One and Two of the Agreement; and

WHEREAS, City and Consultant now desire to modify the scope of work therein by requiring additional services.

AGREEMENT

NOW, THEREFORE, the parties agree that the

Agreement be amended as follows:

1. Consultant shall provide additional services as described in **Attachment A**, attached hereto and incorporated herein by reference. Such additional services shall be completed within **60** days following execution of this Amendment by both parties.
2. Consultant's sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee of \$44,000.
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 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 California municipal corporation

By: RANDALL W. MORRISON,
Assistant Director
Public Works Department

ATTEST:
TODD STERMER, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
RINA GONZALES
Interim City Attorney

By: Pauline Brickley 11/3/22
Pauline Brickley Date
Deputy

Addresses: CITY:
City of Fresno


Attention: Tim Groh
Project Manager
2600 Fresno Street
Fresno, CA 93721
Telephone No. 559-621-6868

Attachment: Attachment A

MLA Green Inc., dba Studio MLA,
a California Corporation

By: 
Name: Mia Lehrer

Title: President
(If corporation or LLC, Board Chair, Pres.
or Vice Pres.)

By: 
Name: Mia Lehrer

Title: CFO
(If corporation or LLC, CFO, Treasurer,
Secretary or Assistant Secretary)

REVIEWED BY:

Francisco V. Magos II
Francisco Magos, PE,
Public Works Manager
Public Works Department

CONSULTANT:
MLA Green Inc.,
Attention: Ben Feldman
Principal
251 S. Mission Road
Los Angeles, CA 90033
Telephone No. (213) 384-3844

Attachment A

ADDITIONAL SCOPE OF SERVICES First Amendment between City of Fresno and Studio MLA

No. 13 Park at MLK Magnet Core Project

| <u>Item</u> | <u>Task Description</u> | <u>Total Cost</u> |
|--|--|-------------------|
| 1. | Studio-MLA will provide the necessary design coordination to include a Tot Lot feature within the proposed park with an estimated construction budget in the range of \$350,000-\$400,000. Studio MLA will provide the necessary design coordination with a Tot Lot equipment manufacturer, cost analysis, construction layout and details required to implement, as part of the No. 13 Park at MLK Magnet Core Project. | \$44,000.00 |
| Scope of Work: | | |
| <ul style="list-style-type: none">• “Off the shelf” Play equipment selection suitable for ages 2-5 years.• Design space to accommodate ages 2-5 years and ages 5-12 years.• Play equipment for ages 5-12 years to be included as a construction option pending budget approval.• Cost Analysis.• Play equipment manufacture coordination• Construction details• Civil and Structural coordination. | | |
| Total Cost | | \$44,000.00 |