

## **FORTH AMENDMENT TO AGREEMENT**

THIS FORTH AMENDMENT TO AGREEMENT (“Amendment”) made and entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2020, amends the Agreement heretofore entered into between the CITY OF FRESNO, a municipal corporation (“CITY”), and Stantec Architecture, Inc. (“CONSULTANT”).

### **RECITALS**

WHEREAS, CITY and CONSULTANT entered into an Agreement, dated April 19, 2018, for professional architectural and engineering consulting services for the Fresno Area Express Facility Improvement Project (“Agreement”);

WHEREAS, the parties entered into a First Amendment to Agreement on November 29, 2018 for the purpose of expanding the scope of services performed by CONSULTANT (“First Amendment”);

WHEREAS, the parties entered into a Second Amendment to Agreement on August 23, 2019 separating the HVAC relocation as a stand-alone project (“Second Amendment”);

WHEREAS, the parties entered into a Third Amendment to Agreement on November 7, 2019 to revise the original scope of work of the Agreement to include additional services related to the redesign of the service to coordinate the PG&E EV Fleet Program

WHEREAS, the parties now seek to revise the original scope of work of the Agreement to include additional services related to the revised scope and design for the Bus Wash, Annex building, Administration building ADA bathroom upgrades, redesign of Administration building emergency power, and structural additions to the bus wash canopy.

WHEREAS, CONSULTANT desires to perform such additional services as set forth herein; and

WHEREAS, the parties now desire to add services to the original agreement for engineering and design services.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the above recitals, the parties now agree that the aforesaid Agreement be amended as follows:

1. CONSULTANT shall provide additional services as described in Attachment A, attached hereto and incorporated herein by reference. The time to complete the

services is outlined in Attachment A.

2. CONSULTANT'S sole compensation for satisfactory performance of all services required or rendered pursuant to this Amendment shall be a total fee not to exceed \$81,656.00.

3. In the event of any conflict between the body of this Fourth 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 Forth Amendment shall be null and void.

4. Except as otherwise provided herein, the Agreement, First, Second, and Third Amendment remain in full force and effect.

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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

STANTEC ARCHITECTURE, INC.,  
A North Carolina corporation

\_\_\_\_\_  
Gregory A. Barfield, Director  
Department of Transportation

By: \_\_\_\_\_

Name: H. Joshua Gould

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

Title: Vice President  
(Chairman/Pres/Vice Pres.)

By: \_\_\_\_\_

By: \_\_\_\_\_ Date: 2/4/20  
Kristi M. Costa, Deputy

Name: Patrick M. McKelvey

Title: Senior Principal  
(CFO/Secretary/Treasurer)

ATTEST:  
YVONNE SPENCE, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy

Addresses:

CITY:

City of Fresno  
Attention: Brian Cetti, Cap Dev  
Specialist 2223 G Street  
Fresno, CA 93706-1675  
Telephone: (559) 621-1440

CONSULTANT:

Stantec Architecture, Inc.  
Attention: Amy Chang, Senior Associate  
523 West 6<sup>th</sup> Street, Suite 1200  
Los Angeles, CA 90014-1218  
Telephone: (213) 955-3506  
Mobile: (213) 952-5232

Attachment:

A: Additional Scope of Services

## **Attachment A**

Additional Scope of Services  
Consultant Service Forth Amendment to Agreement between City of Fresno (“City”) and  
Stantec Architecture, Inc. (“Consultant”)

### Fresno Area Express Facility Improvements

Consultant shall perform each of the tasks described below.

#### **Scope of Work**

The below scopes of work reflects the scopes designed by FAX as well as the proposal letters from Stantec dated November 7, 2019 to provide:

#### **Revised Scopes of Work and Redesign of These Areas:**

- ADA bathroom upgrades in administration building.
- Revisions to the bus wash floor to accommodate new plumbing and new Bus Washing equipment.
- Structural calculations for missing lateral brace at existing bus wash canopy. (This is needed to meet structural compliance.)
- Redesign of 95% plans for FAX Administration emergency generator capacity to power new Vault Building
- Design changes to accommodate City of Fresno Design Review Committee’s comments.
- Revised electrical requirements for new Guard Booths at entry gates.
- Additional light fixture power source for new Bus Entry Gate signage.
- Revised employee lot lighting for the safety of the employees.
- Revisions to the employee outdoor sitting area for more seating and amenities to accommodate the bus drivers.
- Buy America provisions shall apply for all scope items in excess of \$150,000 for the Contractor.

- **Compensation**
- Compensation for the completion of the scope of work associated with the additional scopes and plan revisions is not to exceed \$81,656.00.

### **Period of Performance**

Completion of the above scope of work is to coincide with existing deliverables and timeline for the design and execution of the project. After NTP, 95% Plan Design, 100% Plan Design, Construction Plan Check.

### **Deliverables**

- 95% Construction Document Package (drawings and technical specification) for FAX to review and comments. All review comments should be issued as one consolidated document. This package will also be submitted to Authorities Having Jurisdiction (AHJ) for plan check and approval.
- 100% Bid Package (drawings and technical specification). Stantec will not proceed to 100% until all comments are received and addressed.
- Stantec will provide one probable construction cost estimate based on the 95% Construction Document Package
- Stantec will provide responses to contractor Requests for Information (RFI's) during procurement and construction phases
- Stantec will provide Record Drawings based on the contractor generated construction as-built document.
- Redesign of 95% plans for the FAX Administration emergency generator to power new Vault building.